Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, APRIL 30, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

"Now therefore, our God, we thank you and praise your glorious name." (I Chronicles 29:13)

It has been a full week already Lord, and this day has just begun. We ask that You will continue to abide with us and help us make sound decisions. Knowing You have helped us we can return home to catch up on the work that we have left behind and ahead of us. Let us be mindful and thankful of our families who have been so supportive of our desire to serve as senators and help us to over extend ourselves week after week. 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.

Photographers from the Missouri Military Academy were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

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

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 995, regarding State Employee Recognition Week, which was adopted.

Senator Keaveny offered Senate Resolution No. 996, regarding William Leon Kroc, Webster Groves, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **SCR 38** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SCR 38** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Pat Ann Danner Meyer, Democrat, as a member of the Credit Union Commission; and

Jade D. James, Democrat, as a member of the State Board of Registration for the Healing Arts.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Cunningham, 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 **SCS** for **HCS** for **HBs 517** and **754** and **HB 514** begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **HB 514** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

HB 514 was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Emery—1

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 458**, as amended, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Cunningham moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 67**, 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.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 540**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Onder assumed the Chair.

SS for **SB 540** was taken up.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 540, Page 1, In the Title, Line 7, by inserting immediately after "taxes" the following: ", with a referendum clause"; and

Further amend said bill, page 4, section 142.803, line 20 of said page, by inserting after all of said line the following:

"Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2016, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.".

Senator Schaaf moved that the above amendment be adopted.

Senator Emery requested a roll call vote be taken. He was joined in his request by Senators Brown, Hegeman, Libla and Sater.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 540, Page 1, In the Title, Lines 4-5, by striking all of said lines; and further amend line 7 of said title by striking "motor fuel taxes" and inserting in lieu thereof "transportation"; and

Further amend said bill and page, section 142.803, line 10 of said page, by striking all of said line and inserting in lieu thereof the following: "**31, 2015. Thereafter, such tax shall be eighteen and one-half cents per gallon except on diesel fuel. Beginning January 1, 2016, the tax on diesel fuel shall be twenty and one-half cents per gallon**"; and

Further amend said bill and section, page 3, line 24, by inserting after all of said line the following:

"**3. The provisions of this section shall be effective August 28, 2015, provided however that the provisions of subdivisions (4) to (6) of subsection 1 of this section shall become effective January 1, 2016.**"; and

Further amend said bill, pages 3-4, section 142.803, by striking all of said section from the bill and inserting in lieu thereof the following:

"**238.500. Sections 238.500 to 238.580 may be cited as the "Public-Private Partnership Authority Act" or the "P3 Authority Act".**

238.510. As used in sections 238.500 to 238.580, the following terms mean:

(1) "Contract", any purchase and sale agreement, lease, service agreement, franchise agreement, concession agreement or other written agreement entered into under sections 238.500 to 238.580 with respect to the provision of a public service and any related project;

(2) "Department", the Missouri department of transportation;

(3) "Private sector entity", any corporation, whether for profit or not for profit, limited liability company, partnership, limited liability partnership, sole proprietorship, business trust, joint venture, or other entity, whether foreign or domestic, but shall not mean the state, a political subdivision of the state, or a public or governmental entity, agency, or instrumentality of the state;

(4) "Project", includes construction, reconstruction, rehabilitation, renovation, installation, or enlargement of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, shelter, or rest area and any similar or related improvement to transportation infrastructure as part of Interstate 70 in existence as of August 28, 2015;

(5) "Proposer", a private sector entity, a local or regional public entity or agency, or any group or combination thereof, submitting qualifications or a proposal for a public-private partnership contract;

(6) "Public service", a service provided for a public purpose of the department and identified in a request for qualifications or proposals under sections 238.500 to 238.580;

(7) "User fees", tolls, fees, rents, or other charges authorized to be imposed by the department and collected by the private sector entity under the terms of a public-private partnership agreement.

238.530. 1. There is established a board to be known as the "Building Missouri's Future Board".

(1) The board shall be composed of three members to be appointed by the governor by and with

the advice and consent of the senate.

(2) Gubernatorial appointees shall have significant expertise and experience in one or more of the following fields:

(a) Transportation;

(b) Finance; or

(c) Land use and planning.

(3) All appointees shall be citizens of the state of Missouri.

(4) Initial members of the board shall serve staggered terms with one member serving one year, the second member serving two years, and third member serving three years.

(5) Appointee terms thereafter shall be for three years. No appointee may hold a position on the board for longer than two terms.

(6) Vacancies shall be filled for the duration of the original term.

(7) The chairmanship of the board shall rotate on an annual basis among the three members of the board.

2. The duties and functions of the board shall include approval of any proposed contract between the department and a private sector entity to establish a public-private partnership agreement under the terms of section 238.550.

3. The board may incur such other reasonable and proper costs and expenses as are related to the duties and functions allowed by statute.

4. The board is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as the 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, 2015, shall be invalid and void.

238.540. The Missouri department of transportation is charged with providing a public service shall have the authority to develop and implement a competitive process for identifying projects to be procured, funded, designed and built through public-private partnerships governed by comprehensive agreements entered into by the department and the selected, qualified proposer.

238.550. 1. The department may identify potential projects and public services for which a public-private partnership may be appropriate to improve public operational efficiencies, improve environmental performance, promote public safety, attract private investment in the state, and minimize government liabilities.

2. After the department identifies a potential partnership for a project or public service, the department shall conduct a public sector comparator study of the potential partnership. The members of the building Missouri's future board shall determine the scope of each public sector comparator, which scope shall depend on the type of proposed project and the nature of the public service under consideration for the partnership. The following shall be considered as components of a public sector comparator:

(1) The definition of the public need served by the proposed partnership;

(2) The cost required to meet the public need served by the public service under traditional

procurements or traditional public entity or commission operations;

(3) An analysis of alternative methods for providing the public services under consideration, including but not limited to design-build, design-build-finance, design-build-fiance-operate-maintain, service contracts or leases, and how the alternative methods would meet the need served by the public service;

(4) An evaluation of the costs and benefits of using an alternative method or public-private partnership to render a public service, which shall include:

(a) The potential cost of utilizing an alternative method;

(b) The operation and technological risks involved in utilizing an alternative method;

(c) A comparative analysis of rendering the public service by allowing the department to utilize traditional methods;

(d) The financial impact the partnership will have on the department;

(e) The impact the partnership is projected to have on job formation, economic growth, and the community in which the public service is to be rendered.

3. The department shall develop and use a competitive procurement process to form a public-private partnership for the purpose of developing, financing, or operating a project. The department shall publish notice of the intent to enter into a contract for a partnership for public service or related project and shall publish notice of the intent to enter into a contract for a partnership for public service or related project and shall prepare a request for private sector entities interested in serving as proposers for the partnership. The notice shall notify interested parties of the opportunity to submit their qualifications for consideration and shall be published at least thirty days prior to the deadline for submitting those qualifications. The department also may advertise the information contained in the notice in appropriate and widely available print and electronic public and professional media and otherwise notify as it sees fit those parties believed to be interested in providing the public service and in any related project.

4. After inviting qualifications, the department shall evaluate the qualifications submitted and may hold discussions with proposers to further explore their qualifications. Following this evaluation, the department may determine a list of qualified proposers based on criteria in the invitation, and invite only those proposers to submit a proposal.

5. The department shall prepare a request for proposal and the proposed partnership contract which shall contain the terms and conditions to carry out and effectuate the purposes of sections 238.500 to 238.580 which may include:

(1) The duration of the contract, which shall not exceed seventy-five years;

(2) Rates or fees for the public services to be provided or methods or procedures for the determination of such rates or fees;

(3) Standards for the public services to be provided;

(4) Standards and responsibilities for operation and maintenance of any related project;

(5) Required financial assurances;

(6) Financial and other data reporting requirements;

(7) Bases and procedures for termination of the contract and retaking of possession or title to the project; and

(8) Events of default and remedies upon default, including mandamus, suits in equity, actions at law, or any combination of those remedial actions.

6. After proposals are received, the department shall evaluate the proposals submitted using the criteria established in its request for proposal and may hold discussions with proposers to further explore their proposals, the scope and nature of the public service or services they would provide, and the various technical approaches they may take regarding the public service and any related project. Following this evaluation, the department shall select the proposer ranked most qualified to provide the public service and shall negotiate and execute a comprehensive agreement establishing the terms for the financing, development, and operation of the project.

7. Upon failure to negotiate a comprehensive agreement with the proposer ranked most qualified, the department shall inform the proposer in writing of the termination of negotiations and may enter into negotiations with the proposer ranked next most qualified. If negotiations again fail, the same procedure may be followed with each next most qualified proposer selected and ranked, in order of ranking, until a comprehensive agreement is negotiated and executed.

8. If the department fails to negotiate a comprehensive agreement with any of the ranked proposers, the department may terminate the process or select and rank additional proposers, based on their qualifications or proposals, and the negotiations shall continue as with the proposers initially selected and ranked until a comprehensive agreement is negotiated.

9. The authorized representative of the department may reject any and all submissions of qualifications or proposals, and may unilaterally terminate the procurement process at any point.

238.560. The exercise of the powers granted by sections 238.500 to 238.580 will be for the benefit of the people of the state and shall be liberally construed to effect the purposes thereof. As the performance of public services will constitute the performance of essential government functions, any project or part thereof owned by the state and used for performing any public service pursuant to a contract entered into under sections 238.500 to 238.580 that would be exempt from taxation or assessments in the absence of such contract shall remain exempt from taxation and assessments levied by the state and its subdivisions to the same extent as if not subject to that contract. The gross receipts and income of a successful proposer derived from providing public services under a contract through a project owned by the state shall be exempt from taxation levied by the state and its subdivisions. Any transfer or lease between a proposer and the state of a project or part thereof, or item included or to be included in the project, shall be exempt from the taxes levied by the state and its political subdivisions if the state is retaining ownership of the project or part thereof that is being transferred or leased.

238.570. 1. The department shall have the authority to impose or collect user fees and they shall be empowered to delegate that authority to a private sector entity under the terms of a comprehensive public-private partnership agreement.

2. The department may retain or contract for the services of commercial appraisers, engineers, investment bankers, financial advisers, accounting experts, and other consultants, independent contractors, or providers of professional services as are necessary to carry out the department's powers and duties under sections 238.500 to 238.580, including the identification of public services and any related projects to be subject to invitations for qualifications or proposals under sections 238.500 to 238.580, the development of those invitations and related evaluation criteria, the evaluation of those invitations, and negotiation of any contract under sections 238.500 to 238.580.

238.580. If any provision of sections 238.500 to 238.580 or the application thereof to anyone or any circumstances is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances shall not be affected thereby.

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of section 142.803 shall be nonseverable from sections 238.500 to 238.580, and if any provision of sections 238.500 to 238.580 is for any reason held to be invalid, such decision shall invalidate section 142.803."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Kraus offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment to Senate Substitute for Senate Bill No. 540, Page 4, Section 238.510, Line 6, by inserting after all of said line the following:

"**4. Notwithstanding the provisions of sections 238.500 to 238.580 to the contrary, any agreement between the department and a private sector entity providing for the construction, operation, or maintenance of a highway and collection of user fees relating to such services shall be approved by a concurrent resolution of the general assembly before becoming effective.**"; and further renumber the remaining subsection accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Keaveny offered **SA 2** to **SA 2**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Amendment No. 2 to Senate Substitute for Senate Bill No. 540, Page 9, Section 238.570, Line 15, by inserting immediately at the end of said line the following:

"**Collection stations for user fees may only be established on portions of a highway consisting of two lanes of traffic traveling in each direction as of August 28, 2015.**".

Senator Keaveny moved that the above amendment be adopted, which motion failed.

SA 2, as amended, was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Libla moved that **SS** for **SB 540**, as amended, be adopted, which motion prevailed.

Senator Libla moved that **SS** for **SB 540**, as amended, be declared perfected and ordered printed.

Senator Emery requested a roll call vote be taken on the perfection of **SS** for **SB 540**, as amended. He was joined in his request by Senators Libla, Hegeman, Holsman and Walsh.

SS for **SB 540** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe	LeVota
Libla	Munzlinger	Nasheed	Richard	Romine	Schatz	Schupp	Wallingford
Walsh	Wasson—18						

NAYS—Senators

Brown	Emery	Hegeman	Kraus	Onder	Pearce	Riddle	Sater

Schaaf Schaefer Schmitt Silvey Wieland—13

Absent—Senator Sifton—1

Absent with leave—Senators

Chappelle-Nadal Parson—2

Vacancies—None

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 **HCS** for **HB 513**, entitled:

An Act to repeal sections 274.170, 274.190, 347.055, 347.160, 347.179, 347.740, 351.049, 351.065, 351.120, 351.122, 351.125, 351.127, 351.522, 351.576, 351.657, 351.658, 351.1015, 351.1018, 351.1213, 355.011, 355.021, 355.023, 355.703, 355.857, 356.211, 356.233, 357.010, 357.030, 357.060, 358.440, 358.460, 358.470, 358.501, 359.145, 359.531, 359.641, 359.651, 359.653, 392.010, 417.016, 417.018, 417.021, 417.026, 417.031, 417.170, 417.175, and 417.220, RSMo, and to enact in lieu thereof forty-three new sections relating to business filing fees collected by the secretary of state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 824**, entitled:

An Act to repeal section 393.015, RSMo, and to enact in lieu thereof one new section relating to water service.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HB 122**, entitled:

An Act to repeal sections 563.031, 571.030, and 571.111, RSMo, and to enact in lieu thereof three new sections relating to firearms, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HB 479**, entitled:

An Act to amend chapter 267, RSMo, by adding thereto one new section relating to agricultural data collection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 612**, entitled:

An Act to repeal section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and sections 217.360 and 221.407, RSMo, and to enact in lieu thereof three new sections relating to correctional facilities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HB 530**, entitled:

An Act to repeal sections 72.418, 190.055, 321.017, 321.130, 321.210, and 321.322, RSMo, and to enact in lieu thereof six new sections relating to emergency services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1054**, entitled:

An Act to repeal section 163.410, RSMo, and to enact in lieu thereof one new section relating to school funding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HB 1044**, entitled:

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to an armed offender docket in the circuit court of Jackson County.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HB 207**, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems, with a referendum clause.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 172**, entitled:

An Act to repeal sections 160.514, 161.855, 169.070, 169.141, 169.324, 169.560, 169.715, 173.750, and 178.550, RSMo, and to enact in lieu thereof thirteen new sections relating to elementary and secondary education, with an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 3, Section 160.514, Line 75, by deleting the word "**entity**" and inserting in lieu thereof the word "**authority**"; and

Further amend said bill, Page 9, Section 161.855, Line 66, by inserting immediately after all of said line and section the following:

"167.223. 1. Public high schools may, in cooperation with Missouri public [community] **two-year** colleges and public or private four-year colleges and universities, offer postsecondary course options to high school students. A postsecondary course option allows eligible students to attend vocational or academic classes on a college or university campus and receive both high school and college credit upon successful completion of the course.

2. For purposes of state aid, the pupil's resident district shall continue to count the pupil in the average daily attendance of such resident district for any time the student is attending a postsecondary course.

3. Any pupil enrolled in a [community] **two-year** college under a postsecondary course option shall be considered a resident student for the purposes of calculating state aid to the [community] **two-year** college.

4. [Community] **Two-year** colleges and four-year colleges and universities may charge reasonable fees for pupils enrolled in courses under a postsecondary course option. Such fees may be paid by the district of residence or by the pupil, as determined by the agreement between the district of residence and the college or university."; and

Further amend said bill, Page 26, Section 170.029, Line 21, by inserting immediately after the word "**standards**" the following: "**, technical coursework, and skills assessments developed**"; and

Further amend said bill, Page 26, Section 169.715, Line 33, by inserting immediately after all of said line and section the following:

"170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except privately operated trade schools, and shall begin not later than the seventh grade and

continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local school district maintaining such a high school shall require that prior to the completion of the twelfth grade each pupil who receives a high school diploma or certificate of graduation on or after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be of at least one semester in length and may be two semesters in length. The department of elementary and secondary education may provide assistance in developing such a course if the district requests assistance. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process.

2. **A student of a college or university, who, after having earned a passing grade in a course of instruction prescribed in this section, transfers to another college or university, is not required to earn a passing grade in another such course as a condition precedent to his or her graduation from the college or university.**

3. American history courses at the elementary and secondary levels shall include in their proper time-line sequence specific referrals to the details and events of the racial equality movement that have caused major changes in United States and Missouri laws and attitudes.

[3.**] 4. [**No pupil shall receive a certificate of graduation from any public or private school other than private trade schools unless he has satisfactorily passed an examination on the provisions and principles of the Constitution of the United States and of the state of Missouri, and in American history and American institutions. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process. A student of a college or university, who, after having completed a course of instruction prescribed in this section and successfully passed an examination on the United States Constitution, and in American history and American institutions required hereby, transfers to another college or university, is not required to complete another such course or pass another such examination as a condition precedent to his graduation from the college or university.**] To receive a certificate of graduation, public or private schools other than private trade schools may require a passing score on an examination of the provisions and principles of the Constitution of the United States, the Constitution of the state of Missouri, or both the Constitution of the United States and of the state of Missouri.**

[4.**] 5.** In the 1990-91 school year and each year thereafter, each school district maintaining a high school may annually nominate to the state board of education a student who has demonstrated knowledge of the principles of government and citizenship through academic achievement, participation in extracurricular activities, and service to the community. Annually, the state board of education shall select

fifteen students from those nominated by the local school districts and shall recognize and award them for their academic achievement, participation and service.

[5.**] 6.** The provisions of this section shall not apply to students from foreign countries who are enrolled in public or private high schools in Missouri, if such students are foreign exchange students sponsored by a national organization recognized by the department of elementary and secondary education.: and

Further amend said bill, Page 27, Section 170.029, Line 34 by inserting after said line the following:

"**170.345. 1. This section shall be known as the "Missouri Civics Education Initiative".**

2. Any student entering ninth grade after July 1, 2016, who is attending any public, charter, or private school except private trade schools, or a student seeking to complete a high school equivalency certificate shall, as a condition of high school graduation or its equivalent, take and receive a passing grade on a basic civics test similar to the civics portion of the United States Naturalization test, produced by the United States Citizenship and Immigration Services (USCIS).

3. The test required under subsection 2 of this section shall consist of questions used by the USCIS that are administered to applicants for United States citizenship. In order to receive a passing score on the test, a student shall answer at least sixty percent of the questions correctly.

4. Any student may take the test as many times as necessary for passage but shall receive a passing score prior to receiving a high school diploma, a certificate of high school graduation, or a high school equivalency certificate.

5. Every public school, charter school, private school except private trade schools, and the department of elementary and secondary education shall certify that a student has taken and received a passing grade on the test.

6. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program."; 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. 172, Page 4, Section 160.514, Line 111, by inserting immediately after all of said 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 **be included in the student handbook and shall** require**, at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 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 require a district employee who witnesses an incident of bullying or has received reliable information that an incident of bullying has occurred to verbally report the incident to the district's designated individual at the school on the same day the employee witnessed or received the reliable information regarding the incident unless extenuating circumstances prohibit the employee from reporting until the next school day. The policy shall require such a district employee to report an incident of bullying in writing to the district's designated individual at the school within two school days. The policy shall require that the district maintain records of all incidents of bullying and their resolution. The policy shall also contain a description of the format that shall be used for a written report, which shall require, at a minimum, a listing of the offense and the outcome of any investigation;**

(3) A procedure for reporting an act of bullying. The policy shall also include a statement requiring that the district designate an individual at each school in the district to receive verbal reports and written reports of incidents of bullying. Such individual shall be a district employee who is a school principal, school administrator, or school supervisor;

(4) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation including, at a minimum, the following requirements:

(a) Within one school day of a written report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident;

(b) The school principal may appoint other school staff to assist with the investigation;

(c) The investigation shall be completed within ten school days from the date of the written report;

(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; and

(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 school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy;

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

(c) 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, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying;

(d) The administration of the school district shall instruct its school counselors and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include but not be limited to cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section; and

(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.

5. Notwithstanding any other provision of law, any school district may subject any student to discipline for cyberbullying. The district shall have jurisdiction to prohibit cyberbullying that originates on a school's campus if the electronic communication was made using the school's technological resources or the electronic communication was made on the school's campus using the student's own personal technological resources. The district shall have jurisdiction to prohibit cyberbullying that originates off the school's campus if:

(1) It was reasonably foreseeable that the electronic communication would reach the school's campus; or

(2) There is a sufficient nexus between the electronic communication and the school which includes, but is not limited to, speech that is directed at a school-specific audience, or the speech was brought onto or accessed on the school campus, even if it was not the student in question who did so.

6. In determining the appropriate disciplinary action for a cyberbullying offense under subsection 5 of this section, the district shall take into consideration the nature of the offense, the age of the student, and the following:

(1) For a first-time or minor cyberbullying offense, the district may mandate that the student attend counseling and education sessions;

(2) For a second or more serious cyberbullying offense, the district may prohibit the student from

participating in school activities or events;

(3) For a serious incident of cyberbullying, the school may suspend or expel the student.

7. Each district shall annually review its antibullying policy and revise it as needed. The district's school board shall receive input from school personnel and administrators when reviewing and revising the policy.

8. Each district shall develop a method to keep track of any correspondence between individuals and the district, or any school in the district, regarding an incident of bullying. Such correspondence shall be a closed record under chapter 610.

9. Each district shall annually report to the department of elementary and secondary education the number of confirmed reported bullying incidents in the district at the school level and the district level, and any action taken in response to an incident of bullying, including but not limited to expulsions and suspensions, for each school in the district. No district shall release any confidential information not authorized by state or federal law for public release. The department of elementary and secondary education shall post this information on its internet website within thirty days of receiving it but shall ensure that no personally identifiable information is posted."; 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. 172, Page 9, Section 161.855, Line 66, by inserting after all of said section and line the following:

"162.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall only determine a child is gifted if the child meets the definition of "gifted children" as provided in section 162.675.

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and, in years not governed under subsection 4 of this section, subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For the 2007-08 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(c) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and

free textbook payment amounts multiplied by the dollar value modifier;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. In the 2006-07 school year and each school year thereafter for five years, those districts entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid in an amount as provided in this subsection.

(1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this section, plus eighty-five percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this section, plus seventy percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the amount of state aid calculated for the district for the 2008-09 school year under the provisions of subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the amount of state aid calculated for the district for the 2009-10 school year under the provisions of subsection 1 of this section plus forty-two percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the amount of state aid calculated for the district for the 2010-11 school year under the provisions of subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share,

and free textbook payments less any amounts received under section 163.043.

(6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the amount of state aid calculated for the district for the 2011-12 school year under the provisions of subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(7) (a) **[**a.**]** For the 2006-07 school year, if a school district experiences a decrease in summer school average daily attendance of more than twenty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of twenty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

[b.**] (b)** For the 2007-08 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[c.**] (c)** For the 2008-09 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty-five percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty-five percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[d.**] (d)** Notwithstanding the provisions of this **[**paragraph**] subdivision**, no such reduction shall be made in the case of a district that is receiving a payment under section 163.044 or any district whose regular school term average daily attendance for the preceding year was three hundred fifty or less.

[e.**] (e)** This **[**paragraph**] subdivision** shall not be construed to permit any reduction applied under this **[**paragraph**] subdivision** to result in any district receiving a current-year payment that is less than the amount calculated for such district under subsection 2 of this section.

[(b) If a school district experiences a decrease in its gifted program enrollment of more than twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection, an amount equal to the product of the percent reduction in the district's gifted program enrollment multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be subtracted from the district's current year payment amount.**]**

5. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

6. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections

1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

7. **(1)** If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) Beginning in the 2016-2017 school year and in each school year after that, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount.

8. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations."; and

Further amend said bill, Page 30, Section B, by inserting after all of said section the following:

"Section C. Section 163.031 of Section A of this act shall become effective July 1, 2016."; 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 Committee Substitute for Senate Bill No. 172, Page 27, Section 170.029, Line 34, by inserting immediately after all of said section and line the following:

"**170.350. A school district may develop a policy that allows student participation in the Constitution Project of the Missouri Supreme Court to be recognized by:**

(1) The granting of credit for some portion of, or in collaboration with:

(a) The community service or citizenship requirements of the A+ tuition reimbursement program under section 160.545;

(b) The Missouri and United States Constitution course under section 170.011; or

(c) Any relevant course or instructional unit in American government or a similar subject; and

(2) District or school-level awards including, but not limited to, certificates or assemblies."; 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. 172, Page 9, Section 161.855, Line 66, by inserting after all of said section and line the following:

"**162.732. 1. There is hereby established a "Committee on Schools for the Severely Disabled" in the department of elementary and secondary education. The committee shall be composed of the following five members:**

(1) One member who is an employee of the department of elementary and secondary education, appointed by the commissioner of education;

(2) One member from the house of representatives, appointed by the speaker of the house of representatives;

(3) One member from the senate, appointed by the president pro tem of the senate;

(4) One member from the joint committee on education, appointed by the chair of the joint committee on education; and

(5) One member who is on the staff of the Missouri schools for the severely disabled established under section 162.730, appointed by the commissioner of education.

2. The committee on schools for the severely disabled shall:

(1) Examine the regulations under which the schools for the severely disabled established under section 162.730 operate; and

(2) Recommend any changes to the regulations that would allow the schools for the severely

disabled to better serve the children of the schools.

3. Before December 1, 2015, the committee on schools for the severely disabled shall report its findings and recommendations to the house committee on elementary and secondary education. Such recommendations shall include the recommendations described under subdivision (2) of subsection 2 of this section."; 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. 172, Page 27, Section 170.029, Line 34, by inserting after all of said line the following:

"**170.047. 1. Beginning in the 2016-2017 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.**

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term "licensed educator" means any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement 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, 2015, shall be invalid and void.

170.048. 1. By July 1, 2017, each district shall adopt a policy for youth suicide awareness and prevention, including the training and education of district employees.

2. Each district's policy shall address, but need not be limited to, the following:

(1) Strategies that can help identify students who are at possible risk of suicide;

(2) Strategies and protocols for helping students at possible risk of suicide; and

(3) Protocols for responding to a suicide death.

3. By July 1, 2016, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2020, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide

awareness and prevention. The department shall review this information and may use it to change the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee."; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in section 556.061 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

(1) First degree murder under section 565.020;

(2) Second degree murder under section 565.021;

(3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;

(4) First degree assault under section 565.050;

(5) Rape in the first degree under section 566.030;

(6) Sodomy in the first degree under section 566.060;

(7) Burglary in the first degree under section 569.160;

(8) Burglary in the second degree under section 569.170;

(9) Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023;

(10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture

of a controlled substance under section 579.055;

(11) Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020;

(12) Arson in the first degree under section 569.040;

(13) Voluntary manslaughter under section 565.023;

(14) Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027;

(15) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;

(16) Rape in the second degree under section 566.031;

(17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;

(18) Property damage in the first degree under section 569.100;

(19) The possession of a weapon under chapter 571;

(20) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, or 566.069;

(21) Sodomy in the second degree pursuant to section 566.061;

(22) Sexual misconduct involving a child pursuant to section 566.083;

(23) Sexual abuse in the first degree pursuant to section 566.100;

(24) Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090; **[**or**]**

(25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225; **or**

(26) Making a terrorist threat under section 574.115;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in

subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed

to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for

purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or

"violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

(1) First degree murder under section 565.020;

(2) Second degree murder under section 565.021;

(3) Kidnapping under section 565.110;

(4) First degree assault under section 565.050;

(5) Rape in the first degree under section 566.030;

(6) Sodomy in the first degree under section 566.060;

(7) Burglary in the first degree under section 569.160;

(8) Burglary in the second degree under section 569.170;

(9) Robbery in the first degree under section 569.020;

(10) Distribution of drugs under section 195.211;

(11) Distribution of drugs to a minor under section 195.212;

(12) Arson in the first degree under section 569.040;

(13) Voluntary manslaughter under section 565.023;

(14) Involuntary manslaughter under section 565.024;

(15) Second degree assault under section 565.060;

(16) Rape in the second degree under section 566.031;

(17) Felonious restraint under section 565.120;

(18) Property damage in the first degree under section 569.100;

(19) The possession of a weapon under chapter 571;

(20) Child molestation in the first degree pursuant to section 566.067;

(21) Sodomy in the second degree pursuant to section 566.061;

(22) Sexual misconduct involving a child pursuant to section 566.083;

(23) Sexual abuse in the first degree pursuant to section 566.100;

(24) Harassment under section 565.090; **[**or**]**

(25) Stalking under section 565.225; **or**

(26) Making a terrorist threat under section 574.115;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in

a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; 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. 172, Page 9, Section 161.855, Line 66, by inserting immediately after said line the following:

"**161.1005. 1. By July 1, 2016, the department shall employ a dyslexia therapist, licensed**

psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department's dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department shall ensure that the dyslexia specialist has completed training and received certification from a program approved by the legislative task force on dyslexia and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

(1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;

(2) Be responsible for the implementation of professional development; and

(3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.

4. In addition to other duties assigned under subsection 3 of this section, the dyslexia specialist shall also assist the department with developing and administering professional development programs to be made available to school districts no later than the 2016-17 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia."; and

Further amend said substitute, Page 30, Section 178.550, Line 87, by inserting after all of said line the following:

"**633.420. 1. For the purposes of this section, the term "dyslexia" means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.**

2. There is hereby created the "Legislative Task Force on Dyslexia". The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of eighteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by

the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(4) A representative from a state teachers association or the Missouri National Education Association;

(5) A representative from the International Dyslexia Association of Missouri;

(6) A representative from Decoding Dyslexia of Missouri;

(7) A representative from the Missouri Association of Elementary School Principals;

(8) A representative from the Missouri Council of Administrators of Special Education;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(10) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association, or a certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(11) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(12) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(13) One private citizen who has a child who has been diagnosed with dyslexia;

(14) One private citizen who has been diagnosed with dyslexia; and

(15) A representative of the Missouri State Council of the International Reading Association.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2015, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and legislature and shall include findings and proposed legislation and

shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically sunset on August 31, 2017, unless reauthorized by an act of the general assembly."; and

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

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 9, Section 161.855, Line 66, by inserting immediately after said line the following:

"**161.1010. 1. There is hereby established the "Missouri Course Access Program" to allow public school students to enroll in online, blended, and face-to-face courses to supplement coursework offered at the school where the student is enrolled. The Missouri course access program is separate and distinct from the virtual online school program established under section 161.670 and shall not be considered part of the virtual online school program for any purpose.**

2. For purposes of sections 161.1010 to 161.1020, the following terms mean:

(1) "Course provider", an entity authorized by the department of elementary and secondary education to offer individual courses in person, online, or a combination of the two, including but not limited to online education providers, public or private elementary and secondary education institutions, education service agencies, private for profit or not-for-profit providers, postsecondary education institutions, and vocational or technical course providers;

(2) "Department", the department of elementary and secondary education;

(3) "Eligible funded student", any eligible participating student who is currently enrolled in a public school, including a public charter school, and who was previously enrolled in such school for at least one full school year;

(4) "Eligible participating student", any K-12 student who resides in the state;

(5) "Local education agency", a public authority legally constituted by the state as an administrative agency to provide control and direction for kindergarten through twelfth grade public educational institutions, including public charter schools;

(6) "State course access catalog", the website developed for the department of elementary and secondary education that provides a listing of all courses authorized and available to students in the state, detailed information about the courses to inform student enrollment decisions, and the ability for students to submit their course enrollments;

(7) "State course access program" or "program", the program created under sections 161.1010 to 161.1020.

161.1011. 1. Any eligible participating student may enroll in state course access program courses with the approval of such student's guidance counselor, as provided under subsection 3 of this section. An eligible funded student may enroll in state course access program courses that are funded by the program up to a maximum of seven credit hours per semester.

2. The families of eligible funded students and other eligible participating students may pay to enroll in state course access program courses above the maximum seven-credit hour limit specified in subsection 1 of this section.

3. Prior to enrolling in any state course access program course, a student shall first receive approval from his or her guidance counselor. Guidance counselors shall approve or disapprove a student's request to enroll based on the counselor's assessment of whether participation in the program and enrollment in a particular course is in the student's best interest. The department shall develop a procedure under which a student may appeal the decision of a guidance counselor made under the provisions of this section.

4. The local education agency where eligible funded students are enrolled full time may review enrollment requests to ensure courses are academically appropriate, logistically feasible, keep the student on track for an on-time graduation, and do not extend a student beyond a full-time course load. The local education agency may only reject enrollment requests for those reasons.

5. Local education agencies shall inform students and families of their right to appeal any enrollment denials in state course access program courses to the department, which shall provide a final enrollment decision within seven calendar days.

161.1012. 1. The department shall:

(1) Establish an authorization process for course providers that includes multiple opportunities for submission each year;

(2) Not later than ninety calendar days from initial submission date, authorize course providers that:

(a) Meet the criteria established under section 161.1013; and

(b) Provide courses which offer the instructional rigor and scope required under section 161.1013; and

(3) Not later than ninety calendar days from initial submission date, provide a written explanation to any course providers that are denied.

2. If a course provider is denied authorization, the provider may reapply in the future.

3. The department shall publish the process established under this section, including any deadlines and any guidelines applicable to the submission and authorization process for providers.

4. If the department determines that there are insufficient funds available for evaluating and authorizing course providers, the department may charge applicant providers a fee up to but no greater than the amount of the costs in order to ensure that evaluation occurs. The department shall establish and publish a fee schedule for purposes of this subsection.

161.1013. 1. To be authorized to offer a course through the state course access program, a provider shall:

(1) Comply with all applicable anti-discrimination provisions as well as applicable state and federal student data privacy provisions such as the Family Educational Rights and Privacy Act (FERPA);

(2) Provide an assurance that all online information and resources for online or blended courses are fully accessible for students of all abilities, including that:

(a) All of the courses submitted for approval are reviewed to ensure they meet legal accessibility standards;

(b) The provider has created and promulgated an Accessibility Online Learning Policy;

(c) The provider has designated an ADA Coordinator, a grievance policy, and annual notifications;

(d) The provider has policies and activities to ensure their organizational and course websites meet accessibility requirements; and

(e) The provider has no gateway exam or test where a specific score is required to participate in course access program courses beyond completion of prerequisite coursework or demonstrated mastery of prerequisite material;

(3) Demonstrate either:

(a) Prior evidence of delivering quality outcomes for students as demonstrated by completion

rates, student level growth, proficiency, or other quantifiable outcomes; or

(b) For course providers applying to offer a subject or grade level for the first time, provide a detailed justification, in a manner determined by the department, of how their organization's subject matter, instructional, or technical expertise will lead to successful outcomes for students;

(4) Ensure instructional and curricular quality through a detailed curriculum and student performance accountability plan that aligns with, and measures student attainment of, relevant state academic standards or other relevant standards in courses without state academic standards;

(5) Provide assurances that the course provider shall electronically provide, in a manner and format determined by the department, a detailed student record of enrollment, performance, completion, and grading information with the school systems where eligible participating students are enrolled full time.

2. Additional criteria developed by the department shall be used to evaluate providers and may include nationally recognized third-party quality standards.

161.1014. 1. The department shall establish a course review and approval process. The process may be implemented by the department or by an entity designated by the department.

2. In order to be approved and added to the state course access catalog, a course shall:

(1) Be, at a minimum, the equivalent in instructional rigor and scope to a course that is provided in a traditional classroom setting;

(2) Be aligned to relevant state academic standards or industry standards;

(3) Possess an assessment component for determining student proficiency, as well as student growth where applicable; and

(4) Be designed and implemented consistently with criteria established by the department and nationally recognized third-party quality standards.

3. The department may negotiate changes in the proposal to offer a course, if the department determines that changes are necessary in order to authorize the course.

161.1015. 1. The initial authorization of the course provider and approved courses shall be for a period of three years.

2. Providers shall annually report, in such a manner as directed by the department:

(1) Student enrollment data;

(2) Student outcomes, growth measures when available, proficiency rates, and completion rates for each subject area and grade level; and

(3) Student and parental feedback on overall satisfaction and quality, including availability of support from teachers, and their comments.

3. After the second year of the initial authorization period, the department shall conduct a thorough review of the course provider's activities and the academic performance of the students enrolled in courses offered by the course provider.

4. If the performance of the students enrolled in courses offered by the course provider does not meet agreed upon performance standards at any time, the course provider shall be placed on probation and required to submit a plan for improvement to the department. The department shall establish terms of probation and develop specific criteria the provider must meet in order to return to good standing. Course providers shall be given at least sixty days to meet the terms of probation. Determinations as to whether the provider has met the conditions of probation shall be at the sole discretion of the department. If the department determines that the provider has failed to meet the conditions of probation within the time frame established by the department, the department may terminate the provider's status. Course providers who are terminated by the department under the provisions of this subsection shall be ineligible for reinstatement as a course provider for two years from the time the provider's status was revoked.

5. After the initial three-year authorization period, the department may reauthorize the course provider for additional periods of not less than three years after thorough review of the course provider's activities and the achievement of students enrolled in courses offered by the course provider.

6. The department may exclude a course provided by an authorized provider at any time if the department determines that:

(1) The course is no longer adequately aligned with the state academic standards;

(2) The course no longer provides a detailed and quality curriculum and accountability plan; or

(3) The course fails to deliver outcomes as measured by course completion or student outcomes and performance on state or nationally accepted assessments.

161.1016. The department may enter into a reciprocity agreement with other states for the purpose of authorizing and approving high quality providers and courses for the state course access program and the operation of the state course access catalog.

161.1017. 1. The department shall:

(1) Publish the criteria required by section 161.1013 for courses that may be offered through the state course access program;

(2) Be responsible for creating the state course access catalog; the department may enter into an agreement with other states or organizations to develop or operate one or more aspects of the state course access catalog and state course access program;

(3) Publish a link to the state course access catalog in a prominent location on the department's website, which includes a listing of courses offered by authorized providers available through the state course access program, a detailed description of the courses, and any available student completion and outcome data; and

(4) Establish and publish a time frame or specific dates by which students are able to withdraw from a course provided through the state course access program without the student, local education agency, or course provider incurring a penalty.

2. The department shall maintain on its official website in a prominent location an informed

choice report. Each report under this section shall:

(1) Be updated within thirty calendar days of additional provider authorizations;

(2) Describe each course offered through the state course access program and include information such as course requirements and the school year calendar for the course, including any options for continued participation outside of the standard school year calendar;

(3) Include student and parental comments and feedback as detailed under section 161.1014; and

(4) Be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

3. The department shall submit an annual report on the state course access program and the participation of entities to the governor, and the chairperson and vice-chairperson of the joint committee on education. The report shall at a minimum include the following information:

(1) The annual number of unique students participating in courses authorized under sections 161.1010 to 161.1020 and the total number of courses students are enrolled in;

(2) The number of authorized providers;

(3) The number of authorized courses and the number of students enrolled in each course;

(4) The number of courses available by subject and grade level;

(5) The number of students enrolled in courses by subject and grade level;

(6) Student outcome data, including completion rates, student learning gains, student performance on state or nationally accepted assessments, by subject and grade level by provider. This outcome data should be published in a manner that protects student privacy; and

(7) The department shall note any data that is not yet available at the time of publication and when it will become available, and include that data in future reports.

4. The report and underlying data shall be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

5. For purposes of this section, an "open format" is one that is platform independent, machine readable, and made available to the public without restrictions that would impede the reuse of that information.

161.1018. 1. A school district or charter school shall:

(1) Notify students and parents as part of any course enrollment period or process of the availability of state course access program courses in correspondence that is written in simple and accurate language;

(2) Provide information by letter or email to students and parents at home and by at least two other means, such as community flyers, newspaper postings, on student report cards, or other methods;

(3) Publish information and eligibility guidelines on the school and school district's websites.

2. Each local school system shall establish policies and procedures whereby, for each eligible participating student as identified in section 161.1011, the following shall apply:

(1) Credits earned through the course provider shall appear on each student's official transcript and count fully towards the requirements of any approved state diploma; and

(2) Coordinate with course providers to ensure that required state assessments are administered to each such student attending a public school.

3. The performance data of students who are enrolled in a course under sections 161.1010 to 161.1020 and in accordance with subsection 1 of this section shall be counted in the school performance score for the school in which the student is enrolled full time.

4. Nothing in sections 161.1010 to 161.1020 shall be construed to prevent a school entity from establishing its own online course or program in accordance with sections 161.1010 to 161.1020.

5. The department shall adopt rules necessary to implement sections 161.1010 to 161.1020, including but not limited to the requirements of school governing authorities or local school systems whose students enroll in courses offered by authorized course providers. 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, 2015, shall be invalid and void.

161.1019. 1. Per-course tuition shall be determined as follows:

(1) The course provider shall receive per-course tuition for each eligible funded student at a fair and reasonable rate negotiated by the department and the course provider that is inclusive of all required course materials. Determinations of course prices may take into account prices for similar levels of service in other jurisdictions. Funding for courses in which students are enrolled shall be made by the department to the local education agency where the student is enrolled full time; within ninety days of receiving funding from the department, the local education agency shall remit appropriate payment to the authorized course provider;

(2) The course provider shall receive payment from the local education agency only for the courses in which an eligible funded student is enrolled; the remaining funds received from the department by the local education agency shall remain with the local education agency in which the student is enrolled full time;

(3) The course provider shall accept the amount specified in subdivision (1) of this subsection as total tuition and fees for the eligible funded student;

(4) The course provider may charge tuition to any eligible participating student up to an amount determined by the course provider and department. An eligible participating student who is not an eligible funded student shall pay any such tuition and shall not receive any state funding for participation in state course access program courses.

2. Payment of tuition to course providers shall be based upon student success and made as follows:

(1) Fifty percent of the amount of tuition to be paid or transferred to the course provider shall be transferred upon student enrollment in a course and fifty percent shall be dependent upon student success in the course. Student success may initially be measured based on course completion, but the department shall create new measures of student success by Year 3 for use in courses where externally validated measures are available. These measures of student outcomes, based on either proficiency or growth, shall include results from independent end-of-course exams, advanced placement exams, receipt of industry recognized credentials, receipt of credit from institutions of higher education, or other externally validated measures;

(2) Partial payments for delayed completions shall be determined as follows: if a student does not successfully complete a course according to the published course length in which the course provider has received the first payment under subsection 1 of this section, the provider shall receive twenty percent of the tuition that is dependent upon student success as defined in subsection 1 of this section only if the student completes and receives credit for the course within one additional semester. At that point, remaining tuition shall be returned to the local education agency where a student is enrolled full time or to the eligible participating student if such student paid the tuition under subdivision (4) of subsection 1 of this section.

161.1020. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 161.1010 to 161.1020 shall automatically sunset six years after the effective date of sections 161.1010 to 161.1020 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 161.1010 to 161.1020 shall automatically sunset twelve years after the effective date of the reauthorization of sections 161.1010 to 161.1020; and

(3) Sections 161.1010 to 161.1020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 161.1010 to 161.1020 is sunset."; 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 **HCS** for **SB 244**, entitled:

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

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 **HB 565**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto eleven new sections relating to the establishment of the Missouri course access program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **SS** for **SCS** for **SB 115**, entitled:

An Act to repeal sections 94.902, 99.845, 137.076, 143.221, 143.801, 144.049, and 205.205, RSMo, and to enact in lieu thereof eight new sections relating to taxation.

With House Amendment Nos. 1, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, House Amendment Nos. 11 and 12.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"65.620. 1. Whenever any county abolishes township organization the county treasurer and ex officio collector shall immediately settle his accounts as treasurer with the county commission and shall thereafter perform all duties, exercise all powers, have all rights and be subject to all liabilities imposed and conferred upon the county collector of revenue under chapter 52 until the first Monday in March after the general election next following the abolishment of township organization and until a collector of revenue for the county is elected and qualified. The person elected collector at the general election as aforesaid, if that election is not one for collector of revenue under chapter 52, shall serve until the first Monday in March following the election and qualification of a collector of revenue under chapter 52. Upon abolition of township organization a county treasurer shall be appointed to serve until the expiration of the term of such officer pursuant to chapter 54.

2. Upon abolition of township organization, title to all property of all kinds theretofore owned by the several townships of the county shall vest in the county and the county shall be liable for all outstanding obligations and liabilities of the several townships.

3. The terms of office of all township officers shall expire on the abolition of township organization and the township trustee of each township shall immediately settle his accounts with the county clerk and all township officers shall promptly deliver to the appropriate county officers, as directed by the county commission, all books, papers, records and property pertaining to their offices.

4. For a period of one calendar year following the abolition of the townships or until the voters of the county have approved a tax levy for road and bridge purposes, whichever occurs first, the county collector shall continue to collect a property tax on a county-wide basis in an amount equal to the tax levied by the township that had the lowest total tax rate in the county immediately prior to the abolishment of the townships. The continued collection of the tax shall be considered a

continuation of an existing tax and shall not be considered a new tax levy."; and

Further amend said bill, Page 21, Section 205.205, Line 68, by inserting after all of said section and line the following:

"Section B. Because of the need to provide a funding source to ensure the proper maintenance of roads and bridges in certain counties of this state, section 65.620 of section A 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 section 65.620 of section A of this act shall be in full force and effect upon its passage and approval."; 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 Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting immediately after said line the following:

"137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks**, bed and breakfast inns in which the owner resides and uses as a primary residence with four or fewer rooms for rent**, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating

docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

(1) Immediate prior use, if any, of such property;

(2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution."; and

Further amend said bill, page 18, section 143.801, line 74, by inserting immediately after said line the following:

"144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place which rooms, meals or drinks are regularly served to the public**. The provisions of this subdivision shall not apply to bed and breakfast inns in which the owner resides and uses as a primary residence with four or fewer rooms for rent**;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are

licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."; 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 Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 137.076, Line 15, by inserting immediately after said line the following:

"143.161. 1. For all taxable years beginning after December 31, 1997, a resident may deduct one thousand two hundred dollars for each dependent for whom such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who has attained sixty-five years of age on or before the last day of the taxable year, if such dependent resides in the taxpayer's home or the dependent's own home or if such dependent does not receive Medicaid or state funding while residing in a facility licensed pursuant to chapter 198, the taxpayer may deduct an additional one thousand dollars.

2. [For all taxable years beginning before January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars.] For all taxable years beginning on or after January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional one thousand four hundred dollars.

3. For all taxable years beginning on or after January 1, 2015, for each birth for which a certificate of birth resulting in stillbirth has been issued under section 193.165, a taxpayer may claim the exemption under subsection 1 of this section only in the taxable year in which the stillbirth

occurred, if the child otherwise would have been a member of the taxpayer's household."; 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 Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting after all of said line the following:

"105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) "Governing body", the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) "Political subdivision", any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275. Any transportation development district that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine not to exceed five hundred dollars per day. **The state auditor shall report any violation to the department of revenue. The department of revenue may collect the fine authorized under the provisions of this subsection by offsetting any sales tax distributions through any means permitted under law for the collection of taxes. Any fine collected shall be reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected**

from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

9. Upon notification from the state auditor's office that a transportation development district failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such district by certified mail that the statement has not been received and that the district may be subject to a fine not to exceed five hundred dollars per day. Such notice shall clearly set forth the name of the district, the accrued amount of the fine, the district's opportunity to give written application for a hearing, by the administrative hearing commission, to contest the fine within thirty days of the date of receipt of the notice and that failure to either apply for such a hearing, in writing, or to submit the required annual financial statement within the thirty-day period will be deemed a waiver of the opportunity to contest the fine and the fine will be enforced and collected as provided in subsection 8 of this section. In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. Failure of the district to make application for a hearing or to submit the required annual financial statement timely shall cause the fine to be collected as provided for in subsection 8 of this section.

10. Any transportation development district organized under sections 238.200 to 238.275 having gross revenues of less than one thousand dollars annually shall not be subject to the fine authorized in subsection 8 of this section."; and

Further amend said bill, Page 21, Section 205.205, Line 68, by inserting after all of said line the following:

"238.222. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors or the selection of the initial directors pursuant to subsection 3 of section 238.220, the board shall meet. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members or the selection of the initial directors pursuant to subsection 3 of section 238.220 the board shall elect a chairman from its members.

3. The board shall appoint an executive director, district secretary, treasurer and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, **[**and**]** shall adopt a corporate seal**, and shall notify the state auditor as required in subsection 7 of this section**.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for his actual expenditures in the performance of his duties on behalf of the district.

7. Any district which has been previously organized and for which formation was approved prior

to August 28, 2015, shall notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors by December 31, 2015. Any district organized and formed after August 28, 2015, shall be required to notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors within four months of the date the formation was approved by any court in this state.

238.272. **1.** The state auditor may audit each district not more than once every three years. The **actual** costs of this audit shall be paid by the district and shall not exceed the greater of three percent of the gross revenues received by the transportation district **or three percent of the expenditures made by the transportation district**.

2. For petition audits performed on a transportation district by the state auditor, all expenses incurred in performing the audit including salaries of auditors, examiners, clerks, and other employees of the state auditor shall be paid by the transportation district, and the moneys shall be deposited in the petition audit revolving trust fund under section 29.230. The actual costs of the audit shall not exceed the greater of three percent of the gross revenues received by the transportation district or three percent of the expenditures made by the transportation district."; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115 Page 1, Line 7, by inserting immediately after the "**,**" the following:

"**which will subsequently or ultimately sell such merchandise or equipment**"; 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 Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting after all of said section and line the following:

"**137.018. 1. As used in this section, the term "merchandise" shall include short term rentals of equipment and other merchandise offered for short term rentals by rental companies under 532412 or 532210 of the 2012 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. As used in this section, the term "short term rental" shall mean rentals for a period of less than three hundred sixty-five consecutive days, for an undefined period, or under an open-ended contract.**

2. For the purposes of article X, section 6 of the Constitution of Missouri, all merchandise held or owned by a merchant whether or not currently subject to a short term rental and which will subsequently or ultimately be sold shall be considered inventory and exempt from ad valorem taxes."; and

Further amend said bill and page, Section 137.076, Line 1, by deleting all of said line and inserting in lieu the following:

"137.076. **1.** In establishing the value of a parcel of real property the county assessor shall"; and

Further amend said bill, page and section, Lines 11 through 15, by deleting all of said lines; and

Further amend said bill, page, section, Line 15, by inserting immediately after all of said line the following:

"**2. In establishing the value of a parcel of real property the county assessor shall and will use an income based approach for assessment of parcels of real property with federal or state imposed restrictions in regard to rent limitations, operations requirements or any other restrictions imposed upon the property in connection with the property being eligible for any income tax credits under section 42 of the Internal Revenue Code of 1986 as amended; property constructed with the use of the United States Department of Housing and Urban Development HOME investment partnerships program; property constructed with the use of incentives provided by the United States Department of Agriculture Rural Development; or property receiving any other state or federal subsidies provided with respect to use of the property for housing purposes.**

3. For the purposes of this section, the term "income based approach" shall and will include the use of direct capitalization methodology and computed by dividing the estimated net operating income of the parcel of property by an appropriate capitalization rate not to exceed the average of the current market data available in the county of said parcel of property plus the effective property tax rate applicable to the parcel. Federal and State tax credits or other subsidies shall not be considered when calculating the capitalization rate. Upon expiration of a land use restriction agreement, such parcel of property shall no longer be subject to this section."; and

Further amend said bill, Page 19, Section 144.049, Line 50, by inserting immediately after said section and line the following:

"153.030. 1. All bridges over streams dividing this state from any other state owned, used, leased or otherwise controlled by any person, corporation, railroad company or joint stock company, and all bridges across or over navigable streams within this state, where the charge is made for crossing the same, which are now constructed, which are in the course of construction, or which shall hereafter be constructed, and all property, real and tangible personal, owned, used, leased or otherwise controlled by telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies and express companies shall be subject to taxation for state, county, municipal and other local purposes to the same extent as the property of private persons.

2. And taxes levied thereon shall be levied and collected in the manner as is now or may hereafter be provided by law for the taxation of railroad property in this state, and county commissions, county boards of equalization and the state tax commission are hereby required to perform the same duties and are given the same powers, including punitive powers, in assessing, equalizing and adjusting the taxes on the property set forth in this section as the county commissions and boards of equalization and state tax commission have or may hereafter be empowered with, in assessing, equalizing, and adjusting the taxes on railroad property; and an authorized officer of any such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express company or the owner of any such toll bridge, is hereby required to render reports of the property of such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express companies in like manner as the authorized officer of the railroad company is now or may hereafter be required to render for the taxation

of railroad property.

3. On or before the fifteenth day of April in the year 1946 and each year thereafter an authorized officer of each such company shall furnish the state tax commission and county clerks a report, duly subscribed and sworn to by such authorized officer, which is like in nature and purpose to the reports required of railroads under chapter 151 showing the full amount of all real and tangible personal property owned, used, leased or otherwise controlled by each such company on January first of the year in which the report is due.

4. If any telephone company assessed pursuant to chapter 153 has a microwave relay station or stations in a county in which it has no wire mileage but has wire mileage in another county, then, for purposes of apportioning the assessed value of the distributable property of such companies, the straight line distance between such microwave relay stations shall constitute miles of wire. In the event that any public utility company assessed pursuant to this chapter has no distributable property which physically traverses the counties in which it operates, then the assessed value of the distributable property of such company shall be apportioned to the physical location of the distributable property.

5. Notwithstanding any provision of law to the contrary, beginning January 1, 2017, a telephone company shall annually be assessed using the methodology for property tax purposes, as provided for pursuant to this section, or may annually elect to be assessed using the methodology for property tax purposes, as provided for pursuant to this section, for property consisting of land and buildings, and be assessed for all other property exclusively using the methodology utilized pursuant to section 137.122. The provisions of this subsection shall not be construed to change the original assessment jurisdiction of the state tax commission.

6. Nothing in subsection 5 shall be construed as applying to any other utilities."; 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 Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

"32.069. **1.** Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment is not refunded within one hundred twenty days**[**, or within ninety days in the case of taxes imposed by sections 143.011 and 143.041,**]** from the latest of the following dates:

(1) The last day prescribed for filing a tax return or refund claim, without regard to any extension of time granted;

(2) The date the return, payment, or claim is filed; or

(3) The date the taxpayer files for a credit or refund and provides accurate and complete documentation to support such claim.

2. Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment in the case of taxes imposed by sections 143.011 and 143.041 is not refunded within forty-five days from the date the return or claim is filed."; and

Further amend said bill, Page 15, Section 99.845, Line 311, by inserting immediately after said section and line the following:

"136.110. **1.** The director of revenue shall promptly record all sums of money collected or received by the director and shall immediately thereafter deposit the same with the state treasurer, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages. The state treasurer, upon receipt of any moneys from the director of revenue, shall give his or her receipt therefor, executing the same in triplicate, and shall deliver one copy of such receipt to the director of revenue, one copy to the commissioner of administration, and shall retain the third copy thereof in the files of the state treasurer. The books of the director of revenue shall be audited by the state auditor at such times as may be required by law, and at such other times as may be directed by the governor.

2. For the purposes of this section, the term "promptly" shall mean within two business days."; and

Further amend said bill, Page 18, Section 143.801, Line 74, by inserting immediately after said section and line the following:

"143.811. 1. Under regulations prescribed by the director of revenue, interest shall be allowed and paid at the rate determined by section 32.065 on any overpayment in respect of the tax imposed by sections 143.011 to 143.996; except that, where the overpayment resulted from the filing of an amendment of the tax by the taxpayer after the last day prescribed for the filing of the return, interest shall be allowed and paid at the rate of six percent per annum. With respect to the part of an overpayment attributable to a deposit made pursuant to subsection 2 of section 143.631, interest shall be paid thereon at the rate in section 32.065 from the date of the deposit to the date of refund. No interest shall be allowed or paid if the amount thereof is less than one dollar.

2. For purposes of this section:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day determined without regard to any extension of time granted the taxpayer;

(2) Any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year, and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year to which such amount constitutes a credit or payment.

3. For purposes of this section with respect to any withholding tax:

(1) If a return for any period ending with or within a calendar year is filed before April fifteenth of the succeeding calendar year, such return shall be considered filed April fifteenth of such succeeding calendar year; and

(2) If a tax with respect to remuneration paid during any period ending with or within a calendar year is paid before April fifteenth of the succeeding calendar year, such tax shall be considered paid on April fifteenth of such succeeding calendar year.

4. If any overpayment of tax imposed by sections 143.061 and 143.071 is refunded within four months after the last date prescribed (or permitted by extension of time) for filing the return of such tax or within four months after the return was filed, whichever is later, no interest shall be allowed under this section on

overpayment.

5. If any overpayment of tax imposed by sections 143.011 and 143.041 is refunded within **[**ninety**]** **forty-five** days after the **[**last date prescribed or permitted by extension of time for filing the return of such tax**]** **date the return or claim is filed**, no interest shall be allowed under this section on overpayment.

6. Any overpayment resulting from a carryback, including a net operating loss and a corporate capital loss, shall be deemed not to have been made prior to the close of the taxable year in which the loss arises.

7. Any overpayment resulting from a carryback of a tax credit, including but not limited to the tax credits provided in sections 253.557 and 348.432, shall be deemed not to have been made prior to the close of the taxable year in which the tax credit was authorized.

143.1028. 1. For all tax years beginning on or after January 1, 2016, each individual entitled to a tax refund in an amount sufficient to make a designation under this section may designate all or a portion of his or her refund be credited to a specified Missouri higher education savings plan account established under sections 166.400 to 166.455. The contribution designation authorized by this section shall be clearly and unambiguously printed on each income tax return form provided by this state. If any individual that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to a specified account, such individual may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, the amount the individual wishes to contribute. Such amounts shall be clearly designated for the specified account.

2. A contribution designated under this section shall only be transferred and deposited into the specified savings account after all other claims against the refund from which such contribution is to be made have been satisfied. No contribution shall be allowed unless the taxpayer is entitled to a refund of at least twenty-five dollars.

3. Any refund amount designated under this section shall be subject to the provisions of section 143.721.

4. No contribution shall be made to a specified savings account if it would cause the balance of all savings accounts of the beneficiary to exceed the total contribution limit established under section 166.420."; and

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

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 137.076, Line 15, by inserting immediately after said line the following:

"140.170. 1. Except for lands described in subsection 7 of this section, the county collector shall cause a copy of the list of delinquent lands and lots to be printed in some newspaper of general circulation published in the county for three consecutive weeks, one insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth Monday in August.

2. In addition to the names of all record owners or the names of all owners appearing on the land tax book it is only necessary in the printed and published list to state in the aggregate the amount of taxes,

penalty, interest and cost due thereon, each year separately stated.

3. To the list shall be attached and in like manner printed and published a notice of said lands and lots stating that said land and lots will be sold at public auction to discharge the taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day and continuing from day to day thereafter until all are offered.

4. The county collector, on or before the day of sale, shall insert at the foot of the list on his **or her** record a copy of the notice and certify on his **or her** record immediately following the notice the name of the newspaper of the county in which the notice was printed and published and the dates of insertions thereof in the newspaper.

5. The expense of such printing shall be paid out of the county treasury and shall not exceed the rate provided for in chapter 493, relating to legal publications, notices and advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of the costs of the sale of any land or lot contained in the list.

6. The county collector shall cause the affidavit of the printer, editor or publisher of the newspaper in which the list of delinquent lands and notice of sale was published, as provided by section 493.060, with the list and notice attached, to be recorded in the office of the recorder of deeds of the county, and the recorder shall not charge or receive any fees for recording the same.

7. The county collector may have a separate list of such lands, without legal descriptions or the names of the record owners, printed in a newspaper of general circulation published in such county for three consecutive weeks before the sale of such lands for a parcel or lot of land that:

(1) Has an assessed value of one thousand **five hundred** dollars or less and has been advertised previously; or

(2) Is a lot in a development of twenty or more lots and such lot has an assessed value of one thousand **five hundred** dollars or less. The notice shall state that legal descriptions and the names of the record owners of such lands shall be posted at any county courthouse within the county and the office of the county collector.

8. If, in the opinion of the county collector, an adequate legal description of the delinquent land and lots cannot be obtained through researching the documents available through the recorder of deeds, the collector may commission a professional land surveyor to prepare an adequate legal description of the delinquent land and lots in question. The costs of any commissioned land survey deemed necessary by the county collector shall be taxed as part of the costs of the sale of any land or lots contained in the list prepared under this section.

140.195. Any collector, agent of any collector, tax sale purchaser, or agent of any tax sale purchaser performing duties under this chapter shall have the lawful right to enter upon the land of another without being guilty of trespass, if he or she is in the course of providing or attempting to provide notice of a tax sale or tax sale redemption rights and it is necessary to enter upon such land to provide, serve, or post such notice.

140.310. 1. The purchaser of any tract or lot of land at sale for delinquent taxes, homesteads excepted,

shall at any time after one year from the date of sale be entitled to the immediate possession of the premises so purchased during the redemption period provided for in this law, unless sooner redeemed; provided, however, any owner or occupant of any tract or lot of land purchased may retain possession of said premises by making a written assignment of, or agreement to pay, rent certain or estimated to accrue during such redemption period or so much thereof as shall be sufficient to discharge the bid of the purchaser with interest thereon as provided in the certificate of purchase.

2. The purchaser, his **or her** heirs or assigns may enforce his **or her** rights under said written assignment or agreement in any manner now authorized or hereafter authorized by law for the collection of delinquent and unpaid rent; provided further, nothing herein contained shall operate to the prejudice of any owner not in default and whose interest in the tract or lot of land is not encumbered by the certificate of purchase, nor shall it prejudice the rights of any occupant of any tract or lot of land not liable to pay taxes thereon nor such occupant's interest in any planted, growing or unharvested crop thereon.

3. Any additions or improvements made to any tract or lot of land by any occupant thereof, as tenant or otherwise, and made prior to such tax sale, which such occupant would be permitted to detach and remove from the land under his **or her** contract of occupancy shall also, to the same extent, be removable against the purchaser, his **or her** heirs or assigns.

4. Any rent collected by the purchaser, his **or her** heirs or assigns shall operate as a payment upon the amount due the holder of such certificate of purchase, and such amount or amounts, together with the date paid and by whom shall be endorsed as a credit upon said certificate, and which said sums shall be taken into consideration in the redemption of such land, as provided for in this chapter.

5. Any purchaser, heirs or assigns in possession within the period of redemption against whom rights of redemption are exercised shall be protected in the value of any planted, growing and/or unharvested crop on the lands redeemed in the same manner as such purchaser, heirs or assigns would be protected in valuable and lasting improvements made upon said lands after the period of redemption and referred to in section 140.360.

[6. The one-year redemption period shall not apply to third-year tax sales, but the ninety-day redemption period as provided in section 140.405 shall apply to such sales. There shall be no redemption period for a post-third-year tax sale, or any offering thereafter.**]**

140.340. 1. **Upon paying the reasonable and customary costs of sale to the county collector for the use of the purchaser, his or her heirs, successors, or assigns;** the owner**; lienholder;** or occupant of any land or lot sold for taxes, or any other persons having an interest therein, **[**may**] shall have the absolute right to** redeem the same at any time during the one year next ensuing**[**, in the following manner**] and shall continue to have a defeasible right to redeem the same until such time as the tax sale purchaser acquires the deed, at which time the right to redeem shall expire, provided upon the expiration of the lien evidenced by a certificate of purchase under section 140.410 no redemption shall be required.**

2. The reasonable and customary costs of sale include all costs incurred in selling and foreclosing tax liens under this chapter, and such reasonable and customary costs shall include the following: **[**by paying to the county collector, for the use of the purchaser, his heirs or assigns,**]** the full sum of the purchase money named in **[**his**] the** certificate of purchase and all the **[**cost**] costs** of the sale, including the cost to record the certificate of purchase as required in section 140.290, the fee necessary for the collector to record the release of such certificate of purchase, and the **reasonable and customary** cost of the title search and

[mailings**]** **postage costs** of notification required in sections 140.150 to 140.405, together with interest at the rate specified in such certificate, not to exceed ten percent annually, except on a sum paid by a purchaser in excess of the delinquent taxes due plus costs of the sale **incurred by the collector**, no interest shall be owing on the excess amount, with all subsequent taxes which have been paid thereon by the purchaser, his **or her** heirs or assigns with interest at the rate of eight percent per annum on such taxes subsequently paid, and in addition thereto the person redeeming any land shall pay the costs incident to entry of recital of such redemption**; provided, however, that no costs incurred by tax sale purchasers in providing notice of tax sale redemption rights required by law shall be reimbursable as a reasonable and customary cost of sale unless such costs are incurred after March first following the date of purchase of the tax sale certificate by said tax sale purchaser at a first or second offering delinquent tax sale**.

[2.**]** **3.** Upon deposit with the county collector of the amount necessary to redeem as herein provided, it shall be the duty of the county collector to mail to the purchaser, his **or her** heirs or assigns, at the last post office address if known, and if not known, then to the address of the purchaser as shown in the record of the certificate of purchase, notice of such deposit for redemption.

[3.**]** **4.** Such notice, given as herein provided, shall stop payment to the purchaser, his **or her** heirs or assigns of any further interest or penalty.

[4. In case the party purchasing said land, his heirs or assigns fails to take a tax deed for the land so purchased within six months after the expiration of the one year next following the date of sale, no interest shall be charged or collected from the redemptioner after that time.**]**

5. The reasonable and customary costs of sale needed to redeem any land or lot sold for taxes under this section shall be determined by the collector.

140.350. **[**Infants**]** **Minors** and incapacitated and disabled persons as defined in chapter 475 may redeem any lands belonging to them sold for taxes, within **[**one year after the expiration of such disability**]** **five years of the date of the last payment of taxes encumbering the real estate by the minor, incapacitated or disabled person, the party's predecessors in interest, or any representative of such person**, in the same manner as provided in section 140.340 for redemption by other persons.

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**]** **5** 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;

(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, 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 **except as otherwise provided in sections 140.550 and 140.570**.

9. The phrase "authorized to acquire the deed" as used in this chapter shall mean the date chosen by the tax sale purchaser that is more than the minimum redemption period set forth in section 140.340 if the tax sale purchaser has complied with the following requirements entitling the purchaser to the issuance of a collector's deed:

(1) Compliance with the requirements of this section to the satisfaction of the collector;

(2) Payment of the recording fee for the collector's deed as required under section 140.410;

(3) Production of the original of the certificate of purchase as required under section 140.420, or production of an original affidavit of lost or destroyed certificate approved by the collector as to form and substance; and

(4) Payment of all subsequent taxes required to be paid under section 140.440.

10. Notwithstanding any provision of law to the contrary, any person except a minor or an incapacitated or disabled person may receive notice under this section in a foreign country or outside the United States:

(1) By any internationally agreed upon means of service that is reasonably calculated to give notice, such as the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents;

(2) If there is no internationally agreed upon means of service, or if an international agreement allows service but does not specify the means, by a method that is reasonably calculated to give notice;

(3) As set forth for the foreign country's acceptable method of service in actions in courts of general jurisdiction;

(4) As the foreign country directs in response to a letter of request;

(5) Unless prohibited by a foreign country's law, by delivering a copy of the notice to the person personally or using a form of mail that requires a signed receipt; or

(6) By any other means not prohibited by international agreement as approved by the collector.

140.410. In all cases where lands have been or may hereafter be sold for delinquent taxes, penalty, interest and costs due thereon, and a certificate of purchase has been or may hereafter be issued, it is hereby made the duty of such purchaser, his **or her** heirs or assigns, to cause all subsequent taxes to be paid on the property purchased prior to the issuance of any collector's deed, and the purchaser shall further cause a deed to be executed and placed on record in the proper county all within **[**two years**] eighteen months** from the date of said sale; provided, that on failure of said purchaser, his **or her** heirs or assigns so to do, then and in that case the amount due such purchaser shall cease to be a lien on said lands so purchased as herein provided. Upon the purchaser's forfeiture of all rights of the property acquired by the certificate of purchase issued, and including the nonpayment of all subsequent years' taxes as described in this section, it shall be the responsibility of the collector to record the cancellation of the certificate of purchase in the office of the recorder of deeds of the county. Certificates of purchase cannot be assigned to nonresidents or delinquent taxpayers. However, any person purchasing property at a delinquent land tax sale who meets the requirements of this section, prior to receiving a collector's deed, shall pay to the collector the fee necessary

for the recording of such collector's deed to be issued. It shall be the responsibility of the collector to record the deed before delivering such deed to the purchaser of the property.

140.420. If no person shall redeem the lands sold for taxes **[**within the applicable redemption period of one year from the date of the sale or within the ninety-day notice as specified in section 140.405 for a third-year tax sale**] prior to the expiration of the right to redeem**, at the expiration thereof, and on production of the certificate of purchase **and upon proof satisfactory to the collector that a purchaser or his or her heirs, successors, or assigns are authorized to acquire the deed**, the collector of the county in which the sale of such lands took place shall execute to the purchaser, his **or her** heirs or assigns, in the name of the state, a conveyance of the real estate so sold, which shall vest in the grantee an absolute estate in fee simple, subject, however, to all claims thereon for unpaid taxes except such unpaid taxes existing at time of the purchase of said lands and the lien for which taxes was inferior to the lien for taxes for which said tract or lot of land was sold."; and

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

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 18, Section 143.801, Line 74, by inserting after all of said section and line the following:

"**143.1100. 1. This section shall be known and may be cited as the "Bring Jobs Home Act".**

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

(1) "Business unit":

(a) Any trade or business; and

(b) Any line of business or function unit which is part of any trade or business;

(2) "Deduction":

(a) For individuals, an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed; and

(b) For corporations, an amount subtracted from the taxpayer's Federal taxable income to determine Missouri taxable income for the tax year in which such deduction is claimed.

(3) "Department", the department of economic development;

(4) "Eligible expenses":

(a) Any amount for which a deduction is allowed to the taxpayer under Section 162 of the Internal Revenue Code of 1986, as amended; and

(b) Permit and license fees, lease brokerage fees, equipment installation costs, and other similar expenses.

(5) "Eligible insourcing expenses":

(a) Eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located outside the state of Missouri; and

(b) Eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located within the state of Missouri if such establishment constitutes the relocation of the business unit so eliminated.

For purposes of this subdivision, expenses shall be eligible if such elimination of the business unit in another state or country occurs in a different taxable year from the establishment of the business unit in Missouri;

(6) "Expanded affiliated group", an affiliated group as defined in Section 1504(a) of the Internal Revenue Code of 1986, as amended, determined without regard to Section 1504(b)(3) of the Internal Revenue Code of 1986, as amended, and by substituting more than fifty percent for at least eighty percent each place it appears in Section 1504(a) of the Internal Revenue Code of 1986, as amended. A partnership or any other entity other than a corporation shall be treated as a member of an expanded affiliated group if such entity is controlled by members of such group including any entity treated as a member of such group by reason of this subdivision;

(7) "Full-time equivalent employee", the same meaning as ascribed to the term under Sections 45R(d) and 45R(e) of the Internal Revenue Code of 1986, as amended, determined by only taking into account wages as otherwise defined in Section 45R(e) of the Internal Revenue Code of 1986, as amended, paid with respect to services performed within Missouri. In order to receive the tax deduction authorized in this section, a taxpayer's full-time equivalent employee performing services in Missouri shall be paid a salary or hourly wage equal to or more than an employee of the taxpayer in the same position prior to the relocation of the business unit;

(8) "Insourcing plan", a written plan to carry out the establishment of a business unit in Missouri as described in subdivision (5) of this subsection;

(9) "Taxpayer", any individual, firm, a partner in a firm, corporation, partnership, shareholder in an S-corporation, or member of a limited liability company subject to the income tax imposed under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. For all taxable years beginning on or after January 1, 2015, a taxpayer shall be allowed a deduction in an amount equal to fifty percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection 5 of this section. The amount of the deduction claimed shall not exceed the amount of:

(1) For individuals, the taxpayer's Missouri adjusted gross income for the taxable year for which the deduction is claimed; and

(2) For corporations, the taxpayer's Missouri taxable income for the taxable year for which the deduction is claimed.

However, any deduction that cannot be claimed in the taxable year may be carried over to the next five succeeding taxable years until the full deduction has been claimed.

4. No deduction shall be allowed under this section until the department determines the number of full-time equivalent employees of the taxpayer for the taxable year for which the deduction is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year

ending before the first taxable year in which such eligible insourcing expenses were paid or incurred.

5. (1) Except as provided in subdivisions (2) and (3) of this subsection, eligible insourcing expenses shall be taken into account in the taxable year during which the plan described in subdivision (8) of subsection 2 of this section has been completed and all eligible insourcing expenses under such plan have been paid or incurred.

(2) If the taxpayer elects the application of this subdivision, eligible insourcing expenses shall be taken into account in the first taxable year after the taxable year described in subdivision (1) of this subsection.

6. Notwithstanding any other provision of law to the contrary, no deduction shall be allowed for any expenses incurred if dissolving a business unit in Missouri and relocating such business unit to another state.

7. The total amount of deductions authorized under this section shall not exceed twenty million dollars in any taxable year. In the event that more than twenty million dollars in deductions are claimed in a taxable year, deductions shall be issued on a first-come, first-served filing basis.

8. A taxpayer that receives a deduction under the provisions of this section shall be ineligible to receive incentives under the provisions of any other state tax deduction program for the same expenses incurred.

9. Any taxpayer allowed a deduction under this section who, within ten years of receiving the deduction, eliminates the business unit for which the deduction was allowed shall repay the state an amount equal to the tax savings realized for the deduction allowed under this section, prorated by the number of years the business unit was in this state.

10. The department of economic development and the department of revenue shall promulgate rules 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 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 under 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, 2015, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date, 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 twelve years 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. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115 Page 1, Line 3, by inserting after all of said line the following:

"Further amend said bill, Section 143.801, Page 18, Line 74, by inserting after all of said section and line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public

highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities

owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-

the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel**, supplies, or food** consumed or used in the operation of ships, barges, or waterborne

vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel**, supplies, or food** is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract

for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended."; and"; and

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

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Pages 1-3, Section 94.860, Lines 1-74 and Pages 6-15, Section 99.845, Lines 1-311, by

striking said sections from the bill; and

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

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**32.420. 1. For purposes of this section, the following terms shall mean:**

(1) "Assessing entity", the state or one or more political subdivisions of the state that collects a tax, fee, charge, or assessment from a qualifying business;

(2) "Department", the department of revenue;

(3) "Election", the submission by a qualifying business of an authorization for the department to pay one or more recurring taxes, fees, charges, or assessments assessed by an assessing entity on a form supplied by the department;

(4) "Qualifying business", a business which is required to pay a tax, fee, charge, or assessment issued by an assessing entity:

(a) In a total amount greater than fifty thousand dollars per year; and

(b) Pays a tax, fee, charge, or assessment to twenty-five or more local taxing jurisdictions.

2. Notwithstanding any provision of law to the contrary, the department of revenue shall adopt rules implementing a system in which any recurring tax, fee, charge, or assessment issued by an assessing entity against a qualifying business, which has made an election for such tax, fee, charge, or assessment, shall be paid by such qualifying business in one transaction per month to the department. The department shall pay the assessing entity the amount remitted by the qualifying business as soon as practical, but no later than fifteen days after the receipt of funds from the qualifying business.

3. Notwithstanding any provision of law to the contrary, payment received by the department on or before such amount is due to the assessing entity shall not incur any late fees or penalties upon the department or the qualifying business if such funds are remitted to the assessing entity after the date such amount is due to the assessing entity.

4. For the purpose of administrative expenses associated with this section, the department may collect a fee from a qualifying business that makes an election under this section in an amount which cannot exceed one percent of the money the qualifying business remits to the department.

5. (1) The first year the provisions of this section are effective, the department shall accept the first twenty-five qualifying businesses that apply;

(2) The second year the provisions of this section are effective, the department shall accept the first one hundred qualifying businesses that apply; and

(3) The third year and every year thereafter the provisions of this section are effective, the department shall accept all qualifying businesses that apply.

6. The provisions of this section shall become effective on January 1, 2018."; and

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

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 21, Section 205.205, Line 68, by inserting immediately after said line the following:

"**285.517. Notwithstanding any provision of sections 285.500 to 285.515 or any other provision of law to the contrary, for any taxpayer undergoing an audit conducted by the department of labor and industrial relations regarding classification of an individual as an independent contractor or employee, if the taxpayer has been granted relief from the imposition of federal employment taxes under Section 530 of the Revenue Act of 1978, as amended, for an individual, with the result that the taxpayer can continue to classify the individual as an independent contractor for purposes of federal employment taxes, the department of labor and industrial relations and the department of revenue shall allow the taxpayer to classify the individual as an independent contractor for purposes of Missouri employment taxes with a maximum employment tax rate of one percent. Nothing in this section shall be construed to change in any way the status, liabilities, or rights of the individual whose status is at issue. This section terminates the liability of the employer for the Missouri employment taxes at one percent, but shall have no effect on the individual whose status is at issue.**"; 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 **HCS** for **SCS** for **SB 445**, entitled:

An Act to repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof twelve new sections relating to environmental protection.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445, Page 22, Section 643.650, Line 42, by inserting after all of said section and line the following:

"**Section 1. Any drinking water treatment plant located downstream of a landfill that contains radioactive waste shall test the finished drinking water biannually for the presence of radionuclides in the water. The company who operates the landfill shall reimburse the water company operating the treatment plant for the costs incurred for the required testing.**"; 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 300**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, 86.320, 86.1110, 86.1270, 86.1500, 86.1630, 94.579, 169.291, 169.324, and 169.450, RSMo, and to enact in lieu thereof seventeen new sections relating to retirement benefits.

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 35, Section 169.450, Line 117, by inserting the following after all of said line:

"169.560. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the **[**employing**]** district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the **[**employing**]** school district does not utilize a salary schedule, or if the position in question is not subject to the **[**employing**]** district's salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the **[**employing**]** school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such a district **[**on a regular, full-time basis,**]** **in excess of the limitations set forth in this section,** the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed**. In addition, such person [**and**]** shall contribute to the retirement system**, if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this section shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree subject to this section to provide documentation showing compliance with this section. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this section.**"; 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. 300, Page 24, Section 94.579, Line 139, by inserting after all of said section and line the following:

"**104.037. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.**

104.380. **1. Except as provided in subsection 2 of this section,** if a retired member is elected to any state office or is appointed to any state office or is employed by a department in a position normally requiring the performance by the person of duties during not less than one thousand forty hours per year, the member shall not receive an annuity for any month or part of a month for which the member serves as an officer or employee, but the member shall be considered to be a new employee with no previous creditable service and must accrue creditable service continuously for at least one year in order to receive any additional annuity. Any retired member who again becomes an employee and who accrues additional creditable service and later retires shall receive an additional amount of monthly annuity calculated to include only the creditable service and the average compensation earned by the member since such employment or creditable service earned as a member of the general assembly. Years of membership service and twelfths of a year are to be used in calculating any additional annuity except for creditable service earned as a member of the general assembly, and such additional annuity shall be based on the type of service accrued. In either event, the original annuity and the additional annuity, if any, shall be paid commencing with the end of the first month after the month during which the member's term of office has been completed, or the member's employment terminated. If a retired member is employed by a department in a position that does not normally require the person to perform duties during at least one thousand forty hours per year, the member shall not be considered an employee as defined pursuant to section 104.010. A retired member who becomes reemployed as an employee on or after August 28, 2001, in a position covered by the Missouri department of transportation and highway patrol employees' retirement system shall not be eligible to receive retirement benefits or additional creditable service from the state employees' retirement system. Annual benefit increases paid under section 104.415 shall not accrue while a retired member is employed as described in this section. Any future annual benefit increases paid after the member terminates such employment will be paid in the same month as the member's original annual benefit increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any additional annuity paid under this section.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and

upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.1039. **1. Except as provided in subsection 2 of this section,** if a retiree is employed as an employee by a department, the retiree shall not receive an annuity payment for any calendar month in which the retiree is so employed. While reemployed the retiree shall be considered to be a new employee with no previous credited service and must accrue credited service continuously for at least one year in order to receive any additional annuity. Such retiree shall receive an additional annuity in addition to the original annuity, calculated based only on the credited service and the pay earned by such retiree during reemployment and paid in accordance with the annuity option originally elected; provided such retiree who ceases to receive an annuity pursuant to this section shall not receive such additional annuity if such retiree is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this chapter. The original annuity and any additional annuity shall be paid commencing as of the end of the first month after the month during which the retiree's reemployment terminates. Cost-of-living adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in this section. Any future cost-of-living adjustments paid after the retiree terminates such employment will be paid in the same month as the retiree's original annual benefit increases were paid.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits."; 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. 300, Page 24, Section 94.579, Line 139, by inserting after said line the following:

"104.403. 1. Any state employee or retiree**, but not including a current or former member of the general assembly or statewide elected official,** who retires pursuant to section 104.404, and who is also eligible for medical coverage as described in section 103.115, shall be eligible to apply for the following coverage:

(1) Such retiree may elect to continue coverage for himself or herself and any eligible dependents at the same cost as if such retiree was an active employee;

(2) Such retiree may continue to pay the applicable rate as if the retiree were an active employee for a maximum period of five years or upon becoming eligible for Medicare, whichever occurs first; and

(3) After five years or upon becoming eligible for Medicare, the cost for medical coverage for such retiree and any dependents shall revert to the applicable rate in place at that time.

2. Any employee **[**or retiree**]** of a participating member agency who retires pursuant to section 104.404

shall only be eligible to have the provisions of subsection 1 of this section applied to his or her coverage if the governing body of the participating member agency elects to provide such benefits.

3. The governing boards of Truman State University, Lincoln University, the educational institutions described in section 174.020, the highway commission that governs the health care plans of the Missouri department of transportation and the Missouri state highway patrol, and the conservation commission of the department of conservation may elect to provide its employees or retirees who retire pursuant to section 104.404 the same benefits as described in subsection 1 of this section under the respective medical plans of those institutions and departments. **[**If the highway commission elects to provide retirees the benefits of this section, any special consultant pursuant to section 104.515 who is a member of the Missouri department of transportation and Missouri state highway patrol medical and life insurance plan and who retired on or after February 1, 2003, but prior to July 1, 2003, shall be eligible to receive the benefits of this section.**]**

104.404. 1. An employee who has not been a retiree of the system in which such employee is currently receiving creditable or credited service, who is eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, and whose annuity commences no later than **[**September 1, 2003,**]** **November 1, 2015,** shall be eligible to receive the medical benefits described in section 104.403.

2. **[**An employee who would be eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, no later than January 1, 2004, shall be eligible to retire based on the employee's creditable or credited service and the average compensation or final average pay on the employee's date of termination of employment if the employee applies to retire and whose annuity commences no later than September 1, 2003. Such employee who so retires shall be eligible to receive the medical benefits described in subsection 1 of this section.

3. Any employee described in subsections 1 and 2 of this section who otherwise would be eligible to elect to receive benefits under the provisions of sections 104.625 and 104.1024, by no later than January 1, 2004, shall be eligible to elect to receive benefits pursuant to sections 104.625 and 104.1024; except that in no event shall a lump sum payment be made for any time period after the employee's annuity starting date.

4.**]** A retiree whose retirement annuity commenced on or after **[**February 1, 2003**]** **March 1, 2015**, but no later than **[**September 1, 2003**]** **November 1, 2015**, shall be eligible to receive the medical benefits described in section 104.403.

[5.**]** **3.** The state may hire employees to replace those employees retiring pursuant to this section and section 104.403, except that departments shall not fill more than twenty-five percent of those positions vacated. Exceptions to the twenty-five percent restriction may be made for critical or seasonal positions or positions which are entirely federally funded. Such determination shall be made by rule and regulation promulgated by the office of administration. The provisions of this subsection shall not apply to Truman University, Lincoln University or the educational institutions described in section 174.020.

[6.**]** **4.** 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, **[**2003**] 2015**, shall be invalid and void.

[7.**] 5.** The Missouri state employees' retirement system and the highways and transportation employees' and highway patrol retirement system**, if applicable,** shall make a report in writing to the governor**[**,**] and** commissioner of administration**[**, and the general assembly by April 1, 2004,**] by December 1, 2015,** and in addition shall provide **[**monthly tracking**] a report** of the effect of state employee retirements pursuant to this section and section 104.403. **[**The report shall cover the time period of February 1, 2003, to January 31, 2004.**]** The report shall include the number of such retirements, the amount of payroll affected as a result of retirements, and the financial effect of such retirements as expressed in a report by each system's actuary.

[8.**] 6.** The office of administration shall make a report in writing to the governor and the general assembly by **[**April 1, 2004,**] March 1, 2016,** and in addition shall provide **[**monthly tracking**] a report** of the budgetary effect of state employee retirements **[**pursuant**] relative** to **the effect of** this section and section 104.403. The report shall include the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state.

[9.**] 7.** The Missouri consolidated health care plan shall make a report in writing to the **[**governor and the general assembly by April 1, 2004, and in addition shall provide monthly tracking**] office of administration by December 1, 2015,** of the effect of state not be limited to, the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state."; 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 Committee Substitute for Senate Bill No. 300, Page 24, Section 94.579, Line 139,by inserting immediately after said line the following:

"94.902. 1. The governing **[**body**] bodies** of **the following cities may impose a tax as provided in this section:**

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants**[**, or**] ;**

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants**[**, or**] ;**

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants**[**,**] ;**

(4) Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants; or

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

[2.**] 3.** The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of ..... (city's name) impose a citywide sales tax at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

[3.**] 4.** Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such

funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[4.**] 5.** The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

[5.**] 6.** The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

[ ] YES [ ] NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

[6.**] 7.** Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

[7.**] 8.** Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.”; 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. 300, Page 24, Section 94.579, Line 139, by inserting after all of said line the following:

"169.141. 1. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within **[**ninety days**]** **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

(1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2015;

(2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and

(3) The person would have received under subsection 3 of section 169.070.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section."; and

Further amend said bill, Section 169.450, Page 35, Line 117, by inserting the following after all of said line:

"169.715. 1. Any person receiving a retirement allowance under sections 169.600 to 169.712, and who elected a reduced retirement allowance under subsection 4 of section 169.670 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within **[**ninety days**] one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.600 to 169.715, and who elected a reduced retirement allowance under subsection 3 of section 169.670 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

(1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2015;

(2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and

(3) The person would have received under subsection 4 of section 169.670.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section."; 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 336**, entitled:

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

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

refuses to adopt **SCS** for **HB 152**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 446**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 282**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 67**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 67**, as amended. Representatives: Rhoads, Fitzwater (49), Higdon, Ellington and McManus.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SB 446**, as amended. Representatives: Davis, McCaherty, Vescovo, Burns and Conway (10).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 458**, as amended. Representatives: Allen, Higdon, Flanigan, Montecillo and Colona.

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 **HCS** for **HB 50**.

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 **HB 878**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 515**.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 30, 2015

TO THE SECRETARY OF THE SENATE
98TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, entitled:

AN ACT

To repeal sections 208.040, RSMo, and to enact in lieu thereof four new sections relating to nonmedical public assistance.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24 (Senate Bill No. 24). My reasons for disapproval are as follows:

Senate Bill No. 24 is a misguided measure that punishes poor children in the legislature's zeal to reduce reliance on government assistance. If enacted, this legislation would jeopardize the lives of Missouri's children in two ways: first, by reducing the length of time that they can receive benefits even if their parents are working and second, by eliminating their benefits if their parents are not meeting the work requirements.

Like the majority of states, Missouri law currently imposes a lifetime limit of 60 months for eligible recipients to receive monthly payments from the federal Temporary Assistance for Needy Families (TANF) program. Senate Bill No. 24 would reduce the lifetime limit for TANF benefits to 45 months. Only eight other states have shorter lifetime limits. The impact of this reduction on Missouri's children would be as harsh as it is unnecessary. If Senate Bill No. 24 were to become law, an estimated 3,155 families would see their payments terminated on January 1, 2016. This would mean that approximately 6,465 children would have this support, upon which they depend, immediately cut off through no fault or action of their own; 40 percent of these children are under the age of five. And tens of thousands of more children will fall victim to this provision in the future. This drastic impact on children could be minimized through any number of provisions that the legislature should have considered, such as exempting the children in families that are currently receiving TANF benefits. "Grandfathering" these children would offer some protection from a change in the rules sprung upon them after initially committing up to 60 months of support.

The justifications offered by proponents for this reduction in benefits to children do not withstand scrutiny. TANF benefits are not lucrative. The average TANF benefit is $228 per month in Missouri, and to even be eligible to receive this amount, the family's income must be very low; for example, a family of three cannot earn more than $292 a month. TANF dependency is not increasing - in FY2014, 13 percent fewer families received TANF benefits than did so in FY2013.

To further damage the children of Missouri, Senate Bill No. 24 would impose a penalty on the child of a parent who fails to engage in defined work activities as a condition for receiving TANF benefits. Under current Missouri law, a parent or caretaker seeking TANF assistance must engage in specified work activities in order for the full benefit to be paid. Failure to do so results in a 25% reduction of the benefit. This sanction is an appropriate consequence for the parent's noncompliance with the work requirement while not eliminating the availability of assistance for the children in the family. However, if Senate Bill No. 24 were to become law, the entire benefit would be eliminated and young children would be forced to suffer further from their parents' failure to meet those obligations. Applying a penalty to children in these circumstances is harsh and should not become the law of Missouri.

It is important that a program like TANF be as effective for taxpayers as possible, and one means of doing so is to ensure that the adults who participate in the program accept the personal responsibility for work that the program properly requires. But Senate Bill No. 24 goes far beyond holding adults accountable. Instead, it punishes children for the behavior of their parents. Rather than imposing a sanction on the children of adults who fail to meet the work requirements, the legislature could have authorized, as it has in other circumstances, a protective payee to receive and administer the children's share of the TANF benefit, thereby making the reasonable distinction between adults who are responsible for meeting the requirements and children who are not. But the legislature failed to do so. This is fundamentally unfair, and I will not support it.

I cannot condone the hardships imposed on innocent children that Senate Bill No. 24 would require – first, by unnecessarily cutting the length of time that children can receive benefits even when their parents are working and second, by cruelly eliminating their benefits if their parents are not meeting work requirements. Missouri law should not mandate such meanness toward innocent children.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 115**, 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 Silvey moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 300**, 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 Romine moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 172**, 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 Romine moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 445**, 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.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 478**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 578**, **574** and **584**, 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 401**, 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 Jobs, Economic Development and Local Government, to which was referred **HB 279**, 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 reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 100**, 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 Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1093**, begs leave to report that it has considered the same and recommends that the bill 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 112**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 385**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 618**, 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 **HB 799**, 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 104**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, Senator Libla, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 33**, 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 Small Business, Insurance and Industry, to which was referred **HB 529**, 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 Small Business, Insurance and Industry, to which was referred **HCS** for **HB 864**, 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 **HB 440**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 502**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, 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 769**, 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 1070**, 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 Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 923**, 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 Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 714**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1084**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 796**, 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 Seniors, Families and Children, to which was referred **HCS** for **HB 976**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, 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 **HCS** for **HB 137**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 523**, 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 Transportation, Infrastructure and Public Safety, to which were referred **HB 522**, **HB 34**, **HB 133**, **HB 134**, **HB 810**, **HB 338** and **HB 873**, 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 40**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 458**, as amended: Senators Schmitt, Onder, Silvey, Nasheed and Schupp.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SB 446**, as amended: Senators Schupp, Libla, Brown, Kraus and Curls.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 997, regarding Paul Brookman, Bridgeton, which was adopted.

Senator Dempsey offered Senate Resolution No. 998, regarding the death of John Michael Orf, St. Peters, which was adopted.

Senator Sater offered Senate Resolution No. 999, regarding the Fiftieth Wedding Anniversary of Bud and Barbara Thomas, Purdy, which was adopted.

Senator Walsh offered Senate Resolution No. 1000, regarding Joshua M. Crow, which was adopted.

Senator Walsh offered Senate Resolution No. 1001, regarding Calandria Dell Riley, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 1002, regarding Eugene Clyde Glenz, Florissant, which was adopted.

Senator Onder offered Senate Resolution No. 1003, regarding Joseph Robert Clarkson, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1004, regarding Harold Gene Snead, Saint Peters, which was adopted.

Senator Richard offered Senate Resolution No. 1005, regarding Reverend Dr. William J.P. Doubek, III, which was adopted.

Senator Emery offered Senate Resolution No. 1006, regarding Andrew Clay McCullough, which was adopted.

Senator Sater offered Senate Resolution No. 1007, regarding the Sixty-fifth Wedding Anniversary of Pat and Billie Griffin, Neosho, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Sifton introduced to the Senate, Carmel Stewart, Austin Kim, and Chandra Yogeswaren, Auckland, New Zealand.

Senator Riddle introduced to the Senate, Rick Thornton, Christine Smith and Cadets Emran Babak, Maxwell Broughton, D'Cherion Nelson, Charles Eckardt and Joshua Paley, Missouri Military Academy, Mexico, recipients of the silver medal of the Duke of Edinburgh's International Youth Award.

Senator Romine introduced to the Senate, Colleen Strodtman, Potosi.

Senator Dixon introduced to the Senate, students of the St. Joseph's Catholic Academy, Springfield.

Senator Holsman introduced to the Senate, former State Senator Jim Rubeus, Etna, New Hampshire.

Senator Riddle introduced to the Senate, teachers, parents, and sixteen fourth grade students from Kingdom Christian Academy, Fulton.

Senator Riddle introduced to the Senate, staff, and forty students from Missouri Military Academy, Mexico.

Senator Kraus introduced to the Senate, fourth grade students from Franklin Smith Elementary School, Blue Springs.

Senator Schaaf introduced to the Senate, Tony Farmer, and twenty-five fourth grade students from Pershing Elementary School, St. Joseph.

On motion of Senator Richard, the Senate adjourned until 2:00 p.m., Monday, May 4, 2015.

SENATE CALENDAR

SIXTY-SECOND DAY–MONDAY, MAY 4, 2015

FORMAL CALENDAR

VETOED SENATE BILLS

CCS for HCS for SS#2 for SCS for SB 24-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 1048
HCS for HB 513
HB 824-Korman
HCS for HB 122
HCS for HB 479
HB 612-Fitzwater
HCS for HB 530
HB 1054-Spencer
HCS for HB 1044
HCS for HB 207
HCS for HB 565

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)
SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)
SB 352-Schaefer (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HJR 34, with SCS (Schmitt)
2. HCS for HB 882-McGaugh, with SCS (Munzlinger) (In Fiscal Oversight)
3. HCS for HB 478-Fitzwater (Wallingford)
4. HCS for HBs 578, 574, & 584, with SCS (Riddle)
5. HB 401-Fraker, with SCS (Sater)
6. HB 279-Cornejo, with SCS (Schmitt)
7. HB 100-Gosen, with SCS (Parson)
8. HB 1093-Houghton (Riddle)
9. HCS for HB 112 (Wasson)
10. HCS for HB 385
11. HCS for HB 618, with SCS (Wasson)
12. HB 799-Roeber, with SCS (Dixon)
13. HCS for HB 104 (Schaefer)
14. HCS for HB 33, with SCS
15. HB 529-Gosen, with SCS
16. HCS for HB 864 (Holsman)
17. HB 440-Koenig (Kraus)
18. HB 502-Kelley, with SCS
19. HCS for HB 769
20. HB 1070-Davis, with SCS
21. HB 923-Miller, with SCS
22. HCS for HB 714 (Wallingford)
23. HCS for HB 1084
24. HCS for HB 796, with SCS (Sater)
25. HCS for HB 976, with SCS (Sater)
26. HCS for HB 137
27. HB 523-Burlison, with SCS (Brown)
28. HBs 522, 34, 133, 134, 810, 338 & 873-Cookson, with SCS (Libla)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon
SB 37-Romine, with SCS & SA 1 (pending)
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)
SB 46-Holsman
SB 53-Schaaf, with SS#2 (pending)
SB 55-Munzlinger
SB 59-Dixon
SB 69-LeVota, with SCS
SB 80-Dixon, with SCS
SB 91-Dixon, with SCS
SBs 112, 212, 143 & 234-Dixon, with SCS
SB 117-Brown, with SCS
SB 127-Brown, with SCS
SB 130-Walsh and Schupp, with SCS
SB 151-Sater
SB 159-Parson
SB 167-Schaaf, with SCS
SB 177-Munzlinger, with SCS
SB 220-Kehoe
SB 225-Romine, with SCS
SB 227-Emery, with SS (pending)
SB 232-Kehoe, with SCS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)
SB 266-Schaefer, with SCS
SB 267-Schaefer, with SCS
SB 268-Pearce, with SCS
SB 286-Schaaf and Silvey
SB 299-Pearce
SB 302-Riddle, with SCS (pending)
SB 304-Keaveny, with SCS
SB 305-Onder
SB 313-Wallingford, with SCS
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 339-Munzlinger, with SS (pending)
SB 358-Kehoe
SB 360-Parson, with SCS
SB 371-Munzlinger
SB 372-Keaveny, with SCS (pending)
SB 374-Schatz, with SCS
SB 399-Onder
SB 400-Onder, with SS (pending)
SB 409-Wallingford, with SCS
SB 420-Schmitt
SB 424-Pearce, with SA 1 (pending)
SB 427-Sifton, with SCS
SB 432-Onder, with SCS
SB 442-Schaefer
SBs 451, 307, 100 & 165-Dixon, with SCS
SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 455-Kehoe
SB 469-Munzlinger
SB 471-Schaaf
SB 481-Onder, with SCS
SB 520-Kehoe, with SCS
SB 528-Sater
SB 567-Chappelle-Nadal, et al
SJR 7-Richard and Wallingford
SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)
HB 108-McCaherty (Dixon)
HB 190-Swan (Wallingford)
HB 271-Hoskins (Dixon)
HCS for HB 299, with SCS (Kraus)
HB 336-McGaugh (Kraus)
HCS for HBs 517 & 754, with SS for SCS, as amended (Kraus)
HB 533-Dugger, with SCS (Wasson)
SS for SCS for HB 556-Wood (Riddle) (In Fiscal Oversight)
HB 589-Hough, with SCS (Onder)
HCS for HB 709, with SCS (Parson)
HCS for HB 722, with SS & point of order (pending) (Kehoe)
HCS for HB 777 (Kraus)
HB 836-Ross (Libla)
HJR 1-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)
HB 511-Mathews (Schatz)
HB 88-Walton Gray (Walsh)
HB 326-Leara (Kehoe)
HB 361-Spencer (Riddle)
HB 400-Peters (Walsh)
HB 402-Phillips (Sater)
HB 403-Phillips, with SCS (Sater)
HB 404-Phillips (Sater)
HB 567-Dunn (Curls)
HB 778-Ruth (Romine)
HB 859-Dunn (Curls)
HB 861-Fitzwater (49) (Wasson)
HB 874-Remole (Munzlinger)
HB 1116-Rehder (Libla)
HB 1119-Redmon (Hegeman)
HB 1052-Miller (Wasson)
HB 1098-Crawford, with SCS (Kraus)
HB 391-Gosen (Parson)
HB 343-Lair, with SCS (Wieland)
HB 947-Wiemann, with SCS (Wallingford)
HB 179-Chipman (Brown)
HB 269-Miller (Kehoe)
HB 650-Cornejo (Schaefer)
HB 869-Solon (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 221-Schatz, with HCS
SB 244-Schmitt, with HCS
SCS for SB 336-Kraus, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 5-Schmitt, with HCS, as amended
SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4
SS for SCS for SB 67-Cunningham, with HCS, as amended
SB 104-Kraus, with HCS, as amended (House grants further conference)
SCS for SB 152-Wallingford, with HCS, as amended (CCR Offered)
SB 254-Kraus, with HCS, as amended
SCS for SB 270-Nasheed, with HCS, as amended
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as amended
HCS for HB 42 with SCS, as amended (Pearce)
HB 458-Allen, with SS for SCS, as amended (Schmitt)

Requests to Recede or Grant Conference

SS for SCS for SB 115-Kraus, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 172-Romine, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 300-Silvey, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 445-Romine, with HCS, as amended (Senate requests House recede or grant conference)
HB 152-Haahr, with SCS, as amended (Onder) (House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)
HCR 26-Shull
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

✓