

# Journal of the Senate

SECOND REGULAR SESSION

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**SIXTY-NINTH DAY—THURSDAY, MAY 12, 2016**

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The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is my strength and my shield; so I am helped, and my heart exalts, and with my song I give thanks to him.” (Psalm 28:7)

Heavenly Father, You are with us as we enter these final two days and You continue to provide us the strength we need as we tirelessly work to complete the task before us, and for which we give You thanks. Teach us this day to know the duties we must perform and help us follow Your lead. 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 St. Louis Public Radio, The Missouri Times, KRCCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

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

Present—Senators

|             |                 |            |            |        |            |         |
|-------------|-----------------|------------|------------|--------|------------|---------|
| Brown       | Chappelle-Nadal | Cunningham | Curls      | 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.

**REFERRALS**

President Pro Tem Richard referred **HCS** for **HJR 54** to the Committee on Governmental Accountability and Fiscal Oversight.

**MESSAGES FROM THE HOUSE**

The following message was 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 573**, entitled:

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to investment policies of the state, with a referendum clause.

With House Amendment No. 1

**HOUSE AMENDMENT NO. 1**

Amend House Committee Substitute for Senate Bill No. 573, Page 1, Section 30.267, Line 5, by inserting immediately after the word **“operations”** on said line the following: **“in strategic industries”**; and

Further amend said page and section, Lines 15-17, by deleting said lines and inserting in lieu thereof the following:

**“4. For purposes of this section, “strategic industries” shall include:**

**(1) Military equipment such as:**

**(a) Weapons;**

**(b) Arms;**

**(c) Military supplies; and**

**(d) Equipment, including but not limited to, radar systems, or military-grade transport vehicles, that readily may be used for military purposes;**

**(2) Mineral extraction activities including:**

**(a) Exploring;**

**(b) Extracting;**

**(c) Processing;**

**(d) Transporting;**

**(e) Wholesale selling or trading of elemental minerals or associated metal alloys or oxides, also known as ore, including gold, copper, chromium, chromite, diamonds, iron, iron ore, silver, tungsten, uranium, and zinc;**

**(f) Includes facilitating such activities, including by providing supplies or services in support of such activities;**

**(3) Oil-related activities including but not limited to:**

(a) **Owning rights to oil blocks;**

(b) **Exporting, extracting, producing, refining, processing, exploring for, transporting, selling, or trading of oil;**

(c) **Constructing, maintaining, or operating a pipeline, refinery, or other oil-field infrastructure;**  
**or**

(d) **Facilitating such activities, including by providing supplies or services in support of such activities, including by providing supplies or services in support of such activities.**

**“Oil-related activities” does not mean engaging in only the retail sale of gasoline and related consumer products;**

(4) **Petroleum resources such as petroleum, petroleum byproducts, or natural gas;**

(5) **Power production including any business operation that involves a project commissioned by the national electricity corporation of the designated country or other similar entity of the government of the designated county whose purpose is to facilitate power generation and delivery, including but not limited to:**

(a) **Establishing power-generating plants or hydroelectric dams;**

(b) **Selling or installing components for a project;**

(c) **Providing service contracts related to the installation or maintenance of a project; or**

(d) **Facilitating any of these activities, including by providing supplies or services in support of such activities.”; and**

Further amend said bill, Page 2, Section B, Line 6, by inserting immediately after all of said section and line the following:

“ Section C. Shall Missouri law be amended to prohibit the state, its political subdivisions, and public retirement systems from investing in corporations doing business in countries currently designated as state sponsors of terrorism, including Iran, Syria and Sudan, in certain strategic industries?”; 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.

### **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **HCS** for **HB 1765**, begs leave to report that it has considered the same and recommends that the bill do pass.

### **PRIVILEGED MOTIONS**

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 831**, 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

Senator Dixon moved that **SS** for **HCS** for **HB 1765** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **HCS** for **HB 1765** 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 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.

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

**SS** for **HB 1435** was again taken up.

Senator Kraus moved that **SS** for **HB 1435** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **HB 1435** 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

**PRIVILEGED MOTIONS**

Having voted on the prevailing side, Senator Wasson moved that the vote by which the Senate refused to concur in **HCS** for **SB 831**, as amended, and requested the House to recede or grant conference, was adopted, be reconsidered, 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    | Sifton | Silvey     | Wallingford | Walsh   |
| Wasson   | Wieland—30      |            |        |            |             |         |

NAYS—Senators—None

Absent—Senators

|       |          |
|-------|----------|
| Dixon | Schupp—2 |
|-------|----------|

Absent with leave—Senators—None

Vacancies—2

At the request of Senator Wasson, the motion to refuse to concur in **HCS** for **SB 831**, as amended, and request the House to recede or grant conference, was withdrawn.

**HOUSE BILLS ON THIRD READING**

**HCS** for **HB 1561**, with **SCS**, entitled:

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof two new sections relating to local sales taxes.

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

**SCS** for **HCS** for **HB 1561**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1561

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

Was taken up.

Senator Schatz moved that **SCS** for **HCS** for **HB 1561** be adopted.

Senator Schatz offered **SS** for **SCS** for **HCS** for **HB 1561**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1561

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to local sales taxes.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 1561** be adopted.

Senator Pearce assumed the Chair.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1561, Page 17, Section 66.620, Line 12, by inserting after all of said line the following:

“182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

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

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

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

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants; **or**

**(i) Any county of the third classification with more than thirteen thousand nine hundred but fewer than fourteen thousand inhabitants.**

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, “qualified voters” or “voters” means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term “public library district” shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend the title and enacting clause accordingly.

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

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 1561**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **HCS** for **HB 1561**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

|        |            |            |        |         |         |             |
|--------|------------|------------|--------|---------|---------|-------------|
| Brown  | Cunningham | Dixon      | Emery  | Hegeman | Holsman | Keaveny     |
| Kehoe  | Libla      | Munzlinger | Onder  | Parson  | Pearce  | Richard     |
| Riddle | Romine     | Sater      | Schatz | Schupp  | Silvey  | Wallingford |
| Walsh  | Wasson     | Wieland—24 |        |         |         |             |

NAYS—Senators

|                 |       |       |        |          |         |          |
|-----------------|-------|-------|--------|----------|---------|----------|
| Chappelle-Nadal | Curls | Kraus | Schaaf | Schaefer | Schmitt | Sifton—7 |
|-----------------|-------|-------|--------|----------|---------|----------|

Absent—Senator Nasheed—1

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.

Senator Emery moved that **HCS** for **HB 1804**, with **SCS**, **SS** for **SCS**, **SA 3** and **SSA 1** for **SA 3** (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 Emery, **SS** for **SCS** for **HCS** for **HB 1804** was withdrawn, rendering **SA 3** and **SSA 1** for **SA 3** moot.

Senator Emery offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“393.1003. 1. Notwithstanding any provisions of chapter 386 and this chapter to the contrary, as of August 28, 2003, a water corporation providing water service in a county with a charter form of government and with more than one million inhabitants may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation’s rates and charges to provide for the recovery of costs for eligible infrastructure system replacements made in such county with a charter form of government and with more than one million inhabitants; provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars but not in excess of ten percent of the water corporation’s base revenue level approved by the commission in the water corporation’s most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006. **Once a county has come under the operation of this section, a subsequent change in population shall not remove that county from the operation of that law. Such was the intent of the general assembly in the original enactment of this section.**

2. The commission shall not approve an ISRS for a water corporation in a county with a charter form of government and with more than one million inhabitants that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation collect an ISRS for a period exceeding three years unless the water corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.”; and

Further amend said bill, pages 1-4, section 393.1012, lines 1-98, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.



At the request of Senator Emery, HCS for **HB 1804**, with SCS and SA 1 (pending), was placed on the Informal Calendar.

Senator Wallingford moved that HCS for **HB 1904**, with SCS, SS for SCS and SA 1 (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

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

Senator Wallingford offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 19, Section 190.420, Line 14, of said page, by inserting after “fee” the following: “, **and may be used to fund the study required under subsection 18 of section 190.450**”; and

Further amend said bill, Page 22, Section 190.450, Line 8 of said page, by inserting after “question.” the following: “**The question shall not be resubmitted within three hundred fifty-nine days of the previous election at which a majority of the votes cast were opposed to the question.**”; and

Further amend said bill and section, Page 26, Line 2 of said page, by inserting immediately after the word “until” the following: “**the department of public safety has issued a state consolidation plan to the Missouri 911 service board and**”; and further amend line 16 of said page, by inserting immediately after “650.330” the following: “, **and the board shall review the plan to ensure it is not inconsistent with the state consolidation plan issued under subsection 18 of this section**”; and further amend line 24 of said page, by inserting after “implementation” the following: “**and that the board has received the state consolidation plan issued under subsection 18 of this section**”; and

Further amend said bill and section, Page 28, Line 16 of said page, by inserting after all of said line the following:

**“18. By December 31, 2017, the department of public safety shall complete a study of the number of public safety answering points necessary to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, issue a state public safety answering point consolidation plan based on the study, and provide such plan to the Missouri 911 service board.”; and**

Further amend said bill, Page 33, Section 190.451, Line 22 of said page, by inserting after all of said line the following:

**“7. The provisions of this section shall expire on December 31, 2024.”.**

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

Senator Curles offered S 3:

SENATE AMENDMENT NO. 3

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:

**“or any county with a charter form of government and with more than six hundred thousand but**

**fewer than seven hundred thousand inhabitants”**; and

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

**“or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants”**.

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

Senator Wieland offered **SA 4**, which was read:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 29, Section 190.451, Line 21 of said page, by inserting immediately after the word “transaction” the following: **“, and no service charge shall be collected on transactions occurring in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants”**.

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

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

#### PRIVILEGED MOTIONS

Senator Nasheed moved that the Senate request the House grant further conference on **SB 627**, as amended, which motion prevailed.

#### HOUSE BILLS ON THIRD READING

**HB 1892**, introduced by Representative Rehder, entitled:

An Act to repeal section 195.015 as enacted by senate bill nos. 215 & 58, eighty-fifth general assembly, first regular session, and to enact in lieu thereof nine new sections relating to the narcotics control act, with penalty provisions.

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

Senator Schatz offered **SS** for **HB 1892**, entitled:

#### SENATE SUBSTITUTE FOR HOUSE BILL NO. 1892

An Act to repeal section 195.015 as enacted by senate bill nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof eleven new sections relating to the narcotics control act, with penalty provisions.

Senator Schatz moved that **SS** for **HB 1892** be adopted.

Senator Hegeman assumed the Chair.

Senator Schaaf offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1892, Page 1, In the Title, Line 6, by inserting immediately after the word “provisions” the following: **“and a referendum clause”**; and

Further amend said bill, page 12, section 195.471, line 17 of said page, by inserting immediately after said line the following:

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

Section C. Pursuant to chapter 116, RSMo, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this act to the voters of this state, the official ballot title of this act shall be as follows:

“Shall the Missouri Statutes be amended to create a database of the controlled substances dispensed to each person, searchable by name, drug, prescriber, and other elements, and accessible by all physicians and others as authorized, with the intent of preventing criminal doctor shopping?””.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schatz, **HB 1892**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

#### **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 refuses to recede from its position on **HCS** for **SCS** for **SB 996**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 873**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SS** for **SB 608**, 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 **SS** for **SCS** for **SB 919**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 608**, as amended. Representatives: Allen, Haefner, Engler, Mitten, and Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 650**, as amended. Representatives: Cookson, Dohrman, Lichtenegger, McNeil, and Rizzo.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 873**, as amended. Representatives: Cookson, Dohrman, Lauer, Arthur, and Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 996**, as amended. Representatives: Swan, Rowland (155), Hough, McNeil, and Morgan.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 608**, as amended: Senators Sater, Romine, Onder, Schupp and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 996**, as amended: Senators Pearce, Emery, Romine, Schupp and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 873**, as amended: Senators Pearce, Romine, Emery, Nasheed and Schupp.

### **PRIVILEGED MOTIONS**

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 921** moved that the following conference committee report be taken up, which motion prevailed.

### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 921**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 921, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, and House Amendment No. 6 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 Senate Committee Substitute for Senate Bill No. 921, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 921;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill

No. 921, be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Jeanie Riddle
- /s/ David Pearce
- /s/ Brian Munzlinger
- /s/ Jill Schupp
- /s/ S. Kiki Curls

FOR THE HOUSE:

- /s/ Diane Franklin
- /s/ Sheila Solon
- /s/ Donna Pfautsch
- Genise Monecillo
- /s/ Jeanne Kirkton

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          | Richard    | Riddle | Romine | Sater      | Schaaf      |
| Schaefer | Schatz          | Schmitt    | Schupp | Sifton | Silvey     | Wallingford |
| Walsh    | Wasson          | Wieland—31 |        |        |            |             |

NAYS—Senators—None

Absent—Senator Pearce—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Riddle, CCS for SCS for SB 921, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 921

An Act to repeal sections 43.545, 455.543, 455.545, 595.030, and 595.209, RSMo, and to enact in lieu thereof seven new sections relating to victims of crime.

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     | Schaaf      |
| Schaefer | Schatz          | Schmitt    | Schupp  | Sifton | Silvey     | Wallingford |
| Walsh    | Wasson          | Wieland—31 |         |        |            |             |

NAYS—Senators—None

Absent—Senator Sater—1

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 Cunningham moved that **SB 932**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SB 932**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 932

An Act to repeal sections 370.230, 486.245, 486.275, 486.285, 486.305, 486.310, and 486.375, RSMo, and to enact in lieu thereof seven new sections relating to regulation of bonded entities, with a penalty provision.

Senator Cunningham moved that **HCS** for **SB 932**, as amended, 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 Cunningham, **HCS** for **SB 932**, 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      | 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 Cunningham, title to the bill was agreed to.

Senator Cunningham 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.

### 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 **SCS** for **HCS** for **HB 1862** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1862**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SB 627** with **HA 1, HA 2, HA 3, HA 1 to HA 4, HA 4** as amended, **HA 5, HA 6**.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SB 627**, as amended. Representatives: English, Solon, Frederick, Dunn, and Mims.

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#2** for **SCS** for **SB 590**, entitled:

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, and to enact in lieu thereof five new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

With House Amendment No. 1.

### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute #2 for Senate Committee Substitute for Senate Bill No. 590, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**“558.047. 1. (1) Any person sentenced to a term of imprisonment for life without eligibility for parole before August 28, 2016, who was under eighteen years of age at the time of the commission of the offense or offenses, may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving twenty-five years of incarceration on the sentence of life without parole.**

**(2) Any person found guilty of murder in the first degree who was sentenced on or after August 28, 2016, to a term of life imprisonment with eligibility for parole or a term of imprisonment of not less than thirty years and not to exceed forty years, who was under eighteen years of age at the time of the commission of the offense or offenses may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving**

twenty-five years of incarceration, and a subsequent petition after serving thirty-five years of incarceration.

2. A copy of the petition shall be served on the office of the prosecutor in the judicial circuit of original jurisdiction. The petition shall include the person's statement that he or she was under eighteen years of age at the time of the offense, is eligible to petition under this section, and requests that his or her sentence be reviewed.

3. If any of the information required in subsection 2 of this section is missing from the petition, or if proof of service on the prosecuting or circuit attorney is not provided, the parole board shall return the petition to the person and advise him or her that the matter cannot be considered without the missing information.

4. The parole board shall hold a hearing and determine if the defendant shall be granted parole. At such a hearing, the victim or victim's family members shall retain their rights under section 595.209.

5. In a parole review hearing under this section, the board shall consider, in addition to the factors listed in section 565.033:

(1) Efforts made toward rehabilitation since the offense or offenses occurred, including participation in educational, vocational, or other programs during incarceration, when available;

(2) The subsequent growth and increased maturity of the person since the offense or offenses occurred;

(3) Evidence that the person has accepted accountability for the offense or offenses, except in cases where the person has maintained his or her innocence;

(4) The person's institutional record during incarceration; and

(5) Whether the person remains the same risk to society as he or she did at the time of the initial sentencing.”; and

Further amend said bill, Pages 5-6, Section 565.033, Lines 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

“565.033. 1. A person found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense shall be sentenced to a term of life without eligibility for probation or parole as provided in section 565.034, life imprisonment with eligibility for parole, or not less than thirty years and not to exceed forty years imprisonment.

2. When assessing punishment in all first degree murder cases in which the defendant was under the age of eighteen at the time of the commission of the offense or offenses, the judge in a jury-waived trial shall consider, or the judge shall include in instructions to the jury for it to consider, the following factors:

(1) The nature and circumstances of the offense committed by the defendant;

(2) The degree of the defendant's culpability in light of his or her age and role in the offense;

(3) The defendant's age, maturity, intellectual capacity, and mental and emotional health and development at the time of the offense;



**(4) The defendant's background, including his or her family, home, and community environment;**

**(5) The likelihood for rehabilitation of the defendant;**

**(6) The extent of the defendant's participation in the offense;**

**(7) The effect of familial pressure or peer pressure on the defendant's actions;**

**(8) The nature and extent of the defendant's prior criminal history, including whether the offense was committed by a person with a prior record of conviction for murder in the first degree, or one or more serious assaultive criminal convictions;**

**(9) The effect of characteristics attributable to the defendant's youth on the defendant's judgment; and**

**(10) A statement by the victim or the victim's family member as provided by section 557.041 until December 31, 2016, and beginning January 1, 2017, section 595.229.**

**565.034. 1. If the state intends to seek a sentence of life without eligibility for probation or parole for a person charged with murder in the first degree who was under the age of eighteen at the time of the commission of the offense, the state must file with the court and serve upon the person a written notice of intent to seek life without eligibility for probation or parole. This notice shall be provided within one hundred twenty days of the person's arraignment upon an indictment or information charging the person with murder in the first degree. For good cause shown, the court may extend the period for service and filing of the notice. Any notice of intent to seek life without eligibility for probation or parole shall include a listing of the statutory aggravating circumstances, as provided by subsection 6 of this section, upon which the state will rely in seeking that sentence.**

**2. Notwithstanding any other provisions of law, where the state files a notice of intent to seek life without eligibility for probation or parole pursuant to this section, the defendant shall be entitled to an additional sixty days for the purpose of filing new motions or supplementing pending motions.**

**3. A notice of intent to seek life without eligibility for probation or parole pursuant to this section may be withdrawn at any time by a written notice of withdrawal filed with the court and served upon the defendant. Once withdrawn, the notice of intent to seek life without eligibility for probation or parole shall not be refiled.**

**4. After the state has filed a proper notice of intent to seek life without eligibility for probation or parole pursuant to this section, the trial shall proceed in two stages before the same trier. At the first stage the trier shall decide only whether the person is guilty or not guilty of any submitted offense. The issue of punishment shall not be submitted to the trier at the first stage.**

**5. If the trier at the first stage of the trial finds the person guilty of murder in the first degree, a second stage of the trial shall proceed at which the only issue shall be the punishment to be assessed and declared.**

**6. A person found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense is eligible for a sentence of life without eligibility for probation or parole only if a unanimous jury, or a judge in a jury-waived sentencing, finds beyond a reasonable doubt that:**

**(1) The victim received physical injuries personally inflicted by the defendant and the physical**

**injuries inflicted by the defendant caused the death of the victim; and**

**(2) The defendant was found guilty of first degree murder and one of the following aggravating factors was present:**

**(a) The defendant has a previous conviction for first degree murder, assault in the first degree, rape in the first degree, or sodomy in the first degree;**

**(b) The murder was committed during the perpetration of any other first degree murder, assault in the first degree, rape in the first degree, or sodomy in the first degree;**

**(c) The murder was committed as part of an agreement with a third party that the defendant was to receive money or any other thing of monetary value in exchange for the commission of the offense;**

**(d) The defendant inflicted severe pain on the victim for the pleasure of the defendant or for the purpose of inflicting torture;**

**(e) The defendant killed the victim after he or she was bound or otherwise rendered helpless by the defendant or another person;**

**(f) The defendant, while killing the victim or immediately thereafter, purposely mutilated or grossly disfigured the body of the victim by an act or acts beyond that necessary to cause his or her death;**

**(g) The defendant, while killing the victim or immediately thereafter, had sexual intercourse with the victim or sexually violated him or her;**

**(h) The defendant killed the victim for the purposes of causing suffering to a third person; or**

**(i) The first degree murder was committed against a current or former: judicial officer, prosecuting attorney or assistant prosecuting attorney, law enforcement officer, firefighter, state or local corrections officer; or against a witness or potential witness to a past or pending investigation or prosecution, during or because of the exercise of their official duty or status as a witness.”; and**

Further amend said bill, Page 6, Section C, Line 4, by deleting the phrase “section 565.033” and inserting in lieu thereof the following:

“sections 558.047, 565.033, and 565.034”; and

Further amend said bill and section, Page 7, Line 7, by deleting the phrase “section 565.033” and inserting in lieu thereof the following:

“sections 558.047, 565.033, and 565.034”; and

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

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

**RECESS**

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

**HOUSE BILLS ON THIRD READING**

**HCS for HB 1464, with SCS, entitled:**

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

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

**SCS for HCS for HB 1464, entitled:**

**SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1464**

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 1464** be adopted.

At the request of Senator Brown, **HCS for HB 1464, with SCS (pending)**, was placed on the Informal Calendar.

**PRIVILEGED MOTIONS**

Senator Dixon moved that **SS No. 2 for SCS for SB 590, with HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS for SS No. 2 for SCS for SB 590, entitled:**

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, and to enact in lieu thereof five new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

Was taken up.

Senator Onder assumed the Chair.

Senator Dixon moved that **HCS for SS No. 2 for SCS for SB 590**, as amended, 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 Dixon, **HCS for SS No. 2 for SCS for SB 590**, 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      | 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 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**

**HCS for HB 1695**, with **SCS**, entitled:

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

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

**SCS for HCS for HB 1695**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1695

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

Was taken up.

Senator Wasson moved that **SCS for HCS for HB 1695** be adopted.

Senator Wasson offered **SS for SCS for HCS for HB 1695**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1695

An Act to repeal sections 67.402, 94.579, and 393.1003, RSMo, and to enact in lieu thereof four new sections relating to political subdivisions.

Senator Wasson moved that **SS for SCS for HCS for HB 1695** be adopted.

At the request of Senator Wasson, **HCS for HB 1695**, with **SCS** and **SS for SCS** (pending), was placed on the Informal Calendar.

Senator Schaaf assumed the Chair.

**PRIVILEGED MOTIONS**

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SB 852**, with **HA 1**, **HA 2**, as amended, and **HA 3**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 852

The Conference Committee appointed on Senate Bill No. 852, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 852, as amended;
2. That the Senate recede from its position on Senate Bill No. 852;

3. That the attached Conference Committee Substitute for Senate Bill No. 852, be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Dan Brown
- /s/ Doug Libla
- /s/ Paul Wieland
- /s/ S. Kiki Curls
- /s/ Maria Chappelle-Nadal

FOR THE HOUSE:

- /s/ Jason Chipman
- /s/ Travis Fitzwater
- /s/ Charlie Davis
- /s/ Rochelle W. Gray
- /s/ Joe Adams

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

Senator Onder assumed the Chair.

On motion of Senator Brown, **CCS** for **SB 852**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 852

An Act to amend chapter 227, RSMo, by adding thereto seven new sections relating to designation of certain memorial infrastructure.

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 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 Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 823** 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. 823

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, with House Amendment Nos. 1 and 2, 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. 823, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 823;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823 be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Will Kraus
- /s/ Wayne Wallingford
- /s/ Ed Emery
- /s/ Joseph P. Keaveny
- /s/ S. Kiki Curls

FOR THE HOUSE:

- /s/ Anne Zerr
- /s/ Eric Burlison
- /s/ Joe Don McGaugh
- /s/ Michael Butler
- /s/ Jon Carpenter

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

YEAS—Senators

|             |                 |            |            |        |            |         |
|-------------|-----------------|------------|------------|--------|------------|---------|
| Brown       | Chappelle-Nadal | Cunningham | Curls      | 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 Kraus, **CCS** for **HCS** for **SCS** for **SB 823**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 823

An Act to repeal sections 137.016, 144.030, and 144.087, RSMo, and to enact in lieu thereof four new sections relating to taxation.

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

YEAS—Senators

|             |                 |            |            |        |            |         |
|-------------|-----------------|------------|------------|--------|------------|---------|
| Brown       | Chappelle-Nadal | Cunningham | Curts      | 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 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.

**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 **SS** for **SCS** for **SB 663**, entitled:

An Act to repeal sections 43.545, 57.111, 192.2260, 192.2405, 211.059, 217.670, 217.690, 301.559, 302.440, 302.535, 304.351, 311.310, 327.272, 339.100, 400.9-501, 455.543, 455.545, 476.083, 477.650, 478.705, 479.020, 563.031, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 569.132, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 571.111, 577.013, 577.014, 578.005, 578.007, 578.011, 578.022, 578.416, 579.015, 595.209, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.058, RSMo, section 192.2410 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 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, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 217.360 as enacted by senate bill no. 399, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, section 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010 and 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof eighty-five new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended.

#### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 2, In the Title, Line 46, by deleting all of said line and inserting in lieu thereof the following:

“an emergency clause for a certain section, and an effective date for certain sections.”; and

Further amend said bill, Page 4, Section 57.111, Line 6, by deleting the words, “**his or her**” and inserting in lieu thereof the words, “**the sending**”; and

Further amend said bill, page and section, Line 8, by deleting the words, “**his or her**” and inserting in lieu thereof the words, “**the sending**”; and

Further amend said bill, Pages 113-115, Section 610.026, Lines 1-45, by removing all of said section and lines from the bill; and

Further amend said bill, Page 119, Section 610.205, Line 3, by deleting the phrase “**crime scene**” and inserting in lieu thereof the phrase “**crime scene,**”; and

Further amend said bill and section, Page 120, Lines 42-43 by deleting all of said lines and inserting in lieu thereof the following:

**“6. The director of the department of public safety shall promulgate rules and regulations governing the viewing of materials described in subsection 1 of this section by bona fide credentialed members of the press.”**; and

Further amend said bill, Page 122, Section C, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

“supreme court precedent, the repeal and reenactment of the second occurrence of section 563.046 of this”; and

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

“act is”; and

Further amend said bill and section, Page 122, Line 8 and Page 123, Line 9, by deleting all of said lines and inserting in lieu thereof the following:

“repeal and reenactment of the second occurrence of section 563.046 of this act shall be in full force and”; 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 Committee Substitute for Senate Bill No. 663, Page 4, Section 57.111, Line 8, by inserting immediately after said line the following:

**“84.514. The chief of police, with the approval of the board, may appoint a police officer to serve as lieutenant colonel on matters relating to homeland security. Notwithstanding the provisions of section 84.510 to the contrary, such position shall be a new position and in addition to the number of lieutenant colonels authorized under section 84.510. The lieutenant colonel authorized under this section shall be responsible for matters relating to homeland security as determined by the chief and be entitled to the same rank, privileges, and compensation afforded all other lieutenant colonels within the department.”**; and

Further amend said bill, Page 105, Section 579.015, Line 17, by inserting after all of said section and line the following:

“595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. “Out-of-pocket loss” shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; or

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the children's division personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337; [or]

(4) Professional counselor licensed pursuant to chapter 337; or

**(5) Board certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner licensed under chapter 335 or licensed in the state in which the service is provided.**

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more

persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department.”; and

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

#### HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 46, Section 400.9-501, Line 30, by inserting after all of said section and line the following:

“400.9-516. (a) Except as otherwise provided in subsection (b), communication of a record to a filing office and tender of the filing fee or acceptance of the record by the filing office constitutes filing.

(b) Filing does not occur with respect to a record that a filing office refuses to accept because:

(1) The record is not communicated by a method or medium of communication authorized by the filing office;

(2) An amount equal to or greater than the applicable filing fee is not tendered;

(3) The filing office is unable to index the record because:

(A) In the case of an initial financing statement, the record does not provide a name for the debtor;

(B) In the case of an amendment or information statement, the record:

(i) Does not identify the initial financing statement as required by section 400.9-512 or 400.9-518, as applicable; or

(ii) Identifies an initial financing statement whose effectiveness has lapsed under section 400.9-515;

(C) In the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual which was not previously provided in the financing statement to which the record relates, the record does not identify the debtor’s surname; or

(D) In the case of a record filed or recorded in the filing office described in section 400.9-501(a)(1), the record does not provide a sufficient description of the real property to which it relates;

(4) In the case of an initial financing statement or an amendment that adds a secured party of record, the record does not provide a name and mailing address for the secured party of record;

(5) In the case of an initial financing statement or an amendment that provides a name of a debtor which was not previously provided in the financing statement to which the amendment relates, the record does not:

(A) Provide a mailing address for the debtor; or

(B) Indicate whether the name provided as the name of the debtor is the name of an individual or an organization;

(6) In the case of an assignment reflected in an initial financing statement under section 400.9-514(a) or an amendment filed under section 400.9-514(b), the record does not provide a name and mailing address for the assignee; **or**

(7) In the case of a continuation statement, the record is not filed within the six-month period prescribed by section 400.9-515(d);

(8) The secretary of state has reasonable cause to believe the record is materially false or fraudulent; **or**

(9) The record on its face reveals, based on factors such as whether the debtor and the secured party are substantially the same person, the individual debtor is a transmitting utility, or whether the collateral described is within the scope of this chapter, that the record is being filed for a purpose other than a transaction that is within the scope of this chapter. This includes a record that asserts a claim against a current or former employee or officer of a federal, state, county, or other local governmental unit that relates to the performance of the officer's or employee's public duties, and for which the filer does not hold a properly executed security agreement or judgment from a court of competent jurisdiction.

(c) For purposes of subsection (b):

(1) A record does not provide information if the filing office is unable to read or decipher the information; **and**

(2) A record that does not indicate that it is an amendment or identify an initial financing statement to which it relates, as required by section 400.9-512, 400.9-514 or 400.9-518, is an initial financing statement; **and**

(3) A document, instrument, or record shall be presumed to be materially false or fraudulent if the document, instrument, or record is filed by an offender or on behalf of an offender. This presumption may be rebutted by providing the secretary of state the original or a copy of a sworn and notarized document signed by the obligor, debtor, or owner of the property designated as collateral stating that the person entered into a security agreement with the offender and authorized the filing of the instrument as provided in section 400.9-509. For the purposes of this subdivision the term "offender" shall have the same definition as provided in section 217.010, except, it shall only include inmates in the custody of the department of corrections.

(d) A record that is communicated to the filing office with tender of the filing fee, but which the filing office refuses to accept for a reason other than one set forth in subsection (b), is effective as a filed record except as against a purchaser of the collateral which gives value in reasonable reliance upon the absence of the record from the files.

(e) In the alternative to the provisions of sections 428.105 through 428.135, if an information statement filed with the secretary of state under section 400.9-518 alleges that a previously filed record was wrongfully filed, the secretary of state shall, without undue delay, determine whether the contested record was wrongfully filed. To determine whether the record was wrongfully filed, the secretary of state may require the person who filed the information statement or the secured party to provide any additional relevant information, including an original or copy of wrongfully filed, the secretary of state shall terminate the record and the record shall be void and ineffective. The secretary of state shall notify the secured party named in the contested record of the termination."; **and**

Further amend said bill, Page 56, Section 479.020, Line 40, by inserting after all of said line the following:

“486.245. **1.** The county clerk shall keep a register, listing the name and address of each person to whom he awards a notary commission and the date upon which he awards the commission. Within thirty days after receiving a bond, signature and oath, the county clerk shall forward the bond, signature and oath to the secretary of state by certified mail. All such bonds, signatures and oaths shall be preserved permanently by the secretary of state.

**2. The secretary of state shall maintain a database that includes but is not limited to information that is contained on each notary’s seal or any lost seal of a notary public.**

486.275. **1.** At the time of notarization a notary public shall sign his **or her** official signature on each notary certificate.

**2. If a signature or record is required to be notarized, acknowledged, verified, or made under oath, notwithstanding the provisions of section 486.285 to the contrary, the requirement is satisfied if the electronic signature of the person authorized to perform such acts, together with all other information required to be included, is attached to, or logically associated with the signature or record.**

**3. The secretary of state shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all 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.**

486.285. **1. (1) A manufacturer of a notary public’s seal shall register with the secretary of state and communicate to the secretary of state when it has issued a seal to a person in this state. After such communication, the secretary of state shall approve any seal issued by the manufacturer within ten days.**

**(2) A copy of the notary’s commission shall be maintained by such manufacturer.**

**(3) If a manufacturer violates the provisions of this subsection, the manufacturer shall be subject to a one thousand dollar fine for each violation.**

**2.** Each notary public shall provide, keep, and use a seal which is either an engraved embosser seal or a black inked rubber stamp seal to be used on the document being notarized. The seal shall contain the notary’s name exactly as indicated on the commission and the words “Notary Seal”, “Notary Public”, and “State of Missouri” and, after August 28, 2004, the commission number assigned by the secretary of state, provided that the notary public has been issued a commission number by the secretary of state, all of which shall be in print not smaller than eight-point type.

[2.] **3.** The indentations made by the seal embosser or printed by the black inked rubber stamp seal shall not be applied on the notarial certificate or document to be notarized in a manner that will render illegible

or incapable of photographic reproduction any of the printed marks or writing on the certificate or document.

[3.] **4.** Every notary shall keep an official notarial seal that is the exclusive property of the notary and the seal may not be used by any other person or surrendered to an employer upon termination of employment.

486.305. **1.** Any notary public who loses or misplaces his **or her** journal of notarial acts or official seal shall [forthwith mail or deliver] **immediately provide written** notice of the fact to the secretary of state. **For a lost or misplaced official seal, upon receipt of the written notice, the secretary of state shall issue the notary a new commission number for the notary to order a new seal. The secretary of state may post notice on the secretary of state’s website notifying the general public that the lost or misplaced notary seal and commission number of such notary is invalid and is not an acceptable notary commission number.**

**2. If a notary public’s official seal is destroyed, broken, damaged, or otherwise rendered inoperable, the notary shall immediately provide written notice of that fact to the secretary of state.**

486.310. **1.** If any notary public no longer desires to be a notary public, he or she shall forthwith mail or deliver to the secretary of state a letter of resignation **and his or her notary seal**, and his or her commission shall thereupon cease to be in effect. **The secretary of state may post notice on the secretary of state’s website notifying the general public that the notary is no longer a commissioned notary public in the state of Missouri.** If a notary public resigns following the receipt of a complaint by the secretary of state regarding the notary public’s conduct, the secretary of state may deny any future applications by such person for appointment and commission as a notary public.

**2. If any notary public seeks to amend his or her commission, he or she shall forthwith mail or deliver to the secretary of state his or her notary seal unless a person, business, or manufacturer alters the existing seal in compliance with subsection 4 of section 486.285.**

486.375. Any person who acts as, or otherwise willfully impersonates, a notary public while not lawfully appointed and commissioned to perform notarial acts is guilty of a misdemeanor and punishable upon conviction by a fine not exceeding five hundred dollars or by imprisonment for not more than six months or both, **unless such act results in a fraudulent act involving property, such person shall be guilty of a class E felony .”**; and

Further amend said bill, Page 62, in the first occurrence of Section 563.046, Line 22, by inserting after the word, “weapon” the words, **“or dangerous instrument “**; and

Further amend said bill and page, in the second occurrence of Section 563.046, Line 22, by inserting after the word, “weapon” the words, **“or dangerous instrument”**; and

Further amend said bill, Page 77, Section 569.132, Line 44, by inserting after all of said line the following:

**“570.095. 1. A person commits the crime of filing false documents if:**

**(1) He or she files, causes to be filed, or attempts to file, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, or transferred to the secretary of state or his or her designee, any county recorder of deeds or his or her**

designee, any municipal, county, district, or state government entity or office, or any credit bureau or financial institution any of the following types of documents:

- (a) Common law lien;
- (b) Uniform commercial code filing or record;
- (c) Real property recording;
- (d) Financing statement;
- (e) Contract;
- (f) Warranty, special, or quitclaim deed;
- (g) Quiet title claim or action;
- (h) Deed in lieu of foreclosure;
- (i) Legal affidavit;
- (j) Legal process;
- (k) Legal summons;
- (l) Bills and due bills;
- (m) Criminal charging documents;
- (n) Any other document not stated in this subdivision that is related to real property;
- (o) Any state, county, municipal, or financial institution form not otherwise delineated in this section; and

(2) Such documents listed in subdivision (1) of this subsection contain materially false information, or are fraudulent, or are a forgery, as defined in section 570.090, or lack the consent of all parties listed in documents where mutual consent is required, or are invalid under Missouri law.

2. Filing false documents under this section is a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017, for the first offense except under the following circumstances where filing false documents is a class C felony:

- (1) The defendant has been found guilty or pleaded guilty to a violation of this section;
- (2) The victim or named party in the matter:
  - (a) Is an official elected to municipal, county, district, or statewide office;
  - (b) Is an official who was appointed to municipal, county, district, or statewide office; or
  - (c) Is an employee of an official who has been elected or appointed to municipal, county, district, or statewide office;
- (3) The victim or named party in the matter is a judge or magistrate of:
  - (a) Any court or division of the court in this or any other state or an employee of any court of this state or any other state; or



**(b) Any court system of the United States or is an employee of any court of the United States;**

**(4) The victim or named party in the matter is a full-time, part-time, or reserve or auxiliary peace officer licensed in this state or any other state; is an officer of federal job class 1811 who is empowered to enforce United States laws; or is a full-time or part-time firefighter in this state or any other state;**

**(5) The victim or named party in the matter is an employee of any law enforcement or legal prosecution agency in this state or any other state or is an employee of a federal agency that has agents or officers who are of job class 1811 who are empowered to enforce United States laws.**

**3. For a penalty enhancement as described in subsection 2 of this section to apply, the occupation of the victim or named party shall be material to the subject matter of the document or documents filed or the relief sought by the document or documents filed, and the occupation of the victim or named party shall be materially connected to the apparent reason that the victim has been named, victimized, or involved. For purposes of this subsection and subsection 2 of this section, a person who has retired or resigned from any agency, institution, or occupation listed in subsection 2 of this section shall be considered the same fashion as a person who remains in employment and shall also include the following family members of a person listed in subdivisions (2) to (5) of subsection 2 of this section:**

**(1) Such person's spouse;**

**(2) Such person or such person's spouse's ancestor or descendant by blood or adoption; or**

**(3) Such person's stepchild, while the marriage creating that relationship exists.**

**4. Any person who pleads guilty or is found guilty under subsections 1 to 3 of this section shall be ordered by the court to make full restitution to any person or entity that has sustained actual losses or costs as a result of the actions of the defendants. Such restitution shall not be paid in lieu of jail or prison time, but rather in addition to any jail or prison time imposed by the court.**

**5. (1) Nothing in this section shall limit the power of the state to investigate, charge, or punish any person for any conduct that constitutes a crime by any other statute of this state or the United States.**

**(2) There is no requirement under this section that the filing or record be retained by the receiving entity for prosecution under this section. A filing or record being rejected by the receiving entity shall not be used as an affirmative defense.**

**6. (1) Any statewide or county agency or similar agency that functions in independent cities of this state, which is responsible for or receives document filings or records, including county recorders of deeds and the secretary of state's office, shall, by January 1, 2017, impose a system in which the documents that have been submitted to the receiving agency or in the case of the secretary of state those filings rejected under its legal authority, are logged in a ledger, spreadsheet, note, or similar recording method when the filing or recording officer believes the filings or records appear to be fraudulent or contain suspicious verbiage. The receiving agency shall make available noted documents for review by the:**

**(a) Jurisdictional prosecuting or circuit attorney or his or her designee;**

**(b) Sheriff or his or her designee;**

**(c) County police chief or his or her designee;**

**(d) City police chief or his or her designee in independent cities; or**

**(e) Active or commissioned peace officers, as defined in section 590.010.**

**Review of such documents is permissible for the agent or agencies under this subdivision without the need of a grand jury subpoena or court order. No fees or monetary charges shall be levied on the investigative agents or agencies for review of documents.**

**(2) The receiving entity shall, upon receipt of a filing or record that has been noted as a suspicious filing or record, notify the chief law enforcement officer or his or her designee of the county and the prosecutor or his or her designee of the county of the filing's or record's existence within two business days of the filing or record having been received. This notification may be accomplished via electronic mail or via paper memorandum.**

**7. To petition for a judicial review of a filing or record that is believed to be fraudulent, false, misleading, forged, or contains materially false information, a petitioner may file a probable cause statement which delineates the cause to believe that the filing or record is materially false, contains materially false information, is a forgery, is fraudulent, or is misleading. This probable cause statement shall be filed in the associate or circuit court of the county in which the original filing or record was transferred, received, or recorded.**

**8. There shall be no requirement imposed by this section that the agency receiving the filing or record shall notify the person conducting the filing that the filing or record has been entered as a noted filing or record. If a filing or record is deemed invalid, court costs and fees are the responsibility of the party who initiated the filing or record. If the filing or record is deemed valid, no court costs or fees, in addition to standard filing fees, shall be assessed.**

**9. A filed petition under this section shall have an initial hearing date within twenty business days of the petition being filed with the court. A court ruling of "invalid" shall be evidence that the original filing or record was not accurate, true, or correct. A court ruling of "invalid" shall be retained or recorded at the original receiving entity. The receiving entity shall waive all filing or recording fees associated with the filing or recording of the court ruling document in this subsection. This ruling may be forwarded to credit bureaus or other institutions at the request of the petitioner via motion to the applicable court at no additional cost to the petitioner. "; and**

Further amend said bill, Page 100, Section 577.014, Line 66, by inserting after all of said section and line the following:

**"577.037. 1. Upon the trial of any person for any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content, the amount of alcohol in the person's blood at the time of the act, as shown by any chemical analysis of the person's blood, breath, saliva, or urine, is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible.**

**2. If a chemical analysis of the defendant's breath, blood, saliva, or urine demonstrates there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken. If a chemical analysis of the**

defendant's breath, blood, saliva, or urine demonstrates that there was less than eight-hundredths of one percent of alcohol in the defendant's blood, any charge alleging a criminal offense related to the operation of a vehicle, vessel, or aircraft while in an intoxicated condition or with an excessive blood alcohol content shall be dismissed with prejudice unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.

3. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

4. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the person was intoxicated.

5. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 2 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health and senior services.

**6. For any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content occurring on or between the dates of December 30, 2012, and April 4, 2014, notwithstanding any other provision of law or regulation, a relevant chemical analysis of a person's breath shall be admissible in all proceedings after the effective date of this act, if the standard simulator solutions used to verify and calibrate evidential breath analyzers, had a vapor concentration within five percent of the following values:**

**(1) 0.10%;**

**(2) 0.08%; or**

**(3) 0.04%;**

**and otherwise was in accordance with methods and standards approved by the state department of health and senior services. This provision is a procedural rule and applies to all actions in progress whether commenced before or after the effective date of this act. Such chemical breath analysis shall be admissible in all proceedings after the effective date of this act even if the offense occurred before the effective date of this act.**

**7. It is the intent of the legislature to reverse, overturn and abrogate earlier case law interpretations related to the admissibility of chemical breath analyses to include, but not be limited**

**to, holdings in *Stiers v. Dir. of Revenue*, No. SC4840 (Mo. Jan. 12, 2016); and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015).**

577.037. 1. Upon the trial of any person for violation of any of the provisions of section 565.024, or section 565.060, or section 577.010 or 577.012, or upon the trial of any criminal action or violations of county or municipal ordinances or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302 arising out of acts alleged to have been committed by any person while driving a motor vehicle while in an intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, saliva or urine is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

3. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

4. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health and senior services.

5. Any charge alleging a violation of section 577.010 or 577.012 or any county or municipal ordinance prohibiting driving while intoxicated or driving under the influence of alcohol shall be dismissed with prejudice if a chemical analysis of the defendant's breath, blood, saliva, or urine performed in accordance with sections 577.020 to 577.041 and rules promulgated thereunder by the state department of health and senior services demonstrate that there was less than eight-hundredths of one percent of alcohol in the defendant's blood unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.

**6. For any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content occurring on or between the dates of December 30, 2012, and April 4, 2014, notwithstanding any other provision of law or regulation, a relevant chemical analysis of a person's breath shall be admissible in all proceedings after the effective date of this act, if the standard**

simulator solutions used to verify and calibrate evidential breath analyzers, had a vapor concentration within five percent of the following values:

- (1) 0.10%;
- (2) 0.08%; or
- (3) 0.04%;

and otherwise was in accordance with methods and standards approved by the state department of health and senior services. This provision is a procedural rule and applies to all actions in progress whether commenced before or after the effective date of this act. Such chemical breath analysis shall be admissible in all proceedings after the effective date of this act even if the offense occurred before the effective date of this act.

7. It is the intent of the legislature to reverse, overturn and abrogate earlier case law interpretations related to the admissibility of chemical breath analyses to include, but not be limited to, holdings in *Stiers v. Dir. of Revenue*, No. SC4840 (Mo. Jan. 12, 2016); and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015). “; and

Further amend said bill, Page 122, Section 650.058, Line 67, by inserting after all of said section and line the following:

**“Section 1. 1. If a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.**

**2. The secretary of state is hereby authorized to promulgate rules and regulations establishing procedures for an electronic notarization.** “; 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 Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 1, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

“Senate Bill No. 663, Pages 17 to 18, Section 211.059, Lines 1 - 45, by removing all of said section from the bill; and

Further amend said bill, Pages 60-61, Section 563.031, Lines 1 - 42, by deleting all of said lines and inserting in lieu thereof the following:”;

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Pages 60-61, Section 563.031, Lines 1-42, by deleting all of said lines and inserting in lieu thereof the following:

“563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual, **or is occupied by an individual who has been given specific authority by the property owner to occupy the property**, claiming a justification of using protective force under this section.

3. A person **who is not engaged in an unlawful activity** does not have a duty to retreat from [a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual] **any place he or she has a right to be** .

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force.”; and

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

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 869**, entitled:

An Act to repeal sections 67.1471, 70.210, 99.805, 99.820, 99.825, 99.845, and 347.048, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 869, Page 22, Section 99.845, Line 335, 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 **or any superintendent or school board member of a school district or any member of the governing body of a charter school** with an annual operating budget of over ten million dollars;

(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, provided such plaque or award does not exceed fifty dollars;**

(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 of the following are invited **seventy-two hours in advance using the same communication medium and** in writing:

a. All members of the senate, **which may or may not include staff and employees;**

b. All members of the house of representatives, **which may or may not include staff and employees;**  
or

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] **which may or may not include staff and employees;**

(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. (1) No lobbyist, lobbyist principal, or any other person acting on behalf of a lobbyist or lobbyist principal, shall make any expenditure on behalf of a public official of the state, or such public official’s staff, spouse, or dependent children, unless it is for the purpose of providing a meal. No lobbyist, lobbyist principal, or any other person acting on behalf of a lobbyist or lobbyist principal, shall spend more than forty dollars on expenditures on any calendar day on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children. For purposes of this subsection, the term “meal” shall include any occasion on which any type of food or beverage is consumed.**

**(2) For purposes of this subsection, no lobbyist, lobbyist principal, or person acting on behalf of a lobbyist or lobbyist principal shall combine or join in making a payment for an expenditure for a single occasion on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children.**

**(3) The expenditure limitation in subdivision (1) of this subsection shall not apply to expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.**

**(4) Violations of this subsection shall not be subject to criminal penalties, but shall be enforced by the Missouri ethics commission in the manner provided in sections 105.955 to 105.981.”; 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 adopted the Conference Committee Report on **HCS** for **SS** for **SB 732**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 732**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 867**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 867**.

Bill ordered enrolled.



Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1696** and has taken up and passed **SCS** for **HCS** for **HB 1696**.

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 **SB 921**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 921**.

Bill ordered enrolled.

### **CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 627**, as amended: Senators Nasheed, Schupp, Romine, Pearce and Riddle.

### **PRIVILEGED MOTIONS**

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 765**, 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. 765**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, with House Amendment No. 1, House Amendment Nos. 1 and 2 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment Nos. 10 and 11, House Amendment Nos. 1, 2, and 3 to House Amendment No. 12, and House Amendment No. 12 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. 765, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 765;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, be Third Read and Finally Passed.

#### **FOR THE SENATE:**

/s/ Eric Schmitt

/s/ Mike Cunningham

/s/ Bob Dixon

/s/ Joseph P. Keaveny

/s/ Gina Walsh

#### **FOR THE HOUSE:**

/s/ Robert Cornejo

/s/ Joe Don McGaugh

/s/ Paul Curtman

/s/ Tracy McCreery

/s/ Joe Adams

Senator Schmitt 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       |
| Schaefer | Schatz          | Schmitt    | Schupp  | Sifton | Silvey     | Wallingford |
| Walsh    | Wasson          | Wieland—31 |         |        |            |             |

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **CCS** for **HCS** for **SCS** for **SB 765**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 765

An Act to repeal sections 67.145, 221.407, and 610.100, RSMo, section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof five new sections relating to public safety, with penalty provisions.

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       |
| Schaefer | Schatz          | Schmitt    | Schupp  | Sifton | Silvey     | Wallingford |
| Walsh    | Wasson          | Wieland—31 |         |        |            |             |

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

### **CONCURRENT RESOLUTIONS**

Senator Brown moved that **HCS** for **HCR 73** be taken up for adoption, which motion prevailed.

Senator Brown offered **SS** for **HCS** for **HCR 73**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE CONCURRENT RESOLUTION NO. 73

Relating to the designation of certain awareness months.

Whereas, cystic fibrosis, commonly referred to as "CF", is a genetic disease affecting approximately 30,000 children and adults in the United States and nearly 70,000 children and adults worldwide, 717 of whom live in Missouri; and

Whereas, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

Whereas, more than 10 million Americans are symptomless carriers of the defective CF gene, and CF occurs in approximately one of every 3,500 live births in the United States; and

Whereas, the median age of survival for a person with CF is 39.3 years; and

Whereas, with advances in the treatment of CF, the number of adults with CF has steadily grown, and approximately 900 new cases of CF are diagnosed each year; and

Whereas, fifty percent of the CF population is 18 years of age and older, and people with CF have a variety of symptoms attributed to the more than 1,800 mutations of the CF gene; and

Whereas, infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

Whereas, early diagnosis of CF permits early treatment and enhances quality of life and longevity and the treatment of CF depends on the stage of the disease and the organs involved; and

Whereas, clearing mucus from the lungs is an important part of the daily CF treatment regimen, and other types of treatments include inhaled antibiotics and pancreatic enzymes, among others; and

Whereas, there are 8 world-class treatment centers in Missouri which specialize in the diagnosis of CF and the care of persons with CF; and

Whereas, a critical component of treating patients with CF includes access to innovative treatments, which can play a crucial role in the lives of patients with CF; and

Whereas, improving the length and quality of life for people with CF starts with awareness; and

Whereas, the brachial plexus is a network of nerves that conducts signals from the spine to the shoulder, arm, and hand; and

Whereas, injury to these nerves can result in lack of muscle control or feeling in the arm or hand, including Erb's palsy:

Now Therefore Be It Resolved that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate the month of May of each year as "Cystic Fibrosis Awareness Month" and the month of October of each year as "Brachial Plexus Awareness Month in Missouri.

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Senator Brown moved that **SS** for **HCS** for **HCR 73** be adopted.

Senator Schaaf assumed the Chair.

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

**PRIVILEGED MOTIONS**

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 997**, 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. 997**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 997, 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 Bill No. 997, as amended;
2. That the Senate recede from its position on Senate Bill No. 997;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 997, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ David Pearce  
/s/ Ed Emery  
/s/ Gary Romine  
/s/ Maria Chappelle-Nadal  
/s/ Jason Holsman

**FOR THE HOUSE:**

/s/ Steve Cookson  
/s/ Dean Dorhman  
/s/ Donna Lichtenegger  
/s/ Kip Kendrick  
/s/ Lauren Arthur

Senator Pearce 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 | 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

Keaveny            Kehoe—2

## Absent with leave—Senators—None

## Vacancies—2

On motion of Senator Pearce, **CCS** for **HCS** for **SB 997**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 997

An Act to repeal sections 103.003, 103.079, 167.223, 173.005, 173.234, and 178.780, RSMo, and to enact in lieu thereof nineteen new sections relating to higher education, with an emergency clause for certain sections, with existing penalty provisions.

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

YEAS—Senators

|         |                 |            |            |         |             |          |
|---------|-----------------|------------|------------|---------|-------------|----------|
| Brown   | Chappelle-Nadal | Cunningham | Curls      | Dixon   | Emery       | Hegeman  |
| Holsman | 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

|         |         |
|---------|---------|
| Keaveny | Kehoe—2 |
|---------|---------|

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 | 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

|         |         |
|---------|---------|
| Keaveny | Kehoe—2 |
|---------|---------|

Absent with leave—Senators—None

Vacancies—2

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

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

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

Senator Nasheed, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 833**, 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. 833

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 833, with House Amendments Nos. 1, 2, 3, 4, and 6 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. 833, as amended;
2. That the Senate recede from its position on Senate Bill No. 833;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 833 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jamilah Nasheed  
/s/ Jason Holsman  
/s/ Mike Cunningham  
/s/ Wayne Wallingford  
/s/ Ryan Silvey

FOR THE HOUSE:

/s/ Travis Fitzwater  
/s/ Joe Don McGaugh  
/s/ Justin Hill  
Jeremy LaFaver  
Bill Otto

Senator Nasheed 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         | Kraus      | Libla  | Munzlinger | Nasheed     | Onder   |
| Parson   | Pearce          | Richard    | Riddle | Romine     | Sater       | Schaaf  |
| Schaefer | Schatz          | Schmitt    | Sifton | Silvey     | Wallingford | Walsh   |
| Wasson   | Wieland—30      |            |        |            |             |         |

NAYS—Senator Schupp—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Nasheed, **CCS** for **HCS** for **SB 833**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 833

An Act to repeal sections 313.800, 313.817, 327.272, 381.022, and 381.058, RSMo, and to enact in lieu thereof ten new sections relating to financial transactions, with existing penalty provisions.

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

YEAS—Senators

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

NAYS—Senator Schupp—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

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

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

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

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 735**, 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. 735

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 735, 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. 735, as amended;
2. That the Senate recede from its position on Senate Bill No. 735;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 735, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon  
/s/ David Pearce  
/s/ Ryan Silvey  
/s/ Jill Schupp  
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo  
/s/ Joe Don McGaugh  
/s/ Elijah Haahr  
/s/ Mike Colona  
/s/ Gina Mitten

Senator Dixon 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         | 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 Kehoe—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **CCS** for **HCS** for **SB 735**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 735

An Act to repeal sections 477.650, 600.042, 600.090, and 600.101, RSMo, and section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, and to enact in lieu thereof five new sections relating to judicial proceedings, with penalty provisions.

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

## YEAS—Senators

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

NAYS—Senator Emery—1

Absent—Senator Kehoe—1

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.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on HCS for SS for SB 608, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 608

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 608, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12, House Amendment No. 1 to House Amendment No. 13, House Amendment No. 13 as amended, House Amendment Nos. 14 and 15, 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. 608, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 608;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 608, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater  
/s/ Gary Romine  
/s/ Bob Onder  
Jill Schupp  
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Sue Allen  
/s/ Marsha Haefner  
/s/ Kevin Engler  
Gina Mitten  
Kip Kendrick

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

YEAS—Senators

|        |             |         |            |          |         |         |
|--------|-------------|---------|------------|----------|---------|---------|
| Brown  | Cunningham  | Dixon   | Emery      | Hegeman  | Holsman | Kehoe   |
| Libla  | Munzlinger  | Nasheed | Onder      | Parson   | Pearce  | Richard |
| Riddle | Romine      | Sater   | Schaaf     | Schaefer | Schatz  | Schmitt |
| Silvey | Wallingford | Wasson  | Wieland—25 |          |         |         |

NAYS—Senators

|                 |       |         |       |        |        |         |
|-----------------|-------|---------|-------|--------|--------|---------|
| Chappelle-Nadal | Curls | Keaveny | Kraus | Schupp | Sifton | Walsh—7 |
|-----------------|-------|---------|-------|--------|--------|---------|

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS No. 2** for **HCS** for **SS** for **SB 608**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE BILL NO. 608

An Act to repeal sections 167.638, 174.335, 197.315, 208.152, 208.952, 208.985, 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-five new sections relating to health care, with a contingent effective date for certain sections.

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

YEAS—Senators

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

NAYS—Senators

|                 |       |         |       |         |        |        |
|-----------------|-------|---------|-------|---------|--------|--------|
| Chappelle-Nadal | Curls | Keaveny | Kraus | 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 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 Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **SB 988**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 988

The Conference Committee appointed on Senate Bill No. 988, 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, 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 Bill No. 988, as amended;
2. That the Senate recede from its position on Senate Bill No. 988;

3. That the attached Conference Committee Substitute for Senate Bill No. 988 be Third Read and Finally Passed.

FOR THE SENATE:

- /s/ Will Kraus
- /s/ Dan Brown
- /s/ Bob Onder
- /s/ Scott Sifton
- /s/ Maria Chappelle-Nadal

FOR THE HOUSE:

- /s/ Keith Frederick
- /s/ Jim Neely
- /s/ Bill White
- /s/ Jeanne Kirkton
- /s/ Lauren Arthur

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

YEAS—Senators

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

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, **CCS for SB 988**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 988

An Act to repeal sections 190.060, 190.241, and 197.315, RSMo, and to enact in lieu thereof six new sections relating to health care providers, with an emergency clause for certain sections.

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   | Pearce          | Richard    | Riddle | Romine | Sater       | Schaefer |
| Schatz  | Schmitt         | Schupp     | Sifton | Silvey | Wallingford | Walsh    |
| Wasson  | Wieland—30      |            |        |        |             |          |

NAYS—Senator Schaaf—1

Absent—Senator Parson—1

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       |
| Schaefer | Schatz          | Schmitt    | Schupp  | Sifton | Silvey     | Wallingford |
| Walsh    | Wasson          | Wieland—31 |         |        |            |             |

NAYS—Senator Schaaf—1

Absent—Senators—None

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.

### CONCURRENT RESOLUTIONS

Senator Brown moved that **HCS** for **HCR 73**, with **SS** (pending), be again taken up for adoption, which motion prevailed.

**SS** for **HCS** for **HCR 73** was again taken up.

Senator Brown moved that **SS** for **HCS** for **HCR 73** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **HCS** for **HCR 73** 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 concurrent resolution passed.

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

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

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

### **PRIVILEGED MOTIONS**

Senator Dixon moved that **SS** for **SCS** for **SB 663**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

**HCS** for **SS** for **SCS** for **SB 663**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 663

An Act to repeal sections 43.545, 57.111, 192.2260, 192.2405, 211.059, 217.670, 217.690, 301.559, 302.440, 302.535, 304.351, 311.310, 327.272, 339.100, 400.9-501, 455.543, 455.545, 476.083, 477.650, 478.705, 479.020, 563.031, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 569.132, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 571.111, 577.013, 577.014, 578.005, 578.007, 578.011, 578.022, 578.416, 579.015, 595.209, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.058, RSMo, section 192.2410 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 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, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 217.360 as enacted by senate bill no. 399, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, section 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section

574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010 and 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof eighty-five new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Senator Dixon moved that **HCS** for **SS** for **SCS** for **SB 663** be adopted.

At the request of Senator Dixon the above motion was withdrawn.

### **HOUSE BILLS ON SECOND READING**

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

**HCS** for **HB 2566**—Education.

**HCS** for **HB 1605**—Ways and Means.

**HCS** for **HJR 98**—Seniors, Families and Children.

### **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 the Conference Committee Report #2 on **HCS** for **SS** for **SCS** for **SB 572**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SS** for **SCS** for **SB 572**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 638**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 638**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 607**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 607**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 823**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 823**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 786**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 786**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HJR 53** and has taken up and passed **SS** for **HJR 53**.

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 **SB 852**, as amended, and has taken up and passed **CCS** for **SB 852**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 625**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 625**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 861**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 861**.

Bill ordered enrolled.

**VETOED BILLS**

President Pro Tem Richard assumed the Chair.

Senator Kehoe assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Kehoe assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Brown moved that **SS** for **HCS** for **HB 1891** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

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

Wieland—22

NAYS—Senators

|                 |        |          |         |         |        |        |
|-----------------|--------|----------|---------|---------|--------|--------|
| Chappelle-Nadal | Curls  | Holsman  | Keaveny | Nasheed | Romine | Schupp |
| Sifton          | Silvey | Walsh—10 |         |         |        |        |

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

## **RESOLUTIONS**

Senator Richard offered Senate Resolution No. 2221, regarding Joplin Museum Complex, which was adopted.

Senator Brown offered Senate Resolution No. 2222, regarding the Seventieth Anniversary of the Tacony Corporation, which was adopted.

Senator Emery offered Senate Resolution No. 2223, regarding Marilyn Kay (Wainscott) Mammen, Lamar, which was adopted.

Senator Sifton offered Senate Resolution No. 2224, regarding Colin Darnell, which was adopted.

Senator Parson offered Senate Resolution No. 2225, regarding City of Humansville, which was adopted.

Senator Parson offered Senate Resolution No. 2226, regarding the Fiftieth Wedding Anniversary of Don and Sue Gooding, Fair Play, which was adopted.

Senator Parson offered Senate Resolution No. 2227, regarding the Fiftieth Wedding Anniversary of Charles and Marva Smith, Sedalia, which was adopted.

Senator Riddle offered Senate Resolution No. 2228, regarding Stuart Miller, which was adopted.

Senator Sater offered Senate Resolution No. 2229, regarding Eagle Scout Joseph Leo Herberger, Goodman, which was adopted.

Senator Sater offered Senate Resolution No. 2030, regarding Connie McGriff, Hollister, which was adopted.

Senator Walsh offered Senate Resolution No. 2031, regarding Carol D. McCauley, Florissant, which was adopted.

Senator Kraus offered Senate Resolution No. 2232, regarding Eagle Scout Evan Jay Cook, Lee's Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 2233, regarding Rachael Palmer, Ste. Genevieve, which was adopted.

Senator Brown offered Senate Resolution No. 2234, regarding Danette Sherrell, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 2235, regarding City of Cuba, which was adopted.

Senator Kehoe offered Senate Resolution No. 2236, regarding Julie Lynn Scheppers, Jefferson City, which was adopted.

## **INTRODUCTIONS OF GUESTS**

Senator Walsh introduced to the Senate, the Physicians of the Day, Dr. Sam and Dr. Amy Cababe, Clayton.

On motion of Senator Kehoe, the Senate adjourned under the rules.



SENATE CALENDAR

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SEVENTIETH DAY—FRIDAY, MAY 13, 2016

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FORMAL CALENDAR

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)  
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &  
SA 1 (pending)  
SB 580-Schaaf, with SCS & SA 2 (pending)

SB 596-Kraus, with SCS  
SB 622-Romine, with SCS  
SB 644-Onder, with SCS

SCS for SBs 662 & 587-Dixon  
 SB 680-Emery  
 SB 686-Wallingford, with SCS  
 SB 706-Dixon  
 SB 719-Emery, with SCS  
 SB 733-Dixon  
 SB 734-Dixon  
 SB 771-Onder  
 SB 772-Onder, with SCS  
 SB 774-Schmitt  
 SB 775-Schaefer  
 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)  
 SBs 789 & 595-Wasson, with SCS  
 SB 792-Richard  
 SB 793-Richard  
 SB 798-Kraus, with SCS  
 SB 802-Sater  
 SB 805-Onder, with SCS  
 SB 806-Onder, with SCS  
 SB 812-Keaveny  
 SB 816-Wieland, et al  
 SB 825-Munzlinger, with SA 1 (pending)  
 SB 830-Wasson, with SCS  
 SB 848-Emery, with SCS  
 SBs 851 & 694-Brown, with SCS  
 SB 853-Brown  
 SB 858-Romine, with SCS & SS for SCS  
 (pending)  
 SB 868-Wasson  
 SB 871-Wallingford  
 SB 883-Riddle  
 SB 894-Munzlinger, with SS (pending)  
 SB 896-Hegeman  
 SB 898-Cunningham  
 SB 908-Sater, with SCS  
 SB 916-Schaefer  
 SB 920-Schmitt and Kraus  
 SB 951-Wasson, with SA 1 (pending)  
 SB 964-Wallingford, with SCS (pending)  
 SB 966-Schaaf  
 SB 972-Silvey  
 SB 980-Keaveny, with SCS, SS for SCS,  
 SA 1 & SA 3 to SA 1 (pending)  
 SB 995-Riddle  
 SB 1003-Onder  
 SB 1004-Onder  
 SB 1005-Walsh  
 SBs 1010, 958 & 878-Curls, with SCS  
 SB 1012-Dixon  
 SB 1014-Dixon  
 SB 1026-Schatz, with SCS  
 SB 1028-Silvey, et al, with SCS  
 SB 1033-Pearce  
 SB 1066-Curls  
 SB 1074-Schmitt, with SCS  
 SB 1075-Wallingford  
 SB 1085-Pearce  
 SB 1091-Riddle  
 SB 1094-Kehoe, with SCS  
 SB 1096-Dixon and Keaveny, with SS  
 (pending)  
 SB 1117-Wasson, with SCS  
 SB 1120-Hegeman, et al  
 SB 1131-Sifton  
 SB 1144-Brown  
 SJR 23-Sater, with SS (pending)  
 SJR 35-Kraus, with SCS

#### HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)  
 HCS for HB 1451, with SCS (Pearce)  
 HB 1452-Hoskins, with SCS (Pearce)  
 HCS for HB 1463 (Kraus)

|   |  |
|---|--|
| HCS for HB 1464, with SCS (pending) (Brown)                 | HCS for HB 1898 (Emery)  |
| HB 1472-Dugger, with SS & SA 4 (pending)<br>(Dixon)         | HCS for HB 1904, with SCS & SS for SCS<br>(pending) (Wallingford)                  |
| HB 1478-Entlicher, with SCS (Pearce)                        | HCS for HB 1912, with SCS & SS for SCS<br>(pending) (Schatz)                       |
| HB 1479-Entlicher (Romine)                                  | HCS for HB 1930 (Riddle)   |
| HB 1534-Flanigan, with SCS (Schaefer)                       | HCS for HB 2038 (Munzlinger)   |
| HB 1575-Rowden, with SCA 1 (Munzlinger)                     | HB 2104-Alferman, with SCS (Schmitt)   |
| HB 1588-Franklin, with SCS (Parson)                         | HB 2111-Eggleston (Sater)  |
| HB 1619-McCaherty (Dixon)                                   | HB 2166-Alferman, with SCS, SS#2 for<br>SCS, SA 5 & SA 1 to SA 5 (pending) (Onder) |
| HB 1643-Hicks (Brown)                                       | HCS for HB 2187, with SCS (pending)<br>(Cunningham)                                |
| HCS for HB 1658 (Onder)                                     | HCS for HB 2202, with SCS (Dixon)  |
| HCS for HB 1675, with SCS (pending)<br>(Munzlinger)         | HB 2226-Barnes (Silvey)  |
| HB 1678-Solon, with SCS (Pearce)                            | HB 2230-Ross (Schatz)  |
| HCS for HB 1695,with SCS & SS for SCS<br>(pending) (Wasson) | HCS for HBs 2234 & 1985 (Pearce)   |
| HB 1716-Lichtenegger, with SCS<br>(Munzlinger)              | HB 2257-Jones, with SCS (Wieland)  |
| HCS for HB 1718 (Romine)                                    | HCS for HB 2332, with SCS, SS for SCS, SA 1<br>& point of order (pending) (Dixon)  |
| HCS for HB 1729 (Munzlinger)                                | HCS for HB 2397 (Cunningham)   |
| HB 1745-Brattin, with SCS (Schatz)                          | HCS for HB 2402, with SCS & SA 1<br>(pending) (Pearce)                             |
| HCS for HB 1759, with SCS (Dixon)                           | HB 2429-Dohrman, with SCS (Parson)   |
| HCS for HB 1776 (Romine)                                    | HCS for HB 2445 (Libla)  |
| HCS for HBs 1780 & 1420 (Pearce)                            | HCS for HB 2496 (Hegeman)  |
| HB 1786-Pike, with SCS (Pearce)                             | HB 2590-Plocher, with SCS (Keaveny)  |
| HB 1795-Haefner, with SCS (Sater)                           | HCS for HB 2689, with SS, SA 1 & SSA 1<br>for SA 1 (pending) (Silvey)              |
| HCS for HB 1804, with SCS & SA 1<br>(pending) (Emery)       | HJR 58-Brown (57) (Romine)   |
| HCS for HB 1850 (Wasson)                                    |  |
| HB 1892-Rehder, with SS & SA 1 (pending)<br>(Schatz)        |  |

## CONSENT CALENDAR

### House Bills

Reported 4/14

|                           |                           |
|---------------------------|---------------------------|
| HB 2195-Hoskins (Pearce)  | HB 1538-Vescovo (Wieland) |
| HB 1539-Vescovo (Wieland) | HB 2183-Roeber (Curls)    |

HB 2480-Justus (Sater)  
 HB 1473-Dugger, with SCS (Wasson)

HB 1388-Roeber (Dixon)

#### SENATE BILLS WITH HOUSE AMENDMENTS

SB 573-Schmitt, with HCS, as amended  
 SS for SCS for SB 663-Dixon, with HCS,  
 as amended  
 SB 676-Sater, with HCS, as amended  
 SCS for SBs 688 & 854-Romine, with HCS,  
 as amended

SB 831-Wasson, with HCS, as amended  
 SB 869-Schmitt, with HCS, as amended  
 SB 897-Hegeman, with HA 1, HA 2, HA 4 &  
 HA 5  
 SS for SB 937-Wallingford, with HCS, as  
 amended

#### BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

##### In Conference

SS for SB 608-Sater, with HCS, as amended  
 (Senate adopted CCR#2 and passed CCS#2)  
 SS for SB 621-Romine, with HCS, as amended  
 SB 627-Nasheed, with HA 1, HA 2, HA 3,  
 HA 4, as amended, HA 5 & HA 6  
 (Further conference granted)  
 SB 635-Hegeman, with HCS, as amended  
 (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  
 SB 735-Dixon, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SCS for SB 765-Schmitt and Nasheed, with  
 HCS, as amended (Senate adopted CCR  
 and passed CCS)

SS for SB 799-Kraus, with HCS, as amended  
 SB 833-Nasheed, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SB 864-Sater, with HCS, as amended  
 SB 873-Pearce, with HCS, 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 (Senate adopted  
 CCR and passed CCS)  
 SB 994-Munzlinger, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SCS for SB 996-Pearce, with HCS, as amended  
 SB 997-Pearce, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 HCS for HB 1584, with SCS, as amended  
 (Schmitt) (House adopted CCR and passed CCS)

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)

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)

✓