

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 11, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Opinion, and the just maintenance of it, shall never be a crime in my view; nor bring injury on the individual.” (Thomas Jefferson)

Gracious God, we pray that Your love will dominate us in such a way that it will be expressed in our opinions and that it shall be a witness of our love of You. We pray that our lives molded by You will express itself in our character and will never bring us to shame by what we have done here and at home. O Lord we humbly pray abide with us and sustain us with Your grace and love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV, St. Louis Public Radio, Missourinet and Springfield News-Leader were given permission to take pictures in the Senate Chamber.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

HOUSE BILLS ON THIRD READING

Senator Wallingford moved that **HCS for HB 1717**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for HCS for HB 1717 was again taken up.

At the request of Senator Emery, **SS for HCS for HB 1717** was withdrawn.

Senator Hegeman offered **SS No. 2 for HCS for HB 1717**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1717**

An Act to repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof seven new sections relating to water systems, with an emergency clause for a certain section.

Senator Schmitt assumed the Chair.

Senator Hegeman moved that **SS No. 2 for HCS for HB 1717** be adopted.

Senator Emery offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 1717, Page 5, Section 640.136, Line 22, by striking all of said line and inserting in lieu thereof the following: “**return the fluoridation of its water supply to its previous level until proper**”.

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

SS No. 2 for HCS for HB 1717 was again taken up.

Senator Hegeman moved that **SS No. 2 for HCS for HB 1717**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS No. 2 for HCS for HB 1717**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dixon | Emery | Hegeman |
| Holsman | Keaveny | Kehoe | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

| | | | | | | |
|---------|-----------------|-------------|----------|--------|---------|------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dixon | Emery | Hegeman |
| Keaveny | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Riddle | Romine | Sater | Schaefer | Schatz | Schmitt | Schupp |
| Sifton | Silvey | Wallingford | Walsh | Wasson | | Wieland—27 |

NAYS—Senators

| | |
|-------|----------|
| Kraus | Schaaf—2 |
|-------|----------|

Absent—Senators

| | | |
|---------|-------|-----------|
| Holsman | Kehoe | Richard—3 |
|---------|-------|-----------|

Absent with leave—Senators—None

Vacancies—2

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

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

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

CONCURRENT RESOLUTIONS

HCS for HCR 57, introduced by Senator Schaefer, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Was taken up.

Senator Schaefer moved that **HCS for HCR 57** be read the 3rd time and finally passed.

At the request of Senator Schaefer, the above motion was withdrawn.

Senator Brown moved that **HCR 69** be taken up for adoption, which motion prevailed.

Senator Brown moved that **HCR 69** be adopted.

At the request of Senator Brown, the above motion was withdrawn.

REPORTS OF STANDING COMMITTEES

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 **SS for SCS for HCS for HB 2380; HCS for HB 1451**, with **SCS**; and **HB 1716**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

HB 1435, introduced by Representative Koenig, entitled:

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales

tax refund claims.

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

President Kinder assumed the Chair.

At the request of Senator Kraus, **HB 1435** was placed on the Informal Calendar.

Senator Schatz moved that **SS for SCS for HCS for HB 2380** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for SCS for HCS for HB 2380 was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

REFERRALS

President Pro Tem Richard referred **HCS for HB 1765** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HB 2166**, with **SCS, SS No. 2 for SCS, SA 1** and **SSA 1 for SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Schatz, **SA 1** was withdrawn, rendering **SSA 1 for SA 1** moot.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Line 19, by striking “fifty” and inserting in lieu thereof the following: “**forty-five**”.

Senator Schatz moved that the above amendment be adopted.

Senator Schatz offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Lines 19-21 of said page, by striking all of said lines and inserting in lieu thereof the following: “**two hundred eighty dollars on meals on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children in any calendar week. For purposes of this subsection,**”.

Senator Schatz moved that the above substitute amendment be adopted.

Senator Schatz offered **SA 1** to **SSA 1** for **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Line 1 of said amendment, by striking “19-21” and inserting in lieu thereof the following: “16-23”; and further amend lines 3-6 of said amendment, by striking all of said lines and inserting in lieu thereof the following: thereof the following: **children**.

(2) Notwithstanding the limitation in subdivision (1) of this subsection, any lobbyist, lobbyist principal, or person acting on behalf of a lobbyist or lobbyist principal, may provide a meal on behalf of a public official of the state, or such public official’s staff, spouse, or dependent children, on any calendar day, provided such meal does not exceed forty dollars. For purposes of this subsection, the term “meal” shall include any occasion at which any type of food or beverage is consumed.”; and further amend said section, by renumbering the remaining subdivisions accordingly.”.

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

Senator Schatz moved that **SSA 1** for **SA 2**, as amended, be adopted, which motion prevailed.

Senator Pearce offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“130.074. 1. In addition to the limitations imposed under section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, five thousand dollars;

(2) To elect an individual to the office of state senator, two thousand five hundred dollars;

(3) To elect an individual to the office of state representative, one thousand two hundred fifty dollars.

2. For purposes of this subsection, “base year amount” shall be the contribution limits prescribed in this section on January 1, 2017. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five-dollar amount, for all years since January 1, 2017.

3. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 3** is out of order as it goes beyond the scope and title of the bill. The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Pearce offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Campaign committee”, a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual

who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(6) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) "Closing date", the date through which a statement or report is required to be complete;

(9) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term “committee” includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) “Connected organization”, any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(11) “Contribution”, a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations

of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

- (a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;
- (b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;
- (c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;
- (d) Receipts from fund-raising events including testimonial affairs;
- (e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;
- (f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;
- (g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;
- (h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;
- (i) "Contribution" does not include:
 - a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;
 - b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;
 - c. Interest earned on deposit of committee funds;
 - d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the

members, officers, directors, employees or security holders of the connected organization;

(12) "County", any one of the several counties of this state or the city of St. Louis;

(13) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or

defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(19) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(22) “Political action committee”, a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) “Political party committee”, a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum

petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the

action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot

measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) “Contribution” does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) “County”, any one of the several counties of this state or the city of St. Louis;

(14) “**Covered communication**”:

(a) Paid advertisements broadcast over radio, television, cable, or satellite in this state;

(b) Paid placement of content on the internet or other electronic communication network targeted to voters in this state;

(c) Paid advertisements published in a periodical or on a billboard in this state;

(d) Paid telephone communications to five hundred or more households in this state;

(e) Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and

(f) Printed materials exceeding two thousand copies distributed in this state;

(15) “Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(16) “Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

[(15)] (17) “Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party’s candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(18) “Electioneering activities**”:**

(a) Any covered communication that influences or attempts to influence the action of voters for

or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and

(b) Any covered communication made within forty-five days of a primary election or ninety days of a general election that:

a. Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or

b. Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat;

[(16)](19) “Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate’s own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. “Expenditure” includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) “Expenditure” does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

[(17)] (20) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

[(18)] (21) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

[(19)] (22) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

[(20)] (23) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

[(21)] (24) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

[(22)] (25) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

[(23)] (26) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

[(24)] (27) "Political party", a political party which has the right under law to have the names of its

candidates listed on the ballot in a general election;

[(25)] **(28)** “Political party committee”, a state, district, county, city, or area committee of a political party, as defined in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

[(26)] **(29)** “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

[(27)] **(30)** “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

[(28)] **(31)** “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.

130.062. 1. By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the ethics commission:

(1) All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;

(2) All contributions, including in-kind contributions, to a committee in the previous calendar year;

(3) The percentage of their total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;

(4) The percentage of their total expenditures made from the previous calendar year for contributions including in-kind contributions to a committee during the previous calendar year;

(5) The name and address of each person or entity making any single donation over one thousand dollars, and each person or entity who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year; and

(6) The date and amount of each donation over one thousand dollars, or of any donation from a person who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record which the ethics commission shall subsequently make available to the public.

2. Any organization required to file disclosure reports under subsection 1 of this section shall make such disclosures electronically.

3. (1) Any covered organization that:

(a) Makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the

ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate such expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information; or

(b) Makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the ethics commission within forty-eight hours of making such contribution. The report shall specifically state the contribution amount and the committee to which the contribution was made.

(2) Every electronic disclosure report required under this subsection shall include the date and amount of each donation, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each donor who has donated over five thousand dollars to the covered organization in the previous twelve-month period.

(3) The ethics commission shall assess fees on the board of directors of a covered organization in the same manner as provided in section 105.963 for failure to file reports required by this section.

Section B. The repeal of section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, the repeal and reenactment of section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and the enactment of section 130.062 of this act shall become effective January 1, 2017.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 4** is out of order as it goes beyond the scope and title of the bill. The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Riddle assumed the Chair.

Senator Silvey offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“**Section 1. Any organization that is exempt from taxation under 501(c)(4) of the Internal Revenue Code of 1986, as amended, and engages in political activities shall have a registered lobbyist, as that term is defined in section 105.470. Such lobbyist shall file reports with the Missouri ethics commission, as required under section 105.473, regarding expenditures, as defined in section 105.470 and including but not limited to expenditures made for advertising on television, internet, radio, and outbound phone calls, made on behalf of the principal of such organization.**”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

Senator Holsman requested a roll call vote be taken on the adoption of **SA 5**. He was joined in his request by Senators: Chappelle-Nadal, Pearce, Schaaf and Silvey.

Senator Chappelle-Nadal offered **SA 1** to **SA 5**:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5**

Amend Senate Amendment No. 5 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 1, Line 12, by inserting after all of said line the following:

“Section B. Because of the necessity of ensuring ethical behavior, section 1 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 1 of this act shall be in full force and effect upon its passage and approval.”; and”.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Onder, **HB 2166**, with **SCS, SS No. 2** for **SCS, SA 5** and **SA 1 to SA 5** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:30 p.m.

RECESS

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

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 adopted **SCS** for **HCS** for **HB 1474** and has taken up and passed **SCS** for **HCS** for **HB 1474**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1, SA 3, SA 4** and **SA 5 to HB 1870** and has taken up and passed **HB 1870**, as amended.

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 676**, entitled:

An Act to repeal sections 1.100, 50.622, 67.281, 192.300, 304.022, 307.175, 347.048, and 478.705, RSMo, and to enact in lieu thereof fourteen new sections relating to political subdivisions.

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 676, Pages 1-2, Section 1.100, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3 to 8, Sections 67.5300, 67.5305, 67.5310, 67.5315, and 67.5320, by removing all of said sections and lines from the bill; 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 Bill No. 676, Page 12, Section 347.048, Line 18, by

inserting after all of said section and line the following:

“473.775. 1. Any full-time staff of any public administrator’s office employed on or after January 1, 2001, who is not an employee of the county for purposes of hiring, retirement, benefits and other laws applicable to county employees shall be deemed an employee after January 1, 2001. Any full-time staff of the office of the public administrator for the city of St. Louis on or after January 1, 2001, shall be considered an employee of the city of St. Louis for purposes of hiring, retirement, benefits and other laws applicable to the city of St. Louis employees.

2. Each public administrator [with fifty or more cases may] **shall** be provided with one full-time staff [paid for by the county or for St. Louis City, paid for by the city of St. Louis] **for each increment of fifty cases. The provisions of this subsection are subject to appropriation and if no appropriation is made, then this subsection shall be void.”; and**

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 676, Page 8, Section 84.514, Line 8, by inserting immediately after all of said line the following:

“94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) **Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

[(c)] (d) Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

[(d)] (e) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

[(e)] (f) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 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 by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of 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.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) 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 submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. 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, 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 of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to 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 of the department of revenue 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.

6. The director of the department of revenue may 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 department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue 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 of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 676, Page 2, Section 50.622, Line 20, by deleting the number “**2026**” and inserting in lieu thereof the number “**2027**”; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 676, Page 3, Section 67.281, Line 17, by inserting after all of said section and line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or

welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 831**, entitled:

An Act to repeal sections 192.945, 324.001, 334.037, 334.104, 334.735, 335.203, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 336.020, 376.1237, and 630.175, RSMo, and to enact in lieu thereof thirty-eight new sections relating to the practice of professional licensees, with a delayed effective date.

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 831, Page 16, Section 324.004, Line 237, by inserting immediately after all of said section and line the following:

“327.272. 1. A professional land surveyor shall include any person who practices in Missouri as a professional land surveyor who uses the title of “surveyor” alone or in combination with any other word or words including, but not limited to “registered”, “professional” or “land” indicating or implying that the person is or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of land surveying, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which

are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:

(1) The determination, location, relocation, establishment, reestablishment, layout, or retracing of land boundaries and positions of the United States Public Land Survey System;

(2) The monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;

(3) The subdivision of land into smaller tracts and preparation of property descriptions;

(4) The survey and location of rights-of-way and easements;

(5) Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (4) of this subsection;

(6) Consultation, investigation, design surveys, evaluation, planning, design and execution of surveys;

(7) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;

(8) Monumentation of geodetic control and the determination of their horizontal and vertical positions;

(9) Establishment of state plane coordinates;

(10) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;

(11) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;

(12) Layout of proposed improvements;

(13) The determination of azimuths by astronomic observations.

2. None of the specific duties listed in subdivisions (4) to (13) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights. For the purposes of this section, the term "real property rights" means a recordable interest in real estate as it affects the location of land boundary lines. The validity of any document prepared between August 27, 2014, and August 28, 2015, by a provider of utility or communications services purporting to affect real property rights shall remain valid and enforceable notwithstanding that any legal description contained therein was not prepared by a professional land surveyor.

3. Professional land surveyors shall be in responsible charge of all drawings, maps, surveys, and other work product that can affect the health, safety, and welfare of the public within their scope of practice.

4. Nothing in this section shall be construed to preclude the practice of architecture or professional engineering or professional landscape architecture as provided in sections 327.091, 327.181, and 327.600.

5. Nothing in this section shall be construed to preclude the practice of title insurance business or the business of title insurance as provided in chapter 381, or to preclude the practice of law or law business as governed by the Missouri supreme court and as provided in chapter 484."; and

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 831, Page 45, Section 334.1233, Line 10, by inserting after all of said section and line the following:

“334.1500. As used in sections 334.1500 to 334.1539, the following terms mean:

(1) “Advanced emergency medical technician” or “AEMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(2) “Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state’s laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual’s license, such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual’s practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;

(3) “Certification”, the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;

(4) “Commission”, the national administrative body of which all states that have enacted the compact are members;

(5) “Emergency medical technician” or “EMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(6) “EMS”, emergency medical services;

(7) “Home state”, a member state where an individual is licensed to practice emergency medical services;

(8) “License”, the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;

(9) “Medical director”, a physician licensed in a member state who is accountable for the care delivered by EMS personnel;

(10) “Member state”, a state that has enacted this compact;

(11) “Paramedic”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(12) “Privilege to practice”, an individual’s authority to deliver emergency medical services in remote states as authorized under this compact;

(13) “Remote state”, a member state in which an individual is not licensed;

(14) “Restricted”, the outcome of an adverse action that limits a license or the privilege to practice;

(15) “Rule”, a written statement by the interstate commission promulgated under section 334.1530 of this compact that is of general applicability; implements, interprets, or prescribes a policy or

provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;

(16) "Scope of practice", defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;

(17) "Significant investigatory information":

(a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or

(b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond.

(18) "State", any state, commonwealth, district, or territory of the United States;

(19) "State EMS authority", the board, office, or other agency with the legislative mandate to license EMS personnel.

334.1503. 1. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

2. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

3. A home state's license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

(1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;

(2) Has a mechanism in place for receiving and investigating complaints about individuals;

(3) Notifies the commission in compliance with the terms herein of any adverse action or significant investigatory information regarding an individual;

(4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 731 CFR 202, and submit documentation of such as promulgated in the rules of the commission; and

(5) Complies with the rules of the commission.

334.1506. 1. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 334.1503.

2. To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

- (1) Be at least eighteen years of age;
 - (2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state recognized and licensed level with a scope of practice and authority between EMT and paramedic; and
 - (3) Practice under the supervision of a medical director.
3. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.
4. Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state's authority and laws. A remote state may, in accordance with due process and that state's laws, restrict, suspend, or revoke an individual's privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.
5. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.
6. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

334.1509. An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

- (1) The individual originates a patient transport in a home state and transports the patient to a remote state;
- (2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;
- (3) The individual enters a remote state to provide patient care or transport within that remote state;
- (4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or
- (5) Other conditions as determined by rules promulgated by the commission.

334.1512. Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

334.1515. 1. Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license

being sought as satisfying the minimum training and examination requirements for such licensure.

2. Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour or their spouses.

3. All individuals functioning with a privilege to practice under this section remain subject to the adverse actions provisions of section 334.1518.

334.1518. 1. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

2. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall investigate and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing

state EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency known as the interstate commission for EMS personnel practice.

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1530.

(4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or

confidential;

(g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;

(4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;

(6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

(7) Providing a mechanism for winding up the operations of the commission and the equitable

disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

(8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;

(9) The commission shall maintain its financial records in accordance with the bylaws; and

(10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

(1) The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

(5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;

(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, real, personal, or mixed; provided that at all times the commission shall strive to avoid any appearance of impropriety;

(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(9) To establish a budget and make expenditures;

(10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

334.1527. 1. The commission shall provide for the development and maintenance of a coordinated

database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;**
- (2) Licensure data;**
- (3) Significant investigatory information;**
- (4) Adverse actions against an individual's license;**
- (5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;**
- (6) Nonconfidential information related to alternative program participation;**
- (7) Any denial of application for licensure and the reasons for such denial; and**
- (8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.**

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission; and**
- (2) On the website of each member state EMS authority or the publication in which each state would otherwise publish proposed rules.**

5. The notice of proposed rulemaking shall include:

- (1) The proposed time, date, and location of the meeting at which the rule will be considered and**

voted upon;

- (2) The text of the proposed rule or amendment and the reason for the proposed rule;
- (3) A request for comments on the proposed rule from any interested person; and
- (4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments which shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

- (1) At least twenty-five persons;
- (2) A governmental subdivision or agency; or
- (3) An association having at least twenty-five members.

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted

immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;
- (2) Prevent a loss of commission or member state funds;
- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) Protect public health and safety.

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1533. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(2) Providing remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by

the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior

to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1539. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.”; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 831, Page 1, In the Title, Line 5, by deleting the phrase “the practice of professional licensees” and inserting in lieu thereof the phrase “health care”; and

Further amend said bill, Page 63, Section 376.1237, Line 18, by inserting immediately after all of said section and line the following:

“407.780. 1. As used in this section, the following terms shall mean:

(1) “Children’s product”, a product including, but not limited to, a crib, toddler bed, bed, car seat, chair, high chair, booster chair, bath seat, gate or other enclosure for confining a child, play yard, stationary activity center, carrier, stroller, walker, swing, or toy or play equipment that is designed or intended for the care of or use by a child;

(2) “Commercial dealer”, any person who deals in children’s products or crib bumper pads or who otherwise by one’s occupation holds oneself out as having knowledge or skill relating to children’s products or crib bumper pads or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce children’s products or crib bumper pads;

(3) “Crib bumper pad”, a pad or pads of nonmesh material including, but not limited to, a roll of stuffed fabric that is designed for placement within a crib to cushion one or more of the crib’s inner sides adjacent to the crib mattress. It does not include mesh liners;

(4) “Distributor” or “wholesaler”, any person other than a manufacturer or retailer who sells or resells or otherwise places into the stream of commerce a children’s product or crib bumper pad;

(5) “Importer”, any person who brings into this country and places into the stream of commerce a children’s product or crib bumper pad;

(6) “Manufacturer”, any person who makes and places into the stream of commerce a children’s product or crib bumper pad;

(7) “Retailer”, any person other than a manufacturer, distributor, or wholesaler who sells, leases, or sublets children’s products or crib bumper pads.

2. No commercial dealer, manufacturer, importer, distributor, wholesaler, or retailer shall sell, lease, offer for sale, or offer for lease in the state any crib bumper pad as an accessory to a crib or as a separate item.

3. Any violation of the provisions of this section shall result in a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense.”; and

Further amend said bill, Page 73, Section B, Line 5, by inserting immediately after all of said section and line the following:

“Section C. The enactment of section 407.780 of section A of this act shall become effective on January 1, 2017.”; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 831, Page 1, Section A, Line 8, by inserting immediately after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

- a. Requests health records to be delivered electronically in a format of the health care provider’s choice;
- b. The health care provider stores such records completely in an electronic health record; and
- c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

6. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, and the deceased prior to death did not specifically object to disclosure of his or her records in writing, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:

(1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;

(2) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;

(3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;

(4) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;

(5) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or

(6) A guardian ad litem of the deceased's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the deceased.”; and

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

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING**HCS for HB 2150**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to unclaimed life insurance benefits.

Was taken up by Senator Wieland.

On motion of Senator Wieland, **HCS for HB 2150** was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | |
|---------|-----------------|------------|---------|--------|------------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dixon | Emery | Hegeman |
| Holsman | Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed |
| Onder | Parson | Pearce | Richard | Riddle | Romine | Sater |
| Schaaf | Schaefer | Schatz | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

HCS for HB 1904, with SCS, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

Was taken up by Senator Wallingford.

SCS for HCS for HB 1904, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1904**

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

Was taken up.

Senator Wallingford moved **SS for SCS for HCS for HB 1904**, be adopted.

Senator Wallingford offered **SS for SCS for HCS for HB 1904**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1904

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency communications service, with penalty provisions.

Senator Wallingford moved that **SS for SCS for HCS for HB 1904** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 28, Section 190.450, Line 16, by inserting after “inhabitants” the following:

“, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, or any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat”; and

Further amend said bill, page 33, section 190.451, line 22, by inserting after “inhabitants” the following:

“, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, or any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Wallingford, **HCS for HB 1904**, with **SCS**, **SS for SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HCS for HB 1675, with **SCS**, entitled:

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

Was taken up by Senator Munzlinger.

SCS for HCS for HB 1675, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1675**

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

Was taken up.

Senator Munzlinger moved that SCS for HCS for **HB 1675** be adopted.

Senator Sater offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1675, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "to county government."; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

"50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter."; and

Further amend said bill, page 2, section 105.030, line 38, by inserting after all of said line the following:

"Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

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

Senator Kehoe offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1675, Page 2, Section 105.030, Line 29, by inserting after all of said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale;

(11) That portion of privately owned land subject to a railroad easement upon which a railroad right-of-way exists and a state, political subdivision, or qualified organization has assumed responsibility for as provided in Section 16 U.S.C. 1247(d)."

Further amend the title and enacting clause accordingly.

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

Senator Schaaf assumed the Chair.

At the request of Senator Wallingford, **HCS** for **HB 1675**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Kraus moved that **HB 1435** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Kraus offered **SS** for **HB 1435**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1435

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales tax refunds.

Senator Kraus moved that **SS** for **HB 1435** be adopted.

At the request of Senator Kraus, **HB 1435**, with **SS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 607**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 607

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 607, with House Amendment Nos. 1, 2, 3, 4 & 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 607, as amended;

2. That the Senate recede from its position on Senate Bill No. 607;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 607, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
 /s/ Gary Romine
 /s/ Dan Hegeman
 /s/ Jill Schupp
 /s/ Scott Sifton

FOR THE HOUSE:

/s/ Marsha Haefner
 /s/ Diane Franklin
 /s/ David Wood
 Tracy McCreery
 Michael Butler

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

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|---------|-------------|----------|
| Brown | Chappelle-Nadal | Cunningham | Emery | Hegeman | Holsman | Keaveny |
| Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford | Walsh |
| Wasson | Wieland—30 | | | | | |

NAYS—Senators—None

Absent—Senators

Curls Dixon—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, CCS for HCS for **SB 607**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 607**

An Act to repeal sections 208.152, 208.952, and 208.985, RSMo, and to enact in lieu thereof five new sections relating to public assistance programs.

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

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|---------|-------------|----------|
| Brown | Chappelle-Nadal | Cunningham | Emery | Hegeman | Holsman | Keaveny |
| Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford | Walsh |
| Wasson | Wieland—30 | | | | | |

NAYS—Senators—None

Absent—Senators

Curls Dixon—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 635**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3, 5, and 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, 12, and 13, House Amendment No. 1 to House Amendment No. 14, and House Amendment No. 14 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 635, as amended;
2. That the Senate recede from its position on Senate Bill No. 635;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman
/s/ Dan Brown
/s/ Jay Wasson
/s/ Jill Schupp
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo
/s/ Sue Allen
/s/ Marsha Haefner
/s/ Jeremy LaFaver
/s/ Jon Carpenter

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

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Hegeman, CCS for HCS for **SB 635**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635**

An Act to repeal sections 167.638, 170.310, 174.335, 190.142, 190.241, 192.737, 192.2490, 192.2495, 197.315, 324.001, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 338.200, 376.1235, 376.1237, and 536.031, RSMo, and to enact in lieu thereof forty-seven new sections relating to health care, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

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

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

Emergency clause adopted by the following vote:

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Dixon | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senators—None

Vacancies—2

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

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

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

Senator Walsh, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 625**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 625, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 625, as amended;
2. That the Senate recede from its position on Senate Bill No. 625;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 625, be Third Read and Finally Passed.

FOR THE SENATE:
/s/ Gina Walsh
/s/ S. "Kiki" Curls
/s/ Doug Libla
/s/ Dave Schatz
/s/ Brian Munzlinger

FOR THE HOUSE:
/s/ Tommie Pierson
/s/ Glen Kolkmeyer
Bart Korman
/s/ Kirk Mathews
/s/ Mike Colona

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

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Walsh, **CCS for HCS for SB 625**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625**

An Act to amend chapter 227, RSMo, by adding thereto five new sections relating to the designation of highways.

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

YEAS—Senators

| | | | | | | |
|----------|-----------------|------------|--------|------------|---------|-------------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder |
| Parson | Pearce | Richard | Riddle | Romine | Sater | Schaaf |
| Schaefer | Schatz | Schmitt | Schupp | Sifton | Silvey | Wallingford |
| Walsh | Wasson | Wieland—31 | | | | |

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 867**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 867**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 867, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, House Amendment No. 1 to House Amendment No. 19, and House Amendment No. 19 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 867, as amended;
2. That the Senate recede from its position on Senate Bill No. 867;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
Eric Schmitt
/s/ Jeanie Riddle
/s/ Joseph P. Keaveny
/s/ S. "Kiki" Curls

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Caleb Jones
/s/ Caleb Rowden
/s/ Tracy McCreery
/s/ Michael Butler

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

YEAS—Senators

| | | | | | | |
|---------|-------------|------------|---------|------------|---------|---------|
| Brown | Cunningham | Curls | Dixon | Hegeman | Holsman | Keaveny |
| Kehoe | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Sater | Schatz | Schupp | Sifton |
| Silvey | Wallingford | Walsh | Wasson | Wieland—26 | | |

NAYS—Senators

| | | | | | |
|-----------------|-------|-------|--------|----------|-----------|
| Chappelle-Nadal | Emery | Kraus | Schaaf | Schaefer | Schmitt—6 |
|-----------------|-------|-------|--------|----------|-----------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, CCS for HCS for **SB 867**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 867**

An Act to repeal sections 66.620, 67.402, 99.845, 136.055, 137.016, 137.100, 137.115, 137.565, 182.802, 184.815, 190.335, 221.407, 233.180, 233.295, 304.190, 311.179, and 347.048, RSMo, and to enact in lieu thereof twenty new sections relating to political subdivisions.

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

YEAS—Senators

| | | | | | | |
|---------|-------------|------------|---------|------------|---------|---------|
| Brown | Cunningham | Curls | Dixon | Hegeman | Holsman | Keaveny |
| Kehoe | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Sater | Schatz | Schupp | Sifton |
| Silvey | Wallingford | Walsh | Wasson | Wieland—26 | | |

NAYS—Senators

| | | | | | |
|-----------------|-------|-------|--------|----------|-----------|
| Chappelle-Nadal | Emery | Kraus | Schaaf | Schaefer | Schmitt—6 |
|-----------------|-------|-------|--------|----------|-----------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Pearce moved that the Senate request the House grant further conference on SCS for **SB 650**, as amended, which motion prevailed.

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 adopted **SS**, as amended, for **HCS for HB 2381** and has taken up and passed **SS for HCS for HB 2381**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS for HCS for HB 1599** and has taken up and passed **SCS for HCS for HB 1599**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS for HB 1713** and has taken up and passed **SCS for HCS for HB 1713**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS for HCS for HB 1584**, as amended, and has taken up and passed **CCS for SCS for HCS for HB 1584**.

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 SBs 588, 603 & 942**, entitled:

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records, with a delayed effective date.

With House Amendment No. 2.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 1, Section 488.650, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“488.650. There shall be assessed as costs a surcharge in the amount of [one] **two hundred fifty**; and

Further amend said bill, page and section, Line 3, by deleting the word “**when**” and inserting in lieu thereof the word “**if**”; and

Further amend said bill and page, Section 610.140, Line 5, by deleting the number “**10**” and inserting in lieu thereof the number “**12**"; and

Further amend said bill, page and section, Line 6, by deleting the word “**when**” and inserting in lieu thereof the word “**if**"; and

Further amend said bill and section, Page 2, Line 14, by deleting the number “**10**” and inserting in lieu thereof the number “**12**"; and

Further amend said bill, page and section, Lines 32 and 33, by deleting all of said lines and inserting in lieu thereof the following:

“(5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;”; and

Further amend said bill, page and section, Line 36, by inserting immediately after the number “**389.653**,” the number “**455.085**,”; and

Further amend said bill, page and section, Line 39, by inserting immediately after the number “**569.072**,” the number “**569.100**,”; and

Further amend said bill, page, section, and line, by inserting immediately after the number “**570.025**,” the numbers “**570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310**,”: and

Further amend said bill, page and section, Line 40, by inserting immediately after the number “**574.070**,” the number “**574.105**,”; and

Further amend said bill, page, section and line, by inserting immediately after the number “**574.130**,” the number “**575.040**,”; and

Further amend said bill, page and section, Lines 44 to 46, by deleting all of said lines and inserting in lieu thereof the following:

“(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;

(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section; and

(10) Any violations of any state law or county or municipal ordinance regulating the”; and

Further amend said bill and section, Page 3, Lines 69 to 74, by deleting all of said lines and inserting in lieu thereof the following:

“municipality, the name of the municipality for each offense, **violation, or infraction; and**

(5) [The name of the agency that arrested the petitioner for each offense;

(6)] The case number and name of the court for each offense[; and

(7) Petitioner’s fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner].”; and

Further amend said bill and section, Page 4, Line 87, by deleting all of said line and inserting in lieu thereof the following:

“(1) It has been at least [twenty] **seven** years if the offense is a felony, or at least [ten] **three**”; and
Further amend said bill, page, and section, Line 102, by inserting brackets around the word “and”; and
Further amend said bill, page, and section, Line 103, by inserting immediately after the number “(5)”
the following:

“The petitioner’s habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and

(6); and

Further amend said bill, page, and section, Lines 106-111, by deleting all of said lines and inserting in lieu thereof the following:

“A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. The burden shall shift to the prosecuting attorney, circuit attorney, or municipal prosecuting attorney to rebut the presumption. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim’s testimony.”; and

Further amend said bill, page and section, Line 112, by deleting all of said line and inserting in lieu thereof the following:

“6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.

7. If the court determines [at the conclusion of the hearing] that such person meets all”; and

Further amend said bill and section, Page 5, Line 129, by deleting all of said line and inserting in lieu thereof the following:

“[7.] 8. The order shall not limit any of the petitioner’s rights that were restricted as a collateral”; and

Further amend said bill, page and section Line 140, by inserting immediately after the first occurrence of the word “offense” the following:

“, violation, or infraction”; and

Further amend said bill, page and section, Line 142, by deleting all of said line and inserting in lieu thereof the following:

“[8.] 9. Notwithstanding the provisions of subsection [7] 8 of this section to the contrary, a person”; and

Further amend said bill, page and section, Line 147, by inserting immediately after the number “313” the phrase **“or permit issued under chapter 571”;** and

Further amend said bill and section, Pages 5 and 6, Lines 153 to 158, by deleting all of said lines and

inserting in lieu thereof the following:

“12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;

(5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or

(6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection. Notwithstanding any provision of law to the contrary, an expunged offense, violation, or infraction shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; **except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.**

[9]. 10. A person who has been granted an expungement of records pertaining to a misdemeanor or felony offense, an ordinance violation, or an infraction may answer “no” to an employer’s inquiry into whether the person has ever been convicted of a crime if, after the granting of the expungement, the person has no public record of a misdemeanor or felony offense, an ordinance violation, or an infraction. The person, however, shall answer such an inquiry affirmatively and disclose his or her criminal convictions, including any offense or violation expunged under this section or similar law, if the employer is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

11. If the court determines that [such person] **the petitioner** has not met the criteria for”; and

Further amend said bill and section, Page 6, Line 164, by deleting all of said line and inserting in lieu thereof the following:

“[10.] 12. A person may be granted more than one expungement under this section provided”; and

Further amend said bill, page and section, Line 181, by deleting the number **“11.”** and inserting in lieu thereof the number **“13.”**; and

Further amend said bill, page and section, Lines 184 to 190, by deleting all of said lines and inserting in lieu thereof the following:

“information, and belief.”.”; and

Further amend said bill and section, Page 7, Line 191, by deleting the number **“13.”** and inserting in lieu thereof the number **“14.”**; and

Further amend said bill, page and section, Lines 193 to 215, by deleting all of said lines; 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.

On motion of Senator Kehoe, the Senate recessed until 7:15 p.m.

RECESS

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

REPORTS OF STANDING COMMITTEES

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 **HCS** for **HB 1765** begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HJR 54**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

At the request of Senator Pearce, **HCS** for **HB 1451**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1716**, with **SCS** was placed on the Informal Calendar.

HCS for **HB 1765**, entitled:

An Act to repeal sections 192.2260, 192.2405, 217.360, 217.670, 217.690, 301.559, 339.100, 400.9-501, 513.430, 562.014, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, and 632.520 RSMo, sections 192.2410 and 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, sections 198.070, 221.111, 557.021, 565.188, 568.040, 569.090, 569.140, 570.030, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, sections 198.070 and 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, and to enact in lieu thereof thirty-five new sections relating to judicial proceedings, with penalty provisions.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HCS** for **HB 1765**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1765**

An Act to repeal sections 404.710, 404.717, 456.023, 456.590, 456.3-304, 456.4B-411, 456.5-508, 456.7-706, 469.060, 469.467, 473.050, 475.125, 513.430, 515.240, 515.250, 515.260, 516.105, and 650.058, RSMo, and to enact in lieu thereof eighty new sections relating to civil proceedings, with penalty provisions.

Senator Dixon moved that **SS** for **HCS** for **HB 1765**, be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HCS** for **HB 1765**, be read the 3rd time and was recognized to close.

President Pro Tem Richard referred **SS** for **HCS** for **HB 1765** to the Committee on Governmental Accountability and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Dixon moved that **SCS** for **SBs 588, 603 and 942**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SBs 588, 603 and 942**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 588, 603 and 942

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records, with a delayed effective date.

Was taken up.

Senator Schmitt assumed the Chair.

Senator Dixon moved that **HCS** for **SCS** for **SBs 588, 603 and 942**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

| | | | | | | |
|-------------|-----------------|------------|------------|--------|---------|---------|
| Brown | Chappelle-Nadal | Curls | Dixon | Emery | Holsman | Keaveny |
| Kehoe | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Schatz | Schupp | Sifton | Silvey |
| Wallingford | Walsh | Wasson | Wieland—25 | | | |

NAYS—Senators

| | | | | | | |
|------------|---------|-------|-------|--------|----------|-----------|
| Cunningham | Hegeman | Kraus | Sater | Schaaf | Schaefer | Schmitt—7 |
|------------|---------|-------|-------|--------|----------|-----------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **HCS** for **SCS** for **SBs 588, 603 and 942**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | |
|-------------|-----------------|------------|------------|--------|---------|---------|
| Brown | Chappelle-Nadal | Curls | Dixon | Emery | Holsman | Keaveny |
| Kehoe | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Schatz | Schupp | Sifton | Silvey |
| Wallingford | Walsh | Wasson | Wieland—25 | | | |

NAYS—Senators

| | | | | | | |
|------------|---------|-------|-------|--------|----------|-----------|
| Cunningham | Hegeman | Kraus | Sater | Schaaf | Schaefer | Schmitt—7 |
|------------|---------|-------|-------|--------|----------|-----------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SS for HJR 53** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for HJR 53 was read the 3rd time and passed by the following vote:

YEAS—Senators

| | | | | | | |
|-------------|------------|------------|----------|---------|---------|--------|
| Brown | Cunningham | Dixon | Emery | Hegeman | Kehoe | Kraus |
| Libla | Munzlinger | Onder | Parson | Pearce | Richard | Riddle |
| Romine | Sater | Schaaf | Schaefer | Schatz | Schmitt | Silvey |
| Wallingford | Wasson | Wieland—24 | | | | |

NAYS—Senators

| | | | | | | |
|-----------------|-------|---------|---------|---------|--------|--------|
| Chappelle-Nadal | Curls | Holsman | Keaveny | Nasheed | Schupp | Sifton |
| Walsh—8 | | | | | | |

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

PRIVILEGED MOTIONS

Senator Wieland, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SCS for SB 861** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 861

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No.3, House Amendment No. 3 as amended, and House Amendment No. 4, 5, 6, & 7, begs

leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 861;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Paul Wieland
/s/ Brian Munzlinger
/s/ Ryan Silvey
/s/ Joseph P. Keaveny
/s/ Gina Walsh

FOR THE HOUSE:

/s/ John McCaherty
/s/ Lincoln Hough
Becky Ruth
/s/ John Rizzo
/s/ Jeremy LaFaver

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

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|---------|---------|--------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Holsman | Keaveny | Kehoe |
| Libla | Munzlinger | Nasheed | Onder | Parson | Richard | Riddle |
| Romine | Sater | Schaefer | Schatz | Schmitt | Schupp | Sifton |
| Silvey | Wallingford | Wasson | Wieland—25 | | | |

NAYS—Senators

| | | | | |
|-------|---------|-------|--------|---------|
| Emery | Hegeman | Kraus | Schaaf | Walsh—5 |
|-------|---------|-------|--------|---------|

Absent—Senators

| | |
|-------|----------|
| Dixon | Pearce—2 |
|-------|----------|

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Wieland, CCS for HCS for SCS for **SB 861**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 861**

An Act to repeal sections 227.600 and 447.708, RSMo, and to enact in lieu thereof eight new sections relating to tax incentives.

YEAS—Senators

| | | | | | | |
|---------|-----------------|------------|-------------|----------|------------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Dixon | Holsman | Keaveny |
| Kehoe | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Sater | Schaefer | Schatz | Schmitt |
| Schupp | Sifton | Silvey | Wallingford | Wasson | Wieland—27 | |

NAYS—Senators

| | | | | |
|-------|---------|-------|--------|---------|
| Emery | Hegeman | Kraus | Schaaf | Walsh—5 |
|-------|---------|-------|--------|---------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on SCS for **SB 638**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 638**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 638, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 638, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 638;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 638 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle
 /s/ Bob Onder
 /s/ Ed Emery
 /s/ Jason Holsman
 /s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Kathryn Swann
 /s/ Lyle Rowland
 /s/ Elijah Haahr
 /s/ Jeremy LaFaver
 /s/ Genise Montecillo

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Riddle, **CCS for SCS for SB 638**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 638**

An Act to repeal sections 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.545, 161.216, 162.073, 162.261, 162.531, 162.541, 162.720, 163.031, 167.131, 167.241, 170.011, 170.310, 171.021, 173.750, RSMo, and to enact in lieu thereof twenty-nine new sections relating to elementary and secondary education, with an effective date for a certain section.

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SS for SCS for SB 986**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the

respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 986;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown
 /s/ Rob Schaaf
 /s/ Paul Wieland
 /s/ Jason Holsman
 /s/ Jill Schupp

FOR THE HOUSE:

/s/ John D. Wiemann
 Delus Johnson
 Robert Ross
 /s/ Pat Conway
 /s/ Kip Hendrick

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, **CCS for HCS for SS for SCS for SB 986**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 986**

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

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

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

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SCS for SB 973**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, with House Amendment Nos. 1, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6 and 8, House Amendment No. 1 to House Amendment No. 9, and House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 973;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate

Committee Substitute for Senate Bill No. 973 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson
 /s/ Mike Cunningham
 /s/ David Sater
 /s/ Jill Schupp
 /s/ Scott Sifton

FOR THE HOUSE:

/s/ Caleb Jones
 /s/ Robert Cornejo
 /s/ Donald Rone
 /s/ Jeremy LaFaver
 /s/ Deb Lavender

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

YEAS—Senators

| | | | | | | |
|---------|-----------------|------------|--------|-------------|---------|----------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schupp | Sifton | Silvey | Wallingford | Walsh | Wasson |

Wieland—29

NAYS—Senators—None

Absent—Senators

| | | |
|-------|---------|-----------|
| Dixon | Nasheed | Schmitt—3 |
|-------|---------|-----------|

Absent with leave—Senators—None

Vacancies—2

Senator Onder assumed the Chair.

On motion of Senator Wasson, CCS for HCS for SCS for **SB 973**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973**

An Act to repeal sections 197.315, 376.1237, and 536.031, RSMo, and to enact in lieu thereof seventeen new sections relating to health care.

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

YEAS—Senators

| | | | | | | |
|---------|-----------------|------------|--------|-------------|---------|----------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Emery | Hegeman | Holsman |
| Keaveny | Kehoe | Kraus | Libla | Munzlinger | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schupp | Sifton | Silvey | Wallingford | Walsh | Wasson |

Wieland—29

NAYS—Senators—None

Absent—Senators

| | | |
|-------|---------|-----------|
| Dixon | Nasheed | Schmitt—3 |
|-------|---------|-----------|

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 994**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 994**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 994, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 994, as amended;
2. That the Senate recede from its position on Senate Bill No. 994;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 994 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Jay Wasson
/s/ Mike Cunningham
/s/ Joseph P. Keaveny
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Justin Alferman
/s/ Bill Reiboldt
/s/ Robert Cornejo
/s/ Jacob Hummel
/s/ Tracy McCreery

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

YEAS—Senators

| | | | | | | |
|---------|-----------------|-------------|---------|----------|------------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Holsman | Keaveny | Kehoe |
| Kraus | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Sater | Schaefer | Schatz | Schmitt |
| Schupp | Silvey | Wallingford | Walsh | Wasson | Wieland—27 | |

NAYS—Senators

| | | |
|-------|--------|----------|
| Emery | Schaaf | Sifton—3 |
|-------|--------|----------|

Absent—Senators

| | |
|-------|-----------|
| Dixon | Hegeman—2 |
|-------|-----------|

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, **CCS for HCS for SB 994**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 994**

An Act to repeal sections 262.823, 311.060, 311.091, 311.205, RSMo, and to enact in lieu thereof five new sections relating to alcohol.

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

YEAS—Senators

| | | | | | | |
|---------|-----------------|-------------|---------|----------|------------|---------|
| Brown | Chappelle-Nadal | Cunningham | Curls | Holsman | Keaveny | Kehoe |
| Kraus | Libla | Munzlinger | Nasheed | Onder | Parson | Pearce |
| Richard | Riddle | Romine | Sater | Schaefer | Schatz | Schmitt |
| Schupp | Silvey | Wallingford | Walsh | Wasson | Wieland—27 | |

NAYS—Senators

| | | |
|-------|--------|----------|
| Emery | Schaaf | Sifton—3 |
|-------|--------|----------|

Absent—Senators

| | |
|-------|-----------|
| Dixon | Hegeman—2 |
|-------|-----------|

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SS for SB 786**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 786**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 786, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for

Senate Bill No. 786, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 786;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 786, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Jay Wasson
/s/ Dan Hegeman
/s/ Gina Walsh

Jill Schupp

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Sue Entlicher
/s/ Joe Don McGaugh
/s/ Pat Conway (10th)

Stacey Newman

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

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|-------------|---------|----------|
| Brown | Chappelle-Nadal | Cunningham | Emery | Hegeman | Holsman | Keaveny |
| Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schmitt | Sifton | Silvey | Wallingford | Walsh | Wasson |

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, CCS for HCS for SS for SB 786, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 786

An Act to repeal sections 115.105, 115.107, 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof seventeen new sections relating to elections, with an emergency clause for certain sections and a delayed effective date for certain sections.

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

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|-------------|---------|----------|
| Brown | Chappelle-Nadal | Cunningham | Emery | Hegeman | Holsman | Keaveny |
| Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schmitt | Sifton | Silvey | Wallingford | Walsh | Wasson |

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

Emergency clause was adopted by the following vote:

YEAS—Senators

| | | | | | | |
|--------|-----------------|------------|------------|-------------|---------|----------|
| Brown | Chappelle-Nadal | Cunningham | Emery | Hegeman | Holsman | Keaveny |
| Kehoe | Kraus | Libla | Munzlinger | Nasheed | Onder | Parson |
| Pearce | Richard | Riddle | Romine | Sater | Schaaf | Schaefer |
| Schatz | Schmitt | Sifton | Silvey | Wallingford | Walsh | Wasson |

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

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

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

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

Senator Pearce moved that **SCS** for **SB 996**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for SCS for SB 996, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 996**

An Act to repeal sections 160.415, 161.216, 162.720, and 163.031, RSMo, and to enact in lieu thereof four new sections relating to elementary and secondary education, with a delayed effective date for a certain section and an emergency clause for a certain section.

Was taken up.

Senator Pearce moved that **HCS** for **SCS** for **SB 996**, as amended, be adopted.

At the request of Senator Pearce, the motion to adopt **HCS** for **SCS** for **SB 996**, as amended, was withdrawn.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 996**, 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.

HOUSE BILLS ON THIRD READING**HCS for HB 1649**, with **SCS**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability, with an emergency clause.

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

SCS for HCS for HB 1649, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1649

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability for removing a minor from a locked vehicle, with an emergency clause.

Was taken up.

Senator Parson moved that **SCS for HCS for HB 1649** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS for HCS for HB 1649** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

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

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

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

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 SB 873**, entitled:

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof two new sections relating to the science, technology, engineering and mathematics fund.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the phrase “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the phrase “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said section and line the following:

“173.2050. 1. The governing board of each public institution of higher education in this state shall engage in discussions with law enforcement agencies with jurisdiction over the premises of an institution to develop and enter into a memorandum of understanding concerning sexual assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

2. The memorandum of understanding shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional practices. At a minimum, the memorandum shall set out procedural requirements for the reporting of an offense, protocol for establishing who has jurisdiction over an offense, and criteria for determining when an offense is to be reported to law enforcement.

3. The department of public safety in cooperation with the department of higher education shall promulgate rules and regulations to facilitate the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; 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 Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the words, “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the words, “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said line the following:

“620.806. 1. The Missouri job development fund, formerly established in the state treasury by section 620.478, shall now be known as the “Missouri Works Job Development Fund” and shall be administered by the department for the training program. The fund shall consist of all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, or bequests received from federal, private or other sources, including, but not limited to, any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure, development, and human resource investment programs which may be provided by the federal government or other sources.

2. The department may provide financial assistance through the training program to qualified companies that create new jobs which will result in the need for training, or that make new capital investment relating directly to the retention of jobs in an amount at least five times greater than the amount of any financial assistance. Financial assistance may also be provided to a consortium of **a majority of** qualified companies organized to provide common training to the consortium members' employees. Funds in the Missouri works job development fund shall be appropriated, for financial assistance through the training program, by the general assembly to the department and shall be administered by a local educational agency certified by the department for such purpose. Except for state-sponsored preemployment training, no qualified company shall receive more than fifty percent of its training program costs from the Missouri works job development fund. No funds shall be awarded or reimbursed to any qualified company for the training, retraining, or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage. Upon approval by the department, training project costs, except the purchase of training equipment and training facilities, shall be eligible for reimbursement with funds from the Missouri works job development fund. Notwithstanding any provision of law to the contrary, no qualified company within a service industry shall be eligible for assistance under this subsection unless such qualified company provides services in interstate commerce, which shall mean that the qualified company derives a majority of its annual revenues from out of the state.

3. The department may provide assistance, through appropriations made from the Missouri works job development fund, to business and technology centers. Such assistance shall not include the lending of the state's credit for the payment of any liability of the fund. Such centers may be established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries as determined by current labor market information.

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the words “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the words “higher education”; and

Further amend said bill. Page 3, Section 173.670, Line 67, by inserting after said section and line the following:

“571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, [or] statewide elected officials and their employees, **or other persons** holding a valid concealed carry permit

or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) The following locations within a public higher education institution without the consent of the governing body of the public higher education institution:

(a) Any polling place on election day;

(b) Any classroom location where a preschool or an elementary or secondary school-sponsored activity is occurring, excluding the location of a tour or similar transient presence, or any location of programs or camps for children eighteen years of age and under that are sponsored, facilitated, or coordinated by the public higher education institution;

(c) Any courtroom or associated offices when such offices are being used by a federal, state, or local judge for official business;

(d) Any patient care area, hospital, or patient care office, including those in which mental health services are provided;

(e) Any National Collegiate Athletic Association sporting event, any other event with more than five thousand seats, or any event that is a ticketed event. Such ticket shall be used as notice to the attendee with the words “Firearms Prohibited” written on the ticket;

(f) Any board meeting or meeting in which disciplinary, grievance, tenure, or academic promotion proceedings are taking place;

(g) Animal-research facilities and other animal-care and animal-use locations in which protocols regulating ingress and egress create a risk that a concealed firearm will accidentally discharge, be contaminated, or be separated from a concealed carry license holder.

Possession of a firearm in a vehicle on the premises of any public higher education institution shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any private higher education institution or elementary or secondary school facility without the consent of the governing body of the **private higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any **private** higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;**

[(11)] (12) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

[(12)] (13) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(13)] (14) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(14)] (15) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(15)] (16) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about

the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

[(16)] (17) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(17)] (18) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to [(17)] (18) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

3. No private or public higher education institution shall compile or distribute to an entity, including itself, identifying information of concealed carry permit or endorsement holders.

4. All signage posted on a public higher education institution prohibiting the carrying of concealed firearms in prohibited places shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in this section as a prohibited area, unless the building or premises is a private residence. Signage shall be of a uniform design as established and shall be four inches by six inches in size. Such signage shall be window cling or other material to be placed on external doors with the following:

- (1) A white background;
- (2) No text or marking within the one-inch area surrounding the graphic design;
- (3) A depiction of a handgun in black ink with a circle around and diagonal slash across the firearm in red ink; and
- (4) The image shall be four inches in diameter.

5. Except as provided by subsection 6 of this section, no public higher education institution shall be authorized or enabled to impose by rule, policy, ordinance, contractual requirement, or agreement of any type any prohibition on the lawful possession or carry of concealed firearms by full-time university employees as a condition of employment or other affiliation with such public higher education institution.

6. (1) Notwithstanding any other provision of law, a public higher education institution shall be allowed to adopt rules and policies regarding the possession of concealed firearms on its premises, subject to the limits set forth in this subsection. Such rules and policies may restrict the possession of concealed firearms on campus as expressly provided in subdivisions (2) to (4) of this subsection; any additional restrictions shall not conflict with subdivisions (5) and (6) of this subsection and shall be based on specific, enhanced safety considerations demonstrated by the public higher education institution, subject to de novo judicial review under section 536.050, appertaining to the conduct being regulated. Adopted rules and policies shall be published on the public higher education institution's website where other collected rules and regulations are posted.

(2) A public higher education institution may establish a rule that all counselors, staff, and volunteers who work in a campus program for minors, as defined by the public higher education institution rules regarding programs for minors, be required as a condition of their participation to agree not to carry a concealed firearm on the grounds or premises where the actual program is conducted.

(3) A public higher education institution may establish a rule that prohibits possession of a concealed firearm on campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of concealed firearms on the premises.

(4) Other than those locations described in subdivision (10) of this section or subdivision (3) of this subsection, rules and policies adopted under this subsection shall not prohibit or limit, or have the effect of prohibiting or limiting:

- (a) The possession or storage of a concealed firearm; or
- (b) The firearm condition or readiness of a firearm when carried concealed.

(5) Rules and policies adopted under this subsection shall not prohibit and shall not have the effect of prohibiting, lawful possession or storage of a firearm in a vehicle on the premises of a public higher education institution.

(6) Rules and policies adopted under this subsection shall not restrict the type of firearm that may be carried concealed at such institution.

(7) Rules and policies adopted under this subsection shall not limit or interpret the rights afforded employees under subsection 6 of section 571.030.

7. A public higher education institution shall not impose any taxes, fees, or other monetary charges as a condition for the lawful possession or carry of concealed firearms. If a private person seeks the return of a firearm in the possession of a public higher education institution that such person is entitled to possess, the public higher education institution shall make it available for return within two days following written demand for such firearm.

8. Any person aggrieved by a deprivation of, or a threatened deprivation of, a concealed firearm or ammunition at a public higher education institution in violation of this section, or aggrieved by a denial of, or a threatened denial of, access to any portion of a public higher education in violation of this section, may, in addition to any other remedy available, maintain a claim in small claims court. The court shall have the authority to award equitable relief to such aggrieved person in addition to any other remedy available in such court. Entitlement to a remedy shall not depend on the extent to which the person responsible for the deprivation or denial was aware that the deprivation or denial was a violation.”; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after said section and line the following:

“Section B. The repeal and reenactment of section 571.107 of this act shall become effective on January 1, 2017.”; and

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

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4**

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 873, Page 1, Line 3, by inserting after all of said line the following:

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

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

- (3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and
- (4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and
- (5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

[4.] 5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

[5.] 6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery

of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

[6.] **7.** For any school year, grants authorized by subsections 1, 2, and [4] **5** of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection [7] **8** of this section.

[7.] **8.** The department of higher education shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [9] **10** of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a [public] high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

[8.] **9.** The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] **10.** For a two-year private vocational or technical school to obtain reimbursements under subsection [7] **8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit

organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.”; and “; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the phrase “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the phrase “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said section and line the following:

“178.780. 1. Tax supported community colleges formed prior to October 13, 1961, and those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the coordinating board for higher education.

2. The coordinating board for higher education shall:

(1) Establish the role of the two-year college in the state;

(2) Set up a survey form to be used for local surveys of need and potential for two-year colleges; provide supervision in the conducting of surveys; require that the results of the studies be used in reviewing applications for approval; and establish and use the survey results to set up priorities;

(3) Require that the initiative to establish two-year colleges come from the area to be served;

(4) Administer the state financial support program;

(5) Supervise the community college districts formed under the provisions of sections 178.770 to 178.890 and the community colleges now in existence and formed prior to October 13, 1961;

(6) Formulate and put into effect uniform policies as to budgeting, record keeping, and student accounting;

(7) Establish uniform minimum entrance requirements and uniform curricular offerings for all community colleges;

(8) Make a continuing study of community college education in the state; [and]

(9) Be responsible for the accreditation of each community college under its supervision. Accreditation shall be conducted annually or as often as deemed advisable and made in a manner consistent with rules and regulations established and applied uniformly to all community colleges in the state. Standards for accreditation of community colleges shall be formulated with due consideration given to curriculum offerings and entrance requirements of the University of Missouri; **and**

(10) Establish a standard core curriculum and a common course numbering equivalency matrix

for lower-division courses to be used at community colleges and other public institutions of higher education to facilitate student transfers as provided under sections 178.785 to 178.789 .

178.785. The provisions of sections 178.785 to 178.789 shall be known and may be cited as the “Higher Education Core Curriculum Transfer Act”. For purposes of sections 178.785 to 178.789, the following terms mean:

(1) “Coordinating board”, the coordinating board for higher education established in section 173.005;

(2) “Core curriculum”, the basic competencies to be met, which shall include communicating, higher-order thinking, managing information, valuing, and includes the knowledge areas of social and behavioral sciences, humanities and fine arts, mathematics, and life and physical sciences;

(3) “Faculty member”, a person who is employed full-time by a community college or other public institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration;

(4) “Native student”, a student whose initial college enrollment was at an institution of higher education and who has not transferred to any other institution since that initial enrollment and who has completed no more than eleven credit hours at any other institution of higher education.

178.786. 1. The coordinating board for higher education, with the assistance of an advisory committee composed of representatives from each public community college in this state and each public four-year institution of higher education, shall develop a recommended lower division core curriculum of forty-two semester credit hours, including a statement of the content, component areas, and objectives of the core curriculum. A majority of the members of the advisory committee shall be faculty members from Missouri public institutions of higher education.

2. The coordinating board shall approve a common course numbering equivalency matrix for the forty-two credit hour block at all institutions of higher education in the state to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and course identification. Each community college and four-year institution of higher education shall include in its course listings the applicable course numbers from the common course numbering equivalency matrix approved by the coordinating board under this subsection.

3. The coordinating board shall complete the requirements of subsections 1 and 2 of this section prior to January 1, 2018, for implementation of the core curriculum transfer recommendations for the 2018-19 academic year for all public institutions of higher education.

178.787. 1. Each community college, as defined in section 163.191, and public four-year institution of higher education shall adopt the forty-two credit hour block, including specific courses comprising the curriculum, based on the core curriculum recommendations made by the coordinating board for higher education under subsections 1 and 2 of section 178.786, for implementation beginning in the 2018-19 academic year.

2. If a student successfully completes the forty-two credit core curriculum at a community college or other public institution of higher education, that block of courses may be transferred to any other public institution of higher education in this state and shall be substituted for the receiving institution's core curriculum. A student shall receive academic credit for each of the courses

transferred and shall not be required to take additional core curriculum courses at the receiving institution.

3. A student who transfers from one public institution of higher education to another public institution of higher education in the state without completing the core curriculum of the sending institution shall receive academic credit from the receiving institution for each of the courses that the student has successfully completed in the core curriculum of the sending institution. Following receipt of credit for these courses, the student may be required to satisfy further course requirements in the core curriculum of the receiving institution.

178.788. 1. The coordinating board for higher education, in consultation with the advisory board established in section 178.786, shall develop criteria to evaluate the transfer practices of each public institution of higher education in this state and shall evaluate the transfer practices of each institution based on this criteria.

2. The coordinating board shall develop procedures to be followed by institutions of higher education in resolving disputes concerning the transfer of course credit and by the commissioner of higher education in making a final determination concerning transfer of course credit if a transfer is in dispute.

3. Each institution of higher education shall publish in its course catalogs and on its official website the procedures adopted by the board under subsections 1 and 2 of this section.

4. If an institution of higher education does not accept course credit earned by a student at another public institution of higher education, that institution shall give written notice to the student and the other institution that the transfer of the course credit is denied. The two institutions and the student shall attempt to resolve the transfer of the course credit in accordance with rules promulgated by the coordinating board. If the transfer dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned within forty-five days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall notify the commissioner of higher education of its denial and the reasons for the denial.

5. The commissioner of higher education or his or her designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination as to the involved student and institutions.

6. The coordinating board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee.

7. The provisions of sections 178.785 to 178.789 shall not apply to native students who are not seeking to transfer credits nor affect the authority of an institution of higher education to adopt its own admission standards or its own grading policies.

8. Students enrolled in professional programs shall complete the appropriate core curriculum that is required for accreditation or licensure.

178.789. The coordinating board for higher education may promulgate all necessary rules and regulations for the administration of sections 178.785 to 178.789. 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, 2016, shall be invalid and void. “; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after all of said section and line the following:

“Section 1. 1. Notwithstanding any other provision of law to the contrary, if the spouse of any full-time employee of a public institution of higher education incurs out-of-state travel costs that are paid for or reimbursed by such institution then such employee shall be required to file a quarterly travel report with the Missouri ethics commission listing the date or dates, location, purpose, and the full cost of any out-of-state travel made by such employee's spouse. Such costs shall include, but not be limited to, any transportation costs, lodging costs, and meal expenses that are paid for or reimbursed by the public institution. The commission shall publish travel reports in an electronic format on the commission's website and shall enable the reports to be easily searched by name, employee position, and institutional affiliation. The commission shall enable the electronic filing of reports.

2. In addition to the quarterly reports required under subsection 1 of this section, any spouse of a full-time employee of a public institution of higher education whose travels were funded by such public institution under the provisions of subsection 1 of this section during the one-year period immediately before the effective date of this section shall, no later than six months after the effective date of this section, file an additional travel report with the commission covering travel expenditures during that one-year period. This travel report shall be identical in content to the quarterly travel reports required under subsection 1 of 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 Bill No. 873, Page 1, In the Title, Lines 2-3, by removing the phrase “the science, technology, engineering and mathematics fund” and insert in lieu thereof the phrase “student welfare”; and

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

“167.225. 1. As used in this section, the following terms mean:

(1) [“Blind persons”, individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity] “Assessment”, the National Reading Media Assessment or another research-based assessment or series of research-based assessments authorized under the Individuals with Disabilities Education Act that determines a student’s reading and writing skills, needs, and appropriate reading and writing media and addresses the student’s academic and functional strengths, deficits, as well as the student’s current and future educational needs;

(2) “Braille”, the system of reading and writing through touch [commonly known as standard English

Braille];

(3) “Student”, any student who [is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142] **is eligible for special education services under the Individuals with Disabilities Education Act and who:**

(a) Has an impairment in vision that, even with correction, adversely affects a child’s educational performance;

(b) Has a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity or field .

2. All students [may] **shall receive instruction in Braille reading and writing as part of their individualized education plan unless, as a result of an assessment, instruction in Braille or the use of Braille is determined not appropriate for the student**. No student shall be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Instruction in Braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

(1) How Braille will be implemented as the primary mode for learning through integration with normal classroom activities. If Braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which Braille instruction will commence;

(3) The level of competency in Braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing Braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963, parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have the right to:

(1) An independent evaluation at public expense for any agency evaluation, including the assessment established under subdivision (1) of subsection 1 of section 167.225;

(2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams determination of the need for Braille instruction;

(3) File a due process complaint with the department of elementary and secondary education concerning the proposed action of the agency regarding provision of Braille instruction or any other matter related to the provision of a free appropriate public education to the student which will be forwarded to the Administrative Hearing Commission for an impartial hearing; and

(4) A resolution meeting convened by the school with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process complaint to discuss the due process complaint and the facts that form the basis of the complaint so that the school and parent have the opportunity to resolve the dispute. “; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 897**.

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

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 897, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “to property tax.”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section and 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, 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 **hotel, motel, or tourist courts as defined in section 66.500** or other similar facilities used primarily for transient housing. **Residential property that is not primarily used for transient housing shall be assessed at the commercial rate for those days actually rented to transient guests.** 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 by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 897, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase “to financial transactions.”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment 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 the repeal and reenactment 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. 4

Amend Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “collection of public money”; and

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

“99.848. 1. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

2. In cities of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section. “; and

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

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting the words “payments due by collectors” and inserting in lieu thereof the words “financial transactions”; and

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

“110.010. 1. The public funds of every county, township, city, town, village, school district of every character, road district, sewer district, fire protection district, **ambulance district**, water supply district, drainage or levee district, state hospital, state schools for the mentally deficient, Missouri School for the Deaf, Missouri School for the Blind, Missouri Training School for Boys, training school for girls, Missouri Veterans' Home, Missouri State Chest Hospital, state university, Missouri state teachers' colleges, Lincoln University, which are deposited in any banking institution acting as a legal depositary of the funds under the statutes of Missouri requiring the letting and deposit of the same and the furnishing of security therefor, shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer.

2. The securities shall, at the option of the depositary banking institution, be delivered either to the fiscal officer or the governing body of the municipal corporation or other depositor of the funds, or by depositing the securities with another banking institution or safe depositary as trustee satisfactory to both parties to the depositary agreement. The trustee may be a bank owned or controlled by the same bank holding company as the depositary banking institution.

3. The rights and duties of the several parties to the depositary contract shall be the same as those of the state and the depositary banking institution respectively under section 30.270. If a depositary banking institution deposits the bonds or securities with a trustee as above provided, and the municipal corporation or other depositor of funds gives notice in writing to the trustee that there has been a breach of the depositary contract and makes demand in writing on the trustee for the securities, or any part thereof, then

the trustee shall forthwith surrender to the municipal corporation or other depositor of funds a sufficient amount of the securities to fully protect the depositor from loss and the trustee shall thereby be discharged of all further responsibility in respect to the securities so surrendered.”; and

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

Emergency clause defeated.

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 SS for SB 937**, entitled:

An Act to repeal sections 66.620, 67.1360, 70.210, 94.902, 99.820, 182.802, 192.300, 205.205, 221.407, 256.437, 256.438, 256.439, 256.440, 256.443, 321.242, 321.246, 488.2206, and 644.021, RSMo, and to enact in lieu thereof twenty-two new sections relating to political subdivisions.

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Pages 22-28, Section 99.820, Lines 1-210, by deleting all of said section and line; 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 Substitute for Senate Bill No. 937, Page 28, Section 99.820, Line 210, by inserting after all of said section and line the following:

“105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) “Elected local government official lobbyist”, any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars **who makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more local government officials;**

(2) “Executive lobbyist”, any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person’s employer; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more

employees of the executive branch of state government in connection with such activity.

An “executive lobbyist” shall not include a member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

- a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;
- b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;
- c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;
- d. Participating in public hearings or public proceedings on rules, grants, or other matters;
- e. Responding to any request for information made by any public official or employee of the executive branch of government;
- f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;
- g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or
- h. Testifying as a witness before a state board, commission or agency of the executive branch;

(3) “Expenditure”, any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term “expenditure” shall not include the following:

- (a) Any item, service or thing of value transferred to any person within the third degree of consanguinity or affinity of the transferor which is unrelated to any activity of the transferor as a lobbyist;
- (b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person’s official duties, or souvenirs or mementos valued at less than ten dollars;
- (c) Contributions to the public official’s campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130;
- (d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person’s or entity’s business to persons who are not public officials;

(e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient's status as a public official or staff member, employee, spouse or dependent child of a public official;

(f) The transfer of any item, provision of any service, or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service, or opportunity is necessary for a public official or employee to perform his or her duty in his or her official capacity, including but not limited to entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;

(g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

(h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment not to exceed fifty dollars in value;

(4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary.

A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;

b. Participating in public hearings or public proceedings on rules, grants, or other matters;

c. Responding to any request for information made by any judge or employee of the judicial branch of government;

d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

(5) “Legislative lobbyist”, any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person’s employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A “legislative lobbyist” shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A “legislative lobbyist” shall not include any member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

(6) “Lobbyist”, any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

(7) “Lobbyist principal”, any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

(8) “Public official”, any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

[105.473.] 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the

- direct supervision of a state senator;
- b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;
 - c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;
 - d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;
 - e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;
- (e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;
- (f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.
4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.
 5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.
 6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.
 7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; [honoraria;] meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when [any] **all** of the following are invited **seventy-two hours in advance using the same communication medium and in writing**:

a. [All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] **All members of the general assembly, which may or may not include staff and employees under the direct supervision of a member of the general assembly; and**

b. All statewide officials, which may or may not include staff and employees under the direct supervision of a statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has

with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive

branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.

14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure for any public official of the state, local government official or school district board member, his or her staff or employees, or his or her spouse or dependent children, except for expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.

[105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this

subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or

resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political

contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a “gift” shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person’s official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person’s financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member’s, spouse’s, or dependent child’s most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year,

provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of [five] **two** hundred **fifty** dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of [five] **two** hundred **fifty** dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.”; 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 Bill No. 937, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

“256.720. 1. Notwithstanding the provisions of subsection 2 of this section, no rule, regulation, order, or ordinance of any political subdivision shall apply to prevent a property owner from constructing a private domestic well if the construction is allowed under state law.

2. If the department of natural resources can provide evidence of water contamination in an area of the state designated by the department as a special or sensitive area, any political subdivision in such area may regulate private domestic well construction in order to protect water quality. Any

political subdivision in such area may require that a water filtration system be installed in any new well construction as a condition of receiving a permit.”; 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 Bill No. 937, Page 19, Section 94.860, Line 77, by inserting immediately after all of said line the following:

“94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

[(c)] (d) Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

[(d)] (e) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

[(e)] (f) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 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 by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of 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.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) 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 submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. 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, 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 of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to 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 of the department of revenue 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.

6. The director of the department of revenue may 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 department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue 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 of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director

of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to 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 Substitute for Senate Bill No. 937, Page 17, Section 67.1790, Line 129, by inserting after all of said section and line the following:

“67.5110. 1. As used in this section, the following terms mean:

(1) “Facilitation platform”, an intermediary that facilitates the rental of a residential dwelling rental and collects payment from a transient guest, but not including an entity that acts solely as a property manager;

(2) “Marketing platform”, an intermediary that facilitates the rental of a residential dwelling rental, but does not collect payment from a transient guest;

(3) “Owner”, a person who offers a residential dwelling rental to transient guests;

(4) “Political subdivision”, any county, city, town, village, or township;

(5) “Residential dwelling”, any building, structure, or part of the building or structure, that is used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging to it or enjoyed with it. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;

(6) “Residential dwelling rental”, a residential dwelling or any part thereof that is offered for rent to transient guests. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;

(7) “Transient guest”, any person who rents and occupies a guest room in a residential dwelling rental for a period of less than thirty-one days in any calendar quarter; provided, however, that “transient guest” shall not mean an occupant under a lease agreement.

2. A political subdivision may not enact or enforce an ordinance that prohibits or unreasonably restricts residential dwelling rentals, or that regulates or otherwise restricts residential dwelling rentals based solely on their classification, use, or occupancy as a residential dwelling unit.

3. The provisions of subsection 2 of this section shall not prohibit a political subdivision from applying and enforcing any ordinance in effect prior to August 28, 2016.

4. Nothing in this section limits the authority of a political subdivision to enact or enforce an ordinance that imposes reasonable restrictions on residential dwelling rentals in any of the following areas:

(1) Protection of the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation and traffic control, solid and hazardous wastes, and pollution control;

(2) Local taxes that may be imposed on residential dwelling rentals to transient guests;

(3) A requirement that any person who rents out his or her residential dwellings shall obtain a

business license and pay an annual license fee;

- (4) The imposition or payment of inspection fees for residential dwellings;**
- (5) Posting requirements for licenses, certificates, or registrations as well as emergency procedures;**
- (6) Response time periods for complaints and short-term renter concerns;**
- (7) Nuisances related to residential dwellings;**
- (8) Age requirements for renters;**
- (9) Off-street parking requirements; or**
- (10) Zoning requirements.**

5. A transient guest shall pay and an owner shall collect and remit any applicable taxes on the occupancy of a residential dwelling rental imposed by the state or by the municipality, county, or local taxing entity in which the residential dwelling is located, whether the tax imposed be a sales tax, hotel tax, occupancy tax, or otherwise. When an owner uses a facilitation platform, the facilitation platform shall collect and remit on behalf of the owner any such applicable taxes on the occupancy of a residential dwelling rental by a transient guest. A marketing platform shall:

- (1) Disclose in its terms of service the obligation to pay any applicable taxes to both the transient guest and the owner of the residential dwelling;**
- (2) Require as a term of service that the transient guest and the owner of the residential dwelling acknowledge the obligation to pay any applicable taxes; and**
- (3) Maintain records of any rentals facilitated for a period of three years for audits requested by a tax administrator and conducted during normal business hours.**

6. For purposes of the collection and remittance by a facilitation platform of any state sales tax on the occupancy of a residential dwelling rental, the provisions of sections 32.010 to 32.096, sections 136.101 to 136.380, and sections 144.010 to 144.525 shall apply.

7. Prior to facilitating a residential dwelling rental to a transient guest, a facilitation platform and a marketing platform shall require as a term of service that the owner of a residential dwelling rental certifies that the residential dwelling rental meets all applicable state and local requirements, and local requirements as described in subsection 4 of this section.”; and

Further amend said bill, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

“315.005. As used in sections 315.005 to 315.065, unless the context clearly indicates otherwise, the following terms mean:

(1) “Code”, the standards relating to fire safety, sanitation, electrical wiring, fuel-burning appliances, plumbing, swimming pools and spas, sewage and waste treatment and disposal as adopted by the department. The department in its discretion, may incorporate, in whole or in part, the standards or codes promulgated by the National Fire Protection Association, Building Officials and Code Administration International, Inc., Great Lakes Upper Mississippi River Board of State Sanitary Engineers, and American Society of Sanitary Engineers;

(2) “Department”, the director of the department of health and senior services or an agent of the director

of the department of health and senior services;

(3) "Guest room", any room or unit where sleeping accommodations are regularly furnished to the public;

(4) "Lodging establishment", any building, group of buildings, structure, facility, place, or places of business where five or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests;

(5) "Owner", the person responsible for obtaining a license from the department for operating the lodging establishment;

(6) "Permanent guest", any person who rents and occupies a guest room in a lodging establishment for a period of thirty-one days or more;

(7) "Person", any individual, partnership, corporation, association, organization, firm, or federal, state, county, city, village, or municipal association or corporation;

(8) "Transient guest", any person who rents and occupies a guest room in a lodging establishment for a period of less than thirty-one days **in any calendar quarter.**"; 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 grants the Senate further conference on SCS for **SB 650**, with **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 1 to HA 8, HA 8** as amended, and **HA 9**.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to concur in HCS for **SB 873**, 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.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on SCS for **SB 650**, as amended: Senators Pearce, Schaaf, Onder, Nasheed and Chappelle-Nadal.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2216**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 2216

Whereas, long-term care provides a broad range of medical, personal, and social services and supports in-home and community settings for persons in need of care due to age, illness, accident, or disability, including many Missouri veterans who have served and protected Missouri residents and the nation; and

Whereas, over ten million people in the United States need some form of long-term care services. However, in 2014, according to the Henry J. Kaiser Family Foundation, the average occupancy rate of certified beds in certified nursing facilities in Missouri was 72.5%, which was the ninth lowest in the nation. Some counties in Missouri have significantly lower occupancy rates, resulting in an overabundance of available beds for the current long-term care facility resident population; and

Whereas, in Missouri, the average annual cost of a semi-private room in nursing home is nearly \$51,000. While some nursing home residents are able to pay the cost of care with long-term care insurance or private savings, many more rely on familial assistance and government programs such as Medicaid, Medicare, and veterans' assistance. On average, over 70% of the total cost of a resident's stay in a long-term care facility is paid by either the federal or state government; and

Whereas, the general underutilization of beds in Missouri long-term care facilities, the disproportionate distribution of beds to residents in many counties, and the high cost of care for vital long-term care services for the elderly, disabled, and veteran populations have resulted in a crisis in the provision of adequate and financially-sustainable long-term care for Missouri residents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Interim Committee on Long-Term Care Facilities; and

Be It Further Resolved that such committee be composed of six members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning:

(1) The relationship between certificate of need laws for long-term care facilities, the role of the Missouri Health Facilities Review Committee, and the current occupancy and utilization of long-term care beds in Missouri, including beds in hospitals, long-term care facilities, and veterans homes;

(2) Methods to improve quality of care and reduce costs in long-term care facilities, including exploring alternative financial strategies such as public-private partnerships; and

(3) The role of legislators serving on the Missouri Health Facilities Review Committee; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the Missouri Senate by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit input and information necessary to fulfill its obligations from the Department of Health and Senior Services, the Department of Social Services, the Department of Mental Health, the Missouri Veterans Commission, the Missouri Health Facilities Review Committee, and appropriate leaders in the long-term care industry in Missouri; and

Be It Further Resolved that the staffs of Senate Research and Senate Appropriations shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that the committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2215**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2196**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 2196

Whereas, sustained investment in electric, natural gas, water, and sewer utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies compete with utility companies in other states for the capital

necessary to sustain investment in utility infrastructure in Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

Whereas, the utility regulatory process in Missouri, as it applies to electric, natural gas, water, and sewer corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

Whereas, the utility regulatory process and framework must be periodically evaluated in order to promote the interests of fairness and balance among all constituencies, by addressing policy and practice advances in areas including nontraditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function, and needs of the Public Service Commission, the role, function, and needs of the Office of Public Counsel, and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:

Now Therefore Be It Resolved that the members of the Senate of the Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Committee on Utility Regulation and Infrastructure Investment; and

Be It Further Resolved that such committee be composed of six members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning: how the Missouri utility regulatory process and framework, and the results of such process and framework, compares to other states for electric, natural gas, water, and sewer utility companies; and how the utility regulatory process in Missouri can, or should, be modernized to be more efficient and effective, to ensure sustained investment in utility infrastructure and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of Public Counsel, political subdivisions of this state, regulated utilities, and consumer groups; and

Be It Further Resolved that Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that such committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of such committee.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate request the House grant further conference on **HCS for SS for SB 608**, as amended, which motion prevailed.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 2220, regarding Adam Pressler, Northbrook, Illinois, which was adopted.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-NINTH DAY—THURSDAY, MAY 12, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566
HCS for HB 1605

HCS for HJR 98

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

HB 1855-Allen (Schaaf) (In Fiscal Oversight)
HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
HCS for HBs 1589 & 2307, with SCS
(Emery) (In Fiscal Oversight)

HB 1585-Hill (Munzlinger)
HB 1620-Kelley (Schmitt)
HCS for HJR 54 (Riddle)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

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|---|--|
| SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending) | SB 719-Emery, with SCS |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 733-Dixon |
| SB 596-Kraus, with SCS | SB 734-Dixon |
| SB 622-Romine, with SCS | SB 771-Onder |
| SB 644-Onder, with SCS | SB 772-Onder, with SCS |
| SCS for SBs 662 & 587-Dixon | SB 774-Schmitt |
| SB 680-Emery | SB 775-Schaefer |
| SB 686-Wallingford, with SCS | SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending) |
| SB 706-Dixon | |

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|---|--|
| SBs 789 & 595-Wasson, with SCS | SB 972-Silvey |
| SB 792-Richard | SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending) |
| SB 793-Richard | SB 995-Riddle |
| SB 798-Kraus, with SCS | SB 1003-Onder |
| SB 802-Sater | SB 1004-Onder |
| SB 805-Onder, with SCS | SB 1005-Walsh |
| SB 806-Onder, with SCS | SBs 1010, 958 & 878-Curls, with SCS |
| SB 812-Keaveny | SB 1012-Dixon |
| SB 816-Wieland, et al | SB 1014-Dixon |
| SB 825-Munzlinger, with SA 1 (pending) | SB 1026-Schatz, with SCS |
| SB 830-Wasson, with SCS | SB 1028-Silvey, et al, with SCS |
| SB 848-Emery, with SCS | SB 1033-Pearce |
| SBs 851 & 694-Brown, with SCS | SB 1066-Curls |
| SB 853-Brown | SB 1074-Schmitt, with SCS |
| SB 858-Romine, with SCS & SS for SCS (pending) | SB 1075-Wallingford |
| SB 868-Wasson | SB 1085-Pearce |
| SB 871-Wallingford | SB 1091-Riddle |
| SB 883-Riddle | SB 1094-Kehoe, with SCS |
| SB 894-Munzlinger, with SS (pending) | SB 1096-Dixon and Keaveny, with SS (pending) |
| SB 896-Hegeman | SB 1117-Wasson, with SCS |
| SB 898-Cunningham | SB 1120-Hegeman, et al |
| SB 908-Sater, with SCS | SB 1131-Sifton |
| SB 916-Schaefer | SB 1144-Brown |
| SB 920-Schmitt and Kraus | SJR 23-Sater, with SS (pending) |
| SB 951-Wasson, with SA 1 (pending) | SJR 35-Kraus, with SCS |
| SB 964-Wallingford, with SCS (pending) | |
| SB 966-Schaaf | |

HOUSE BILLS ON THIRD READING

| | |
|---|---|
| HCS for HB 1433, with SCS (Sater) | HB 1619-McCaherty (Dixon) |
| HB 1435-Koenig, with SS (pending) (Kraus) | HB 1643-Hicks (Brown) |
| HCS for HB 1451, with SCS (Pearce) | HCS for HB 1658 (Onder) |
| HB 1452-Hoskins, with SCS (Pearce) | HCS for HB 1675, with SCS (pending) (Munzlinger) |
| HCS for HB 1463 (Kraus) | HB 1678-Solon, with SCS (Pearce) |
| HCS for HB 1464, with SCS (Brown) | HCS for HB 1695, with SCS (Wasson) |
| HB 1472-Dugger, with SS & SA 4 (pending) (Dixon) | HB 1716-Lichtenegger, with SCS (Munzlinger) |
| HB 1478-Entlicher, with SCS (Pearce) | HCS for HB 1718 (Romine) |
| HB 1479-Entlicher (Romine) | HCS for HB 1729 (Munzlinger) |
| HB 1534-Flanigan, with SCS (Schaefer) | HB 1745-Brattin, with SCS (Schatz) |
| HCS for HB 1561, with SCS (Schatz) | HCS for HB 1759, with SCS (Dixon) |
| HB 1575-Rowden, with SCA 1 (Munzlinger) | SS for HCS for HB 1765 (Dixon) |
| HB 1588-Franklin, with SCS (Parson) | |

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|---|---|
| (In Fiscal Oversight) | HCS for HB 2187, with SCS (pending) (Cunningham) |
| HCS for HB 1776 (Romine) | HCS for HB 2202, with SCS (Dixon) |
| HCS for HBs 1780 & 1420 (Pearce) | HB 2226-Barnes (Silvey) |
| HB 1786-Pike, with SCS (Pearce) | HB 2230-Ross (Schatz) |
| HB 1795-Haefner, with SCS (Sater) | HCS for HBs 2234 & 1985 (Pearce) |
| HCS for HB 1804, with SCS, SS for SCS, SA 3 & SSA 1 for SA 3 (pending) (Emery) | HB 2257-Jones, with SCS (Wieland) |
| HCS for HB 1850 (Wasson) | HCS for HB 2332, with SCS, SS for SCS, SA 1 & point of order (pending) (Dixon) |
| HB 1892-Rehder (Schatz) | HCS for HB 2397 (Cunningham) |
| HCS for HB 1898 (Emery) | HCS for HB 2402, with SCS & SA 1 (pending) (Pearce) |
| HCS for HB 1904, with SCS, SS for SCS & SA 1 (pending) (Wallingford) | HB 2429-Dohrman, with SCS (Parson) |
| HCS for HB 1912, with SCS & SS for SCS (pending) (Schatz) | HCS for HB 2445 (Libla) |
| HCS for HB 1930 (Riddle) | HCS for HB 2496 (Hegeman) |
| HCS for HB 2038 (Munzlinger) | HB 2590-Plocher, with SCS (Keaveny) |
| HB 2104-Alferman, with SCS (Schmitt) | HCS for HB 2689, with SS, SA 1 & SSA 1 for SA 1 (pending) (Silvey) |
| HB 2111-Eggleston (Sater) | HJR 58-Brown (57) (Romine) |
| HB 2166-Alferman, with SCS, SS#2 for SCS, SA 5 & SA 1 to SA 5 (pending) (Onder) | |

CONSENT CALENDAR

House Bills

Reported 4/14

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|---------------------------|-----------------------------------|
| HB 2195-Hoskins (Pearce) | HB 2480-Justus (Sater) |
| HB 1539-Vescovo (Wieland) | HB 1473-Dugger, with SCS (Wasson) |
| HB 1538-Vescovo (Wieland) | HB 1388-Roeber (Dixon) |
| HB 2183-Roeber (Curls) | |

SENATE BILLS WITH HOUSE AMENDMENTS

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| SB 676-Sater, with HCS, as amended | SB 932-Cunningham, with HCS, as amended |
| SCS for SBs 688 & 854-Romine, with HCS, as amended | SS for SB 937-Wallingford, with HCS, as amended |
| SB 831-Wasson, with HCS, as amended | |
| SB 897-Hegeman, with HA 1, HA 2, HA 4 & HA 5 | |

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

- SS for SCS for SB 572-Schmitt, with HCS
(Senate adopted CCR#2 and passed CCS#2)
- SB 607-Sater, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SS for SB 608-Sater, with HCS, as amended
(Senate requests further conference)
- SS for SB 621-Romine, with HCS, as amended
- SB 625-Walsh, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SB 627-Nasheed, with HA 1, HA 2, HA 3,
HA 4, as amended, HA 5 & HA 6
- SB 635-Hegeman, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SCS for SB 638-Riddle and Silvey, with
HA 1, HA 2, HA 3, HA 4, HA 5, as
amended, HA 6, HA 7, HA 8, HA 9 & HA
10 (Senate adopted CCR and passed CCS)
- SB 639-Riddle, with HCS, as amended
- SB 640-Schatz, with HCS, as amended
- SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9 (Further conference
granted)
- SB 656-Munzlinger, with HCS, as amended
- SB 677-Sater, with HCS, as amended
- SCS for SB 703-Munzlinger, with HCS, as
amended
- SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR and
passed CCS)
- SB 735-Dixon, with HCS, as amended
- SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended
- SS for SB 786-Kraus, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SS for SB 799-Kraus, with HCS, as amended
- SCS for SB 823-Kraus, with HCS, as
amended
- SB 833-Nasheed, with HCS, as amended
- SB 852-Brown, with HA 1, HA 2, as
amended & HA 3
- SCS for SB 861-Wieland, with HCS, as
amended (Senate adopted CCR and
passed CCS)
- SB 864-Sater, with HCS, as amended
- SB 867-Sater, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 &
HA 6, as amended
- SCS for SB 973-Wasson, with HCS, as
amended (Senate adopted CCR and
passed CCS)
- SS for SCS for SB 986-Brown, with HCS,
as amended (Senate adopted CCR and
passed CCS)
- SB 988-Kraus, with HA 1, HA 2, HA 3,
HA 4, as amended & HA 5
- SB 994-Munzlinger, with HCS, as amended
(Senate adopted CCR and passed CCS)
- SB 997-Pearce, with HCS, as amended
- HCS for HB 1584, with SCS, as amended
(Schmitt) (House adopted CCR and
passed CCS)

Requests to Recede or Grant Conference

- SB 873-Pearce, with HCS, as amended
(Senate requests House recede or
grant conference)
- SCS for SB 996-Pearce, with HCS, as
amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp

SR 2062-Pearce
SR 2196-Emery, with SCS
SR 2215-Sater
SR 2216-Cunningham, with SCS
HCS for HCR 57 (Schaefer)
HCR 61-Engler (Dixon)
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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