Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-FIRST DAY—TUESDAY, MAY 15, 2018

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

"So whether we are at home or absent, we make it our aim to be pleasing to God." (II Corinthians 5:9).

Heavenly Father, These words are our test of service in our lives as believers in You our God. This standard for us drive us to do our work and all that we do here or at home to the very best of our ability. We bear with pride to pick up on what has gone before us so we may carry forth this work for the future that is unfolding before us. We do so with gratitude to You to be able to do such important work. 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.

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

Present—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 2110, regarding Harry E. Behlmann, St. Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 2111, regarding Cornelius Eugene "Connie" Coughlin, Saint Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 2112, regarding Norma J. Stillings, Ava, which was adopted.

Senator Cunningham offered Senate Resolution No. 2113, regarding Barbara Gatewood, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 2114, regarding Gene Hancock, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 2115, regarding DOCO, Incorporated, Sheltered Workshop, Ava, which was adopted.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS** for **HBs 2280**, **2120**, **1468** and **1616**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Pro Tem Richard assumed the Chair.

Senator Wallingford, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1460**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **HCS** for **HB 2140**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HB 1517**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1625**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 2117**, begs leave to report that it has considered the same and recommends that the bill do pass.

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

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1800**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 1675**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which were referred **HB 1421** and **HB 1371**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following report:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1265**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 1300**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HB 1349**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hoskins, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HB 1469**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 28**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON THIRD READING

Senator Romine moved that **HCS** for **HB 2129**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 2129** was again taken up.

At the request of Senator Romine, **SS** for **HCS** for **HB 2129** was withdrawn.

Senator Romine offered **SS No. 2** for **HCS** for **HB 2129**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2129

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to public awareness of organ donation.

Senator Romine moved that **SS No. 2** for **HCS** for **HB 2129** be adopted, which motion prevailed.

On motion of Senator Romine, **SS No. 2** for **HCS** for **HB 2129** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Curls	Dixon	Eigel
Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Koenig—1

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

HB 2562, introduced by Representative Austin, with **SCS**, entitled:

An Act to repeal sections 208.151, 217.703, 478.001, 478.003, 478.004, 478.005, 478.006, 478.007, 478.008, 478.009, 478.466, 478.550, 478.551, 478.600, 478.716, 488.2230, 488.5358, and 577.001, RSMo, and to enact in lieu thereof fifteen new sections relating to treatment courts.

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

SCS for **HB 2562**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2562

An Act to repeal sections 82.1025, 82.1027, 82.1028, 143.783, 208.151, 217.703, 302.321, 302.341, 478.001, 478.003, 478.004, 478.005, 478.006, 478.007, 478.008, 478.009, 478.466, 478.550, 478.551, 478.600, 478.716, 479.020, 479.353, 479.359, 479.360, 488.2230, 488.2250, 488.5358, and 577.001, RSMo, and to enact in lieu thereof twenty-eight new sections relating to courts, with existing penalty provisions.

Was taken up.

Senator Dixon moved that **SCS** for **HB 2562** be adopted.

Senator Dixon offered **SS** for **SCS** for **HB 2562**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2562

An Act to repeal sections 82.1025, 82.1027, 82.1028, 208.151, 217.703, 302.321, 302.341, 476.521, 478.001, 478.003, 478.004, 478.005, 478.006, 478.007, 478.008, 478.009, 478.466, 478.550, 478.551, 478.600, 478.716, 479.020, 479.190, 479.353, 479.360, 488.2230, 488.2250, 488.5358, 514.040, and 577.001, RSMo, and to enact in lieu thereof thirty new sections relating to courts, with existing penalty provisions.

Senator Dixon moved that **SS** for **SCS** for **HB 2562** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 56, Section 479.360, Line 15 of said page, by inserting immediately after said line the following:

"483.075. 1. Every clerk shall record the judgments, rules, orders and other proceedings of the court; issue and attest all process when required by law and affix the seal of **[**his**]** **the** office thereto, or if none be provided, then his **or her** private seal; keep a perfect account of all moneys coming into his **or her** hands on account of costs or otherwise, and punctually pay over the same.

2. Provided, that where the clerk of the circuit court is a party, plaintiff or defendant, whether singly or jointly with others, to a suit or action, the writ of summons and all other process shall be issued by the clerk of the county commission, the reason therefor being noted on said process, and said latter named clerk shall, on the trial of said cause, act as temporary clerk of the circuit court and otherwise perform in said cause all the duties of the circuit court clerk. **This subsection shall not apply where the clerk of the circuit court is named as a party under sections 610.130 to 610.145 or other sections relating to the expungement of criminal records.**"; and

Further amend the title and enacting clause accordingly.

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

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 26, Section 302.341, Line 9 of said page, by inserting after all of said line the following:

"452.430. **Notwithstanding section 109.180 to the contrary,** all pleadings and filings in a dissolution of marriage, legal separation, or modification proceeding filed more than seventy-two years prior to the time a request for inspection is made may be made available to the public. Any pleadings, other than the interlocutory or final judgment or any modification thereof, in a dissolution of marriage, legal separation, or modification proceeding filed prior to August 28, 2009, but less than seventy-two years prior to the time a request for inspection is made, shall be subject to inspection only by the parties, an attorney of record, the family support division within the department of social services when services are being provided under section 454.400, the attorney general or his or her designee, a person or designee of a person licensed and acting under chapter 381 who shall keep any information obtained confidential, except as necessary to the performance of functions required by chapter 381, or upon order of the court for good cause shown. Such persons may receive or make copies of documents without the clerk being required to redact the Social Security number, unless the court specifically orders the clerk to do otherwise. The clerk shall redact the Social Security number from any copy of a judgment or satisfaction of judgment before releasing the copy of the interlocutory or final judgment or satisfaction of judgment to the public."; and

Further amend said bill and page, section 476.175, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

Under the provisions of Senate Rule 91, Senator Sifton requested unanimous consent to be excused from voting on amendments, adoption of **SS** for **SCS** for **HB 2562**, as amended, and 3rd reading of **SS** for **SCS** for **HB 2562**, as amended, which request was granted.

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 60, Section 514.040, Line 13 of said page, by inserting immediately after said line the following:

"559.600. **1.** In cases where the board of probation and parole is not required under section 217.750 to provide probation supervision and rehabilitation services for misdemeanor offenders, the circuit and associate circuit judges in a circuit may contract with one or more private entities or other court-approved entity to provide such services. The court-approved entity, including private or other entities, shall act as a misdemeanor probation office in that circuit and shall, pursuant to the terms of the contract, supervise persons placed on probation by the judges for class A, B, C, and D misdemeanor offenses, specifically including persons placed on probation for violations of section 577.023. Nothing in sections 559.600 to 559.615 shall be construed to prohibit the board of probation and parole, or the court, from supervising misdemeanor offenders in a circuit where the judges have entered into a contract with a probation entity.

2. In all cases, the entity providing such private probation service shall utilize the cutoff concentrations utilized by the department of corrections with regard to drug and alcohol screening

for clients assigned to such entity. A drug test is positive if drug presence is at or above the cutoff concentration or negative if no drug is detected or if drug presence is below the cutoff concentration.

3. In all cases, the entity providing such private probation service shall not require the clients assigned to such entity to travel in excess of fifty miles in order to attend their regular probation meetings."; and

Further amend the title and enacting clause accordingly.

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

Senator Koenig offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 60, Section 514.040, Line 13 of said page, by inserting after all of said line the following:

"516.105. **1.** All actions against physicians, hospitals, dentists, registered or licensed practical nurses, optometrists, podiatrists, pharmacists, chiropractors, professional physical therapists, mental health professionals licensed under chapter 337, and any other entity providing health care services and all employees of any of the foregoing acting in the course and scope of their employment, for damages for malpractice, negligence, error or mistake related to health care shall be brought within two years from the date of occurrence of the act of neglect complained of, except that:

(1) In cases in which the act of neglect complained of is introducing and negligently permitting any foreign object to remain within the body of a living person, the action shall be brought within two years from the date of the discovery of such alleged negligence, or from the date on which the patient in the exercise of ordinary care should have discovered such alleged negligence, whichever date first occurs; and

(2) In cases in which the act of neglect complained of is the negligent failure to inform the patient of the results of medical tests, the action for failure to inform shall be brought within two years from the date of the discovery of such alleged negligent failure to inform, or from the date on which the patient in the exercise of ordinary care should have discovered such alleged negligent failure to inform, whichever date first occurs; except that, no such action shall be brought for any negligent failure to inform about the results of medical tests performed more than two years before August 28, 1999. For purposes of this subdivision, the act of neglect based on the negligent failure to inform the patient of the results of medical tests shall not include the act of informing the patient of the results of negligently performed medical tests or the act of informing the patient of erroneous test results; and

(3) In cases in which the person bringing the action is a minor less than eighteen years of age, such minor shall have until his or her twentieth birthday to bring such action.

In no event shall any action for damages for malpractice, error, or mistake be commenced after the expiration of ten years from the date of the act of neglect complained of or for two years from a minor's eighteenth birthday, whichever is later.

2. Any service on a defendant by a plaintiff after the statute of limitations set forth in subsection 1 of this section has expired or after the expiration of any extension of the time provided to commence an action pursuant to law shall be made within one hundred eighty days of the filing of the petition.

If such service is not made on a defendant within one hundred eighty days of the filing of the petition, the court shall dismiss the action against the defendant. The dismissal shall be without prejudice unless the plaintiff has previously taken or suffered a nonsuit, in which case the dismissal shall be with prejudice.

537.100. **1.** Every action instituted under section 537.080 shall be commenced within three years after the cause of action shall accrue; provided, that if any defendant, whether a resident or nonresident of the state at the time any such cause of action accrues, shall then or thereafter be absent or depart from the state, so that personal service cannot be had upon such defendant in the state in any such action heretofore or hereafter accruing, the time during which such defendant is so absent from the state shall not be deemed or taken as any part of the time limited for the commencement of such action against him; and provided, that if any such action shall have been commenced within the time prescribed in this section, and the plaintiff therein take or suffer a nonsuit, or after a verdict for him the judgment be arrested, or after a judgment for him the same be reversed on appeal or error, such plaintiff may commence a new action from time to time within one year after such nonsuit suffered or such judgment arrested or reversed; and in determining whether such new action has been begun within the period so limited, the time during which such nonresident or absent defendant is so absent from the state shall not be deemed or taken as any part of such period of limitation.

2. Any service on a defendant by a plaintiff after the statute of limitations set forth in subsection 1 of this section has expired or after the expiration of any extension of the time provided to commence an action pursuant to law shall be made within one hundred eighty days of the filing of the petition. If such service is not made on a defendant within one hundred eighty days of the filing of the petition, the court shall dismiss the action against the defendant. The dismissal shall be without prejudice unless the plaintiff has previously taken or suffered a nonsuit, in which case the dismissal shall be with prejudice."; and

Further amend the title and enacting clause accordingly.

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

Senator Hegeman offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 66, Section 577.001, Line 24, by inserting after all of said line the following:

"**630.1010. The department of mental health shall develop a treatment protocol containing best practice guidelines for the treatment of opioid-dependent patients. The treatment protocol shall include the following:**

(1) Appropriate clinical use of all drugs approved by the federal Food and Drug Administration for the treatment of opioid addiction, including, but not limited to, the following:

(a) Opioid maintenance;

(b) Opioid detoxification;

(c) Overdose reversal; and

(d) Long acting, antagonist medication;

(2) Training for prescribers dispensing narcotic drugs for the treatment and management of opiate-dependent patients consistent with the federal Controlled Substances Act, as amended by Section 303 of the Comprehensive Addiction and Recovery Act of 2016; and

(3) Development and adoption of standard processes for obtaining informed consent from patients concerning all available medication-assisted treatment options, including potential benefits and risks."; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

Senator Dixon raised the point of order that **SA 5** is out of order in that it goes beyond the scope of the bill. The point of order was referred to the President Pro Tem.

At the request of Senator Hegeman, **SA 5** was withdrawn, rendering the point of order moot.

Senator Onder offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Pages 23-25, Section 302.321, by striking all of said section from the bill; and

Further amend said bill, pages 25-26, section 302.341, by striking all of said section from the bill; and

Further amend said bill, page 54, section 479.353, lines 10-16 of said page, by striking all of said lines and inserting in lieu thereof the following: "**the court may order the defendant to complete a period of community**"; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 6**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Pages 23-25, Section 302.321, by striking all of said section from the bill; and

Further amend said bill, pages 25-26, section 302.341, by striking all of said section from the bill; and

Further amend said bill, page 54, section 479.353, line 2, by striking the opening bracket "**[**" and closing bracket "**];** and further amend lines 5-17 by striking all of said lines and inserting in lieu thereof the following: "the case is dismissed**.**".

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

Senator Curls offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2562, Page 1, Section A, Line 11, by inserting after all of said line the following:

"67.398. 1. The governing body of any city or village, or any county having a charter form of government, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of a nuisance including, but not limited to, debris of any kind, weed cuttings, cut, fallen, or hazardous trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe and declared to be a public nuisance.

2. The governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may enact ordinances for the abatement of a condition of any lot or land that has vacant buildings or structures open to entry.

3. Any ordinance authorized by this section shall provide for service to the owner of the property **[**and, if the property is not owner-occupied, to any occupant of the property**]** of a written notice specifically describing each condition of the lot or land declared to be a public nuisance, and which notice shall identify what action will remedy the public nuisance. Unless a condition presents an immediate, specifically identified risk to the public health or safety, the notice shall provide a reasonable time, not less than ten days, in which to abate or commence removal of each condition identified in the notice. Written notice may be given by personal service or by first-class mail to **[**both the occupant of the property at the property address and**]** the owner at the last known address of the owner**[**, if not the same**]**. Upon a failure of the owner to pursue the removal or abatement of such nuisance without unnecessary delay, the building commissioner or designated officer may cause the condition which constitutes the nuisance to be removed or abated. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal or abatement and the proof of notice to the owner of the property shall be certified to the city clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property and the certified cost shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property from the date the tax bill is delinquent until paid.

67.410. 1. Except as provided in subsection 3 of this section, any ordinance enacted pursuant to section 67.400 shall:

(1) Set forth those conditions detrimental to the health, safety or welfare of the residents of the city, town, village, or county the existence of which constitutes a nuisance;

(2) Provide for duties of inspectors with regard to such buildings or structures and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such buildings or structures;

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

(4) Provide that upon failure to commence work of reconditioning or demolition within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety, or welfare of the residents of the city, town, village, or county, the building commissioner or designated officer or officers shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the building or structure to be a nuisance and detrimental to the health, safety, or welfare of the residents of the city, town, village, or county and ordering the building or structure to be demolished and removed, or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, or welfare of the residents of the city, town, village, or county, no order shall be issued;

(5) Provide that if the building commissioner or other designated officer or officers issue an order whereby the building or structure is demolished, secured, or repaired, or the property is cleaned up, the cost of performance shall be certified to the city clerk or officer in charge of finance, who shall cause a special tax bill or assessment therefor against the property to be prepared and collected by the city collector or other official collecting taxes, unless the building or structure is demolished, secured or repaired by a contractor pursuant to an order issued by the city, town, village, or county and such contractor files a mechanic's lien against the property where the dangerous building is located. The contractor may enforce this lien as provided in sections 429.010 to 429.360. Except as provided in subsection 3 of this section, at the request of the taxpayer the tax bill may be paid in installments over a period of not more than ten years. The tax bill from date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid. A city not within a county or a city with a population of at least four hundred thousand located in more than one county, notwithstanding any charter provision to the contrary, may, by ordinance, provide that upon determination by the city that a public benefit will be gained the city may discharge the special tax bill, including the costs of tax collection, accrued interest and attorneys fees, if any.

2. If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, the ordinance may establish a procedure for the payment of up to twenty-five percent of the insurance proceeds, as set forth in this subsection. The order or ordinance shall apply only to a covered claim payment which is in excess of fifty percent of the face value of the policy covering a building or other structure:

(1) The insurer shall withhold from the covered claim payment up to twenty-five percent of the covered claim payment, and shall pay such moneys to the city to deposit into an interest-bearing account. Any

named mortgagee on the insurance policy shall maintain priority over any obligation under the order or ordinance;

(2) The city or county shall release the proceeds and any interest which has accrued on such proceeds received under subdivision (1) of this subsection to the insured or as the terms of the policy and endorsements thereto provide within thirty days after receipt of such insurance moneys, unless the city or county has instituted legal proceedings under the provisions of subdivision (5) of subsection 1 of this section. If the city or county has proceeded under the provisions of subdivision (5) of subsection 1 of this section, all moneys in excess of that necessary to comply with the provisions of subdivision (5) of subsection 1 of this section for the removal, securing, repair and cleanup of the building or structure, and the lot on which it is located, less salvage value, shall be paid to the insured;

(3) If there are no proceeds of any insurance policy as set forth in this subsection, at the request of the taxpayer, the tax bill may be paid in installments over a period of not more than ten years. The tax bill from date of its issuance shall be a lien on the property until paid;

(4) This subsection shall apply to fire, explosion, or other casualty loss claims arising on all buildings and structures;

(5) This subsection does not make the city or county a party to any insurance contract, and the insurer is not liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

3. The governing body of any city not within a county and the governing body of any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county may enact their own ordinances pursuant to section 67.400 and are exempt from subsections 1 and 2 of this section.

4. Notwithstanding the provisions of section 82.300, any city may prescribe and enforce and collect fines and penalties for a breach of any ordinance enacted pursuant to section 67.400 or this section and to punish the violation of such ordinance by a fine or imprisonment, or by both fine and imprisonment. Such fine may not exceed one thousand dollars, unless the owner of the property is not also a resident of the property, then such fine may not exceed two thousand dollars.

5. The ordinance may also provide that a city not within a county or a city with a population of at least three hundred fifty thousand located in more than one county may seek to recover the cost of demolition prior to the occurrence of demolition, as described in this subsection. The ordinance may provide that if the building commissioner or other designated officer or officers issue an order whereby the building or structure is ordered to be demolished, secured or repaired, and the owner has been given an opportunity for a hearing to contest such order, then the building commissioner or other designated officer or officers may solicit no less than two independent bids for such demolition work. The amount of the lowest bid, including offset for salvage value, if any, plus reasonable anticipated costs of collection, including attorney's fees, shall be certified to the city clerk or officer in charge of finance, who shall cause a special tax bill to be issued against the property owner to be prepared and collected by the city collector or other official collecting taxes. The municipal clerk or other officer in charge of finance shall discharge the special tax bill upon documentation by the property owner of the completion of the ordered repair or demolition work. Upon determination by the municipal clerk or other officer in charge of finance that a public benefit is secured prior to payment of the special tax bill, the municipal clerk or other officer in charge of finance may

discharge the special tax bill upon the transfer of the property. The payment of the special tax bill shall be held in an interest-bearing account. Upon full payment of the special tax bill, the building commissioner or other designated officer or officers shall, within one hundred twenty days thereafter, cause the ordered work to be completed, and certify the actual cost thereof, including the cost of tax bill collection and attorney's fees, to the city clerk or other officer in charge of finance who shall, if the actual cost differs from the paid amount by greater than two percent of the paid amount, refund the excess payment, if any, to the payor, or if the actual amount is greater, cause a special tax bill or assessment for the difference against the property to be prepared and collected by the city collector or other official collecting taxes. If the building commissioner or other designated officer or officers shall not, within one hundred twenty days after full payment, cause the ordered work to be completed, then the full amount of the payment, plus interest, shall be repaid to the payor. Except as provided in subsection 2 of this section, at the request of the taxpayer the tax bill for the difference may be paid in installments over a period of not more than ten years. The tax bill for the difference from the date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid.

82.462. 1. Except as provided in subsection 4 of this section, a person who is not the owner of the real property or who is a creditor holding a lien interest on the property, and who suspects that the real property may be abandoned, may enter upon the premises of the real property to do the following:

(1) Without entering any structure located on the real property, visually inspect the real property to determine whether the real property may be abandoned;

(2) Upon a good faith determination based upon the inspection that the property is abandoned, perform any of the following actions:

(a) Secure the real property;

(b) Remove trash or debris from the grounds of the real property;

(c) Landscape, maintain, or mow the grounds of the real property;

(d) Remove or paint over graffiti on the real property.

2. A person who enters upon the premises and conducts the actions permitted in subsection 1 of this section and who makes a good faith determination based upon the inspection that the property is abandoned is immune from claims of civil and criminal trespass and all other civil liability therefor, unless the act or omission constitutes gross negligence or willful, wanton, or intentional misconduct.

3. The owner of the real property upon which a person enters and conducts the actions permitted in subsection 1 of this section shall be immune from civil liability for any injury sustained by the person, unless the injury resulted from the owner's gross negligence or willful, wanton, or intentional misconduct.

4. In the case of real property that is subject to a mortgage or deed of trust, the creditor holding the debt secured by the mortgage or deed of trust may not enter upon the premises of the real property under subsection 1 of this section if entry is barred by an automatic stay issued by a bankruptcy court.

5. For purposes of this section, "abandoned" property means:

(1) A vacant, unimproved lot zoned residential or commercial for which the owner is in violation of a municipal nuisance or property maintenance code; or

(2) With respect to actions taken pursuant to this section by a creditor holding a lien interest in the property, a property that contains a structure or building that has been continuously unoccupied by persons legally entitled to possession for at least six months prior to entry under this section and the creditor's debt secured by such lien interest has been continuously delinquent for not less than three months; or

(3) With respect to actions taken pursuant to this section by persons other than creditors, a property that contains a structure or building that has been continuously unoccupied by persons legally entitled to possession for at least six months prior to entry under this section, and for which the owner is in violation of a municipal nuisance or property maintenance code, and for which either:

(a) Ad valorum property taxes are delinquent; or

(b) The property owner has failed to comply with any municipal ordinance requiring registration of vacant property, or the municipality has determined the structure to be uninhabitable due to deteriorated conditions.

6. This section shall apply only to real property located in any home rule city or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants."; and

Further amend said bill, page 7, section 82.1028, line 17, by inserting after all of said line the following:

"84.510. 1. For the purpose of operation of the police department herein created, the chief of police, with the approval of the board, shall appoint such number of police department employees, including police officers and civilian employees as the chief of police from time to time deems necessary.

2. The base annual compensation of police officers shall be as follows for the several ranks:

(1) Lieutenant colonels, not to exceed five in number, at not less than seventy-one thousand nine hundred sixty-nine dollars, nor more than **[**one hundred thirty-three thousand eight hundred eighty-eight**]** **one hundred forty-six thousand one hundred twenty-four** dollars per annum each;

(2) Majors at not less than sixty-four thousand six hundred seventy-one dollars, nor more than **[**one hundred twenty-two thousand one hundred fifty-three**]** **one hundred thirty-three thousand three hundred twenty** dollars per annum each;

(3) Captains at not less than fifty-nine thousand five hundred thirty-nine dollars, nor more than **[**one hundred eleven thousand four hundred thirty-four**]** **one hundred twenty-one thousand six hundred eight** dollars per annum each;

(4) Sergeants at not less than forty-eight thousand six hundred fifty-nine dollars, nor more than **[**ninety-seven thousand eighty-six**]** **one hundred six thousand five hundred sixty** dollars per annum each;

(5) Master patrol officers at not less than fifty-six thousand three hundred four dollars, nor more than **[**eighty-seven thousand seven hundred one**]** **ninety-four thousand three hundred thirty-two** dollars per annum each;

(6) Master detectives at not less than fifty-six thousand three hundred four dollars, nor more than **[**eighty-seven thousand seven hundred one**]** **ninety-four thousand three hundred thirty-two** dollars per annum each;

(7) Detectives, investigators, and police officers at not less than twenty-six thousand six hundred forty-three dollars, nor more than **[**eighty-two thousand six hundred nineteen**]** **eighty-seven thousand six hundred thirty-six** dollars per annum each.

3. The board of police commissioners has the authority by resolution to effect a comprehensive pay schedule program to provide for step increases with separate pay rates within each rank, in the above-specified salary ranges from police officers through chief of police.

4. Officers assigned to wear civilian clothes in the performance of their regular duties may receive an additional one hundred fifty dollars per month clothing allowance. Uniformed officers may receive seventy-five dollars per month uniform maintenance allowance.

5. The chief of police, subject to the approval of the board, shall establish the total regular working hours for all police department employees, and the board has the power, upon recommendation of the chief, to pay additional compensation for all hours of service rendered in excess of the established regular working period, but the rate of overtime compensation shall not exceed one and one-half times the regular hourly rate of pay to which each member shall normally be entitled. No credit shall be given nor deductions made from payments for overtime for the purpose of retirement benefits.

6. The board of police commissioners, by majority affirmative vote, including the mayor, has the authority by resolution to authorize incentive pay in addition to the base compensation as provided for in subsection 2 of this section, to be paid police officers of any rank who they determine are assigned duties which require an extraordinary degree of skill, technical knowledge and ability, or which are highly demanding or unusual. No credit shall be given nor deductions made from these payments for the purpose of retirement benefits.

7. The board of police commissioners may effect programs to provide additional compensation for successful completion of academic work at an accredited college or university. No credit shall be given nor deductions made from these payments for the purpose of retirement benefits.

8. The additional pay increments provided in subsections 6 and 7 of this section shall not be considered a part of the base compensation of police officers of any rank and shall not exceed ten percent of what the officer would otherwise be entitled to pursuant to subsections 2 and 3 of this section.

9. Not more than twenty-five percent of the officers in any rank who are receiving the maximum rate of pay authorized by subsections 2 and 3 of this section may receive the additional pay increments authorized by subsections 6 and 7 of this section at any given time. However, any officer receiving a pay increment provided pursuant to the provisions of subsections 6 and 7 of this section shall not be deprived of such pay increment as a result of the limitations of this subsection."; and

Further amend the title and enacting clause accordingly.

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

Senator Dixon moved that **SS** for **SCS** for **HB 2562**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **HB 2562**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Dixon	Eigel	Emery
Hegeman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Onder	Richard	Riddle	Romine	Sater	Schatz	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Holsman	Nasheed	Rizzo	Rowden	Schaaf	Schupp
Walsh—8						

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Excused from voting—Senator Sifton—1

Vacancies—1

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 Wasson moved that **SS** for **HB 1415** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Wasson, **SS** for **HB 1415**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Curls	Dixon	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Eigel	Koenig	Schaaf—3

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Curls	Dixon	Emery
Hegeman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Koenig	Schaaf—3

Absent—Senators

Chappelle-Nadal	Holsman—2

Absent with leave—Senators—None

Vacancies—1

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

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

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

Senator Dixon moved that **SS No. 2** for **SCS** for **HCS** for **HBs 1288**, **1377** and **2050** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **HCS** for **HBs 1288**, **1377** and **2050**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Curls	Dixon	Eigel
Emery	Hegeman	Holsman	Hoskins	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Chappelle-Nadal	Hummel	Schaaf—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

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.

PRIVILEGED MOTIONS

Senator Crawford moved that the Senate refuse to concur in **HCS** for **SB 951**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Rowden moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1350**, as amended, and grant the House a conference thereon, 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 **SB 757**.

With House Amendment Nos. 1, 3, 4, 5, 6, 8 and 9.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 757, Page 1, In the Title, Line 3, by removing the phrase "the bi-state metropolitan development district." and inserting in lieu thereof the phrase "political subdivisions."; and

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

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting immediately after all of said section and line the following:

"115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision or special district including municipal elections in any city, town, or village with [one] **two** thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3 of this section but excluding municipal elections in any city, town, or village with more than [one] **two** thousand inhabitants, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation as defined in section 493.050 in the district, and [if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office] **if the number of candidates for each office in a particular political subdivision, special district, or municipality is equal to the number of positions for each office within the political subdivision, special district, or municipality to be filled by the election and no ballot measure is placed on the ballot such that a particular political subdivision will owe no proportional elections costs if an election is not held, no election shall be held**, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. If no election is held for [such office] **a particular political subdivision, special district, or municipality** as provided in this section, the election authority shall publish a notice containing the names of the candidates that shall assume the responsibilities of office under this section. Such notice shall be published in at least one newspaper of general circulation as defined in section 493.050 in such political subdivision or district by the first of the month in which the election would have occurred, had it been contested. Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw

from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

2. The election authority or political subdivision responsible for the oversight of the filing of candidates in any nonpartisan election in any political subdivision or special district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings; except that, in the case of candidates who file a declaration of candidacy with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election authority or political subdivision may determine by random drawing the order in which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection, it shall be conducted so that each candidate, or candidate's representative if the candidate filed under subsection 2 of section 115.355, may draw a number at random at the time of filing. If such drawing is conducted, the election authority or political subdivision shall record the number drawn with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.

3. The governing body of any city, town, or village with [one] **two** thousand or fewer inhabitants may submit to the voters at any available election, a question to adopt the provisions of subsection 1 of this section for municipal elections. If a majority of the votes cast by the qualified voters voting thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan municipal elections as provided in subsection 1 of this section for all nonpartisan elections remaining in the year in which the proposal was adopted and for the six calendar years immediately following such approval. At the end of such six-year period, each such city, town, or village shall be prohibited from conducting such elections in such a manner unless such a question is again adopted by the majority of qualified voters as provided in this subsection."; and

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

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting after all of said section and line the following:

"162.064. **1.** Each school district shall have on file a statement from a medical examiner which indicates that the driver is physically qualified to operate a school bus for the purpose of transporting pupils. Such statement shall be made on an annual basis**, unless a statement is issued by a department of transportation certified medical examiner, in which case such examiner may issue a statement for up to a two-year duration, subject to rules promulgated by the department of transportation**. The term "medical examiner" includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic. For new drivers, such statement shall be on file prior to the driver's initial operation of a school bus. This section shall apply to drivers employed by the school district or under contract with the school district.

2. The director of the department of transportation may promulgate all necessary rules and regulations for the administration 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, 2018, shall be invalid and void.

302.272. 1. No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus endorsement under this section and complied with the pertinent rules and regulations of the department of revenue and any final rule issued by the secretary of the United States Department of Transportation or has a valid school bus endorsement on a valid commercial driver's license issued by another state. A school bus endorsement shall be issued to any applicant who meets the following qualifications:

(1) The applicant has a valid state license issued under this chapter;

(2) The applicant is at least twenty-one years of age; and

(3) The applicant has successfully passed an examination for the operation of a school bus as prescribed by the director of revenue. The examination shall include any examinations prescribed by the secretary of the United States Department of Transportation, and a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to be driven. For purposes of this section classes of school buses shall comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers who are at least seventy years of age, such examination**, excluding the pre-trip inspection portion of the commercial driver's license skills test,** shall be completed annually **to retain the school bus endorsement**.

2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus endorsement to any applicant whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations.

3. The director may adopt any rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. Notwithstanding the requirements of this section, an applicant who resides in another state and possesses a valid driver's license from his or her state of residence with a valid school bus endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's license with a school bus endorsement."; and

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

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting immediately after all of said

section and line the following:

"**160.066. 1. By September 1, 2019, each public school district and each charter school shall develop, maintain, and make publicly available, at a minimum, a searchable expenditure and revenue document or database detailing actual income, expenditures, and disbursements for the current calendar or fiscal year on its district or school website, which may be in the format of a searchable PDF, document, or spreadsheet. If the public school district or charter school does not provide the aforementioned detailed financial and budgetary information on its website, then a direct link to the department of elementary and secondary education's website, which has detailed financial and budgetary information about the public school district or charter school, shall be provided on the district's website. The site shall contain only information that is a public record or that is not confidential or otherwise protected from public disclosure under state or federal law.**

2. The public school district or charter school shall, to the extent practicable, update the financial data contained on the site no less frequently than every quarter and provide the data in a structured format. The public school district or charter school shall archive the financial data, which shall remain accessible and searchable, for a minimum of ten years.

3. By January 1, 2019, the department of elementary and secondary education shall create a template for voluntary use by school districts needing assistance with the online posting of the information specified in subsection 1 of this section. The template may include both the type of electronic file posted as well as the information to be included in the posting. The department may take into consideration any existing templates or reports developed by the department for purposes of financial reporting. In the event that a school district or charter school does not maintain a website, this information shall be accessible through the department.

4. Nothing in this section shall direct or require a school district or charter school to post online any personal information relating to payroll including, but not limited to, payroll deductions, payroll contributions, or any other information that is confidential or otherwise protected from public disclosure under state or federal law."; and

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

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting immediately after all of said section and line the following:

"**610.031. 1. If the attorney general concludes that any person may have engaged in any act, conduct, or practice that violates any provision of chapter 109 or this chapter, the attorney general may apply for an order issued by a judge of the circuit court of Cole County to serve a civil investigative demand on any person who the attorney general believes may have information or evidence relevant to the suspected violation. A judge shall issue the order to serve the civil investigative demand if the judge finds that probable cause exists that a violation of chapter 109 or this chapter has occurred. Once a judge has issued an order to serve a civil investigative demand, the demand issued under this section may seek any information and documents that could be obtained by means of a subpoena duces tecum issued by a court of this state. A civil investigative demand issued under this section may also require answers to written interrogatories that would be permitted by the Missouri supreme court rules.**

2. A civil investigative demand issued under this section shall:

(1) State the statute or statutes that the attorney general believes may have been violated;

(2) Describe the class or classes of information and evidence to be produced with sufficient specificity so as to fairly indicate the material demanded;

(3) Prescribe a return date, which shall be at least thirty days, by which the information and evidence is to be produced;

(4) Identify the members of the attorney general's staff to whom the information and evidence requested is to be produced; and

(5) Provide notice to the recipient of the demand of the recipient's ability to file a petition in the circuit court of Cole County to extend the return date for good cause or to quash or modify any portion of the demand.

3. Service of a civil investigative demand issued under this section may be made by:

(1) Delivering a duly executed copy thereof to the person to be served, or to a partner or any officer or agent authorized by appointment or by law to receive service of process on behalf of such person;

(2) Delivering a duly executed copy thereof to the principal place of business or the residence in this state of the person to be served;

(3) Mailing by registered or certified mail a duly executed copy thereof addressed to the person to be served, at the person's principal place of business or residence in this state, or if such person has no place of business or residence in this state, to his or her principal office, place of business, or his or her residence; or

(4) Mailing by registered or certified mail a duly executed copy thereof, requesting a return receipt signed by the addressee only, to the last known place of business, residence, or abode within or without this state of such person.

4. At any time prior to the return date specified in a civil investigative demand issued under this section or within twenty days after the civil investigative demand is served, whichever is earlier, the recipient of the civil investigative demand may file a petition in the circuit court of Cole County seeking to extend the return date for good cause or to quash or modify any portion of the civil investigative demand. A civil investigative demand issued under this section shall only be quashed or modified on the same basis as a subpoena duces tecum issued by a court of this state.

5. If any person fails to comply with any portion of a civil investigative demand served under this section, the attorney general may file a petition for an order to enforce the civil investigative demand. The attorney general may file such petition in the circuit court of Cole County or in any circuit court where such person has his or her principal place of business or residence. Any person who refuses to comply with an order enforcing a civil investigative demand shall be found in contempt.

6. Any person who, with the intent to avoid, evade, or prevent compliance with a civil investigative demand issued under this section, removes, conceals, withholds, destroys, alters, or falsifies any information or evidence responsive to a civil investigative demand served under this section shall be guilty of a class A misdemeanor. The attorney general shall have concurrent jurisdiction to enforce

the provisions of this subsection.

7. No information, documentary material, or physical evidence requested pursuant to a civil investigative demand issued under this section shall, unless otherwise ordered by a court for good cause shown, be produced for or the contents thereof be disclosed to, any person other than the authorized employee of the attorney general without the consent of the person who produced such information, documentary material or physical evidence; provided, that under such reasonable terms and conditions as the attorney general shall prescribe, such information, documentary material or physical evidence shall be made available for inspection and copying by the person who produced such information, documentary material or physical evidence, or any duly authorized representative of such person. The attorney general, or any attorney designated by him or her, may use the information, documentary material, or physical evidence in the enforcement of chapter 109 or this chapter, by presentation before any court or by disclosure to law enforcement agencies of this state.

610.033. There is created within the office of the attorney general a transparency division. No assistant attorney general while assigned to the transparency division shall participate in the prosecution or defense of any civil claim on behalf of the state, any agency of the state, or any officer of the state, except the prosecution of an action alleging a violation of any provision of chapter 109 or this chapter."; and

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

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting immediately after said 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**] who, as a part of his or her regular employment duties, attempts** to influence any action by**:**

(a) A local government official elected in a county, city, town, or village **[**with an annual operating budget of over ten million dollars**];**

(b) A superintendent or school board member of a school district; or

(c) A member of the governing body of a charter school;

(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 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;

(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**; and, for elected local government official lobbyists, the local government entity to be lobbied**. 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 in writing:

a. All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house

of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

(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."; and

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

HOUSE AMENDMENT NO. 9

Amend Senate Bill No. 757, Page 5, Section 70.370, Line 128, by inserting after all of said section and line the following:

"115.287. 1. Upon receipt of a signed application for an absentee ballot and if satisfied the applicant is entitled to vote by absentee ballot, the election authority shall, within three working days after receiving the application, or if absentee ballots are not available at the time the application is received, within five working days after they become available, deliver to the voter an absentee ballot, ballot envelope and such instructions as are necessary for the applicant to vote. Delivery shall be made to the voter personally in the office of the election authority or by bipartisan teams appointed by the election authority, or by first class, registered, or certified mail at the discretion of the election authority, or in the case of a covered voter as defined in section 115.902, the method of transmission prescribed in section 115.914. Where the election authority is a county clerk, the members of bipartisan teams representing the political party other than that of county clerk shall be selected from a list of persons submitted to the county clerk by the county chairman of that party. If no list is provided by the time that absentee ballots are to be made available, the county clerk may select a person or persons from lists provided in accordance with section 115.087. If the election authority is not satisfied that any applicant is entitled to vote by absentee ballot, it shall not deliver an absentee ballot to the applicant. Within three working days of receiving such an application, the election authority shall notify the applicant and state the reason he or she is not entitled to vote by absentee ballot. The applicant may appeal the decision of the election authority to the circuit court in the manner provided in section 115.223.

2. If, after 5:00 p.m. on the Wednesday before an election, any voter from the jurisdiction has become

hospitalized, becomes confined due to illness or injury, or is confined in an adult boarding facility, intermediate care facility, residential care facility, or skilled nursing facility, as defined in section 198.006, in the county in which the jurisdiction is located or in the jurisdiction or an adjacent election authority within the same county, the election authority shall appoint a team to deliver, witness the signing of and return the voter's application and deliver, witness the voting of and return the voter's absentee ballot. In counties with a charter form of government and in cities not within a county, and in each city which has over three hundred thousand inhabitants, and is situated in more than one county, if the election authority receives ten or more applications for absentee ballots from the same address it may appoint a team to deliver and witness the voting and return of absentee ballots by voters residing at that address[, except when such addresses are for an apartment building or other structure wherein individual living units are located, each of which has its own separate cooking facilities]. Each team appointed pursuant to this subsection shall consist of two registered voters, one from each major political party. Both members of any team appointed pursuant to this subsection shall be present during the delivery, signing or voting and return of any application or absentee ballot signed or voted pursuant to this subsection.

3. On the mailing and ballot envelopes for each covered voter, the election authority shall stamp prominently in black the words "FEDERAL BALLOT, STATE OF MISSOURI" and "U.S. Postage Paid, 39 U.S.C. Section 3406".

4. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with an absentee ballot."; and

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

Titling change 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 **HJR 79**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, by adopting one new section relating to labor organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 718**, as amended. Representatives: Rhoads, Barnes (60), Rehder, Stevens (46), Walker (74).

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1350**, as amended: Senators Rowden, Riddle, Wasson, Walsh and Sifton.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 2116, regarding Jill Kline, which was adopted.

Senator Schupp offered Senate Resolution No. 2117, regarding Robert B. "Bob" Knight, Ballwin, which was adopted.

Senator Schupp offered Senate Resolution No. 2118, regarding Ronald Dale "Ron" Watson, Manchester, which was adopted.

Senator Schupp offered Senate Resolution No. 2119, regarding Kenneth Dale "Ken" Corbin, Creve Coeur, which was adopted.

Senators Kehoe, Riddle and Rowden offered Senate Resolution No. 2120, regarding the One Hundredth Anniversary of the Order of the Eastern Star Fulton Chapter #35, Fulton, which was adopted.

Senator Schatz offered Senate Resolution No. 2121, regarding Edward Adam Pogorzelski, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 2122, regarding Randall DeWayne "Randy" Barron, Chesterfield, which was adopted.

Senator Sater offered Senate Resolution No. 2123, regarding Teresa Hickman, Exeter, which was adopted.

Senator Sater offered Senate Resolution No. 2124, regarding Mike Atwood, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 2125, regarding Nancy Fielding, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 2126, regarding Heather Lyons-Burney, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 2127, regarding Tracey Williams, Rockaway Beach, which was adopted.

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

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 808**, entitled:

An Act to repeal sections 311.020, 311.070, 311.185, 311.190, 311.300, 311.355, and 311.373, RSMo, and to enact in lieu thereof nine new sections relating to the transfer of intoxicating liquor, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 808, Page 1, Section 311.020, Line 7, by deleting the word "**nonalcoholic**"; and

Further amend said bill, Pages 11-12, Section 311.185, Lines 1-63, by deleting all of said section and lines; and

Further amend said bill, Page 12, Section 311.188, Lines 1-3, by deleting all of said section and lines; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 1633**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SBs 603**, **576** & **898**, 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 Conferees on **HCS** for **SS** for **SCS** for **SBs 603**, **576** and **898**, as amended, be allowed to exceed the differences.

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 **SCS** for **SBs 603**, **576** and **898**, as amended. Representatives: Spencer, Roeber, Swan, Morgan, Curtis.

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 **SS** for **SCS** for **HB 1350**, as amended. Representatives: Smith (163), Christofanelli, Conway (104), Franks Jr., Mitten.

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 826**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 826

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and House Substitute Amendment No. 1 for House Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 826;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 826, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ David Sater	/s/ Robert Ross
/s/ Jeanie Riddle	/s/ Justin Hill
/s/ Bob Onder	/s/ Jim Neely
/s/ Jill Schupp	/s/ Lauren Arthur
/s/ Scott Sifton	/s/ Martha Stevens

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SS** for **SCS** for **SB 826**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 826

An Act to repeal sections 191.227, 195.010, 195.070, 195.080, 210.070, 338.010, 338.056, 338.202, and 376.1237, RSMo, and to enact in lieu thereof thirteen new sections relating to health care, with an emergency clause for certain sections.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

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.

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 **SCS** for **SBs 603**, **576** and **898**, as amended: Senators Onder, Romine, Hoskins, Schupp and Sifton.

PRIVILEGED MOTIONS

Senator Wasson moved that **SCS** for **SBs 807** and **577**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SBs 807** and **577**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NOS. 807 and 577

An Act to repeal sections 160.545, 162.441, 163.191, 172.280, 173.005, 173.260, 173.1003, 173.1101, 173.1102, 173.1104, 173.1105, 173.1107, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, 178.636, 436.218, 436.221, 436.224, 436.227, 436.230, 436.236, 436.242, 436.245, 436.248, 436.254, 436.263, 436.266, and 436.257, RSMo, and to enact in lieu thereof thirty-two new sections relating to higher education, with penalty provisions.

Was taken up.

Senator Wasson moved that **HCS** for **SCS** for **SBs 807** and **577**, as amended, be adopted.

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

Senator Cunningham moved that **SCS** for **SB 769**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 769**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 769

An Act to repeal sections 30.270, 67.085, 95.530, 110.010, 110.080, 110.140, 165.221, 165.231, 165.241, and 165.271, RSMo, and to enact in lieu thereof thirteen new sections relating to financial institutions.

Was taken up.

President Pro Tem Richard assumed the Chair.

Senator Cunningham moved that **HCS** for **SCS** for **SB 769** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Richard	Riddle	Rizzo	Romine

Rowden	Sater	Schatz	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senator Schupp—1

Absent—Senators

Hummel	Onder	Schaaf—3

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Cunningham, **HCS** for **SCS** for **SB 769** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Kehoe	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senator Schupp—1

Absent—Senators

Hummel	Koenig	Schaaf—3

Absent with leave—Senators—None

Vacancies—1

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.

CONCURRENT RESOLUTIONS

SCR 50, introduced by Senator Hegeman, entitled:

Relating to the replacement of a statue in the Statuary Hall of the Capitol of the United States.

Was taken up.

On motion of Senator Hegeman, **SCR 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe

Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

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

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

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

Senator Munzlinger moved that **SCR 53** be taken up for adoption, which motion prevailed.

On motion of Senator Munzlinger, **SCR 53** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

PRIVILEGED MOTIONS

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SCS** for **SBs 807** and **577**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 660**, 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. 660

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 660, 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. 660, as amended;

2. That the Senate recede from its position on Senate Bill No. 660;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 660, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Jeanie Riddle	/s/ Travis Fitzwater
/s/ David Sater	/s/ Becky Ruth
/s/ Dan Hegeman	/s/ Diane Franklin
/s/ Jill Schupp	/s/ Cora Faith Walker
Jason Holsman	/s/ Martha Stevens

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Nasheed—1

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Riddle, **CCS** for **HCS** for **SB 660**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 660

An Act to repeal sections 208.217, 337.025, 337.029, 337.033, 552.020, 630.745, 630.945, and 632.005, RSMo, and to enact in lieu thereof twenty-three new sections relating to mental health, with penalty provisions and a contingent effective date for certain sections.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe

Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

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 Crawford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 806**, 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. 806

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 806, with House Amendment Nos. 1, 2, 3, 5, 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. 806, as amended;

2. That the Senate recede from its position on Senate Bill No. 806;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 806 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Sandy Crawford	/s/ Jim Neely
/s/ Jeanie Riddle	/s/ Nathan Beard
/s/ Paul Wieland	/s/ Kevin Corlew
/s/ Jill Schupp	/s/ Gina Mitten
/s/ Gina Walsh	/s/ Mark Ellebracht

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Munzlinger Schaaf—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Crawford, **CCS** for **HCS** for **SB 806**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to repeal sections 473.397, 473.398, 473.730, 473.770, 473.771, 475.010, 475.016, 475.050, 475.060, 475.061, 475.062, 475.070, 475.075, 475.078, 475.079, 475.080, 475.082, 475.083, 475.094, 475.120, 475.125, 475.130, 475.145, 475.230, 475.270, 475.276, 475.290, 475.320, 475.355, and 630.005, RSMo, and to enact in lieu thereof thirty-six new sections relating to guardianship proceedings.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 743**, 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. 743

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 743, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment Nos. 10, 11, and 12, House Substitute Amendment No. 1 for House Amendment No. 13, House Amendment Nos. 14, 15, and 16, House Amendment No. 1 to House Amendment No. 17, House Amendment No. 17 as amended, House Amendment Nos. 18, 19, 20, 22, 23, 24 and 25, 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. 743, as amended;

2. That the Senate recede from its position on Senate Bill No. 743;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 743 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ David Sater	/s/ Craig Redmon
/s/ Gary Romine	/s/ Lyndall Fraker
/s/ Jay Wasson	/s/ Rebecca Roeber
/s/ Jason Holsman	/s/ Ingrid Burnett
/s/ Scott Sifton	/s/ Judy Morgan

President Parson assumed the Chair.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Eigel
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Emery Schaaf—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SB 743**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 743

An Act to repeal sections 160.011, 160.041, 160.410, 161.072, 161.106, 161.217, 162.401, 162.720, 163.018, 163.021, 163.073, 164.011, 167.225, 171.029, 171.031, 171.033, 178.930, and 304.060, RSMo, and to enact in lieu thereof twenty-four new sections relating to elementary and secondary education, with an effective date for a certain section.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Eigel
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Emery	Koenig	Schaaf—3

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

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 Libla moved that **SB 581**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 581**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 581

An Act to repeal sections 512.180, 535.030, 535.110, 535.170, 535.200, 535.210, and 535.300, RSMo, and to enact in lieu thereof seven new sections relating to landlord tenant actions.

Was taken up.

Senator Libla moved that **HCS** for **SB 581** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Curls	Holsman	Hummel	Rizzo	Schupp	Sifton	Walsh—7

Absent—Senators

Dixon	Nasheed—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Libla, **HCS** for **SB 581** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Dixon	Eigel
Emery	Hegeman	Hoskins	Kehoe	Koenig	Libla	Munzlinger
Onder	Richard	Riddle	Romine	Rowden	Sater	Schaaf
Schatz	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Curls	Holsman	Hummel	Rizzo	Schupp	Sifton	Walsh—7

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

Senator Libla 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.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 687**, 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. 687

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 687, 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 Bill No. 687, as amended;

2. That the Senate recede from its position on Senate Bill No. 687;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 687 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ David Sater	/s/ Lyle Rowland
/s/ Gary Romine	/s/ David Wood
/s/ Dan Hegeman	/s/ Kathryn Swan
Jason Holsman	/s/ Kip Kendrick
/s/ Scott Sifton	/s/ Judy Morgan

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Hoskins	Hummel	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Holsman	Schatz—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SB 687**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 687

An Act to repeal sections 160.530, 302.272, and 304.060, RSMo, and to enact in lieu thereof three new sections relating to student transportation.

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

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Hoskins	Hummel	Kehoe	Koenig

Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Holsman	Schatz—2

Absent with leave—Senators—None

Vacancies—1

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 Romine moved that **SB 871**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 871**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 871

An Act to repeal sections 478.375, 478.600, 478.625, and 488.2250, RSMo, and to enact in lieu thereof three new sections relating to court administration.

Was taken up.

Senator Romine moved that **HCS** for **SB 871**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Hoskins	Hummel	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators—None

Absent—Senators

Holsman	Schaaf	Schatz	Schupp—4

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Romine, **HCS** for **SB 871**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Hoskins	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Sifton	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Hummel Schupp—2

Absent—Senators

Holsman Schatz—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

Senator Romine 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.

Senator Brown moved that the Senate refuse to concur in **HCS** for **SB 808**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1633**, as amended, and grant the House a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1719, with **SCS**, introduced by Representative Grier, entitled:

An Act to repeal sections 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 341.170, 344.030, 374.715, 374.784, and 632.005, RSMo, and to enact in lieu thereof twenty-five new sections relating to professional registration.

Was taken up by Senator Riddle.

SCS for **HB 1719**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1719

An Act to repeal sections 209.297, 256.468, 317.006, 324.071, 324.136, 324.200, 324.205, 324.210, 324.212, 324.265, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436,

324.487, 324.522, 324.920, 324.925, 324.1108, 325.025, 326.286, 327.141, 327.221, 327.231, 327.241, 327.312, 327.313, 327.321, 327.615, 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 330.030, 331.030, 332.131, 332.181, 332.241, 333.031, 334.090, 334.404, 334.530, 334.580, 334.655, 334.710, 334.738, 334.870, 335.036, 335.046, 335.066, 335.067, 336.030, 336.060, 337.020, 337.025, 337.029, 337.033, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 338.013, 338.035, 338.070, 338.220, 338.333, 339.513, 340.232, 340.302, 344.030, 345.050, 374.715, 374.784, 436.239, and 632.005, RSMo, and to enact in lieu thereof one hundred twenty-one new sections relating to professional registration, with existing penalty provisions and a contingent effective date for certain sections.

Was taken up.

Senator Riddle moved that **SCS** for **HB 1719** be adopted.

Senator Riddle offered **SS** for **SCS** for **HB 1719**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1719

An Act to repeal sections 324.001, 324.200, 324.205, 324.210, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.920, 324.925, 324.1108, 327.221, 327.312, 327.313, 327.321, 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 330.030, 331.030, 332.131, 334.530, 334.655, 335.036, 335.046, 335.066, 335.067, 336.030, 337.020, 337.025, 337.029, 337.033, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 344.030, 374.715, 374.784, and 632.005, RSMo, and to enact in lieu thereof eighty-six new sections relating to professional registration, with existing penalty provisions and a contingent effective date for certain sections.

Senator Riddle moved that **SS** for **SCS** for **HB 1719** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 124, Section 337.020, Line 1 of said page, by striking the opening bracket "**[**"; and further amend line 2 of said page, by striking the closing bracket "**]**"; and

Further amend said bill, page 202, section 632.005, lines 1-3 of said page, by striking all of said lines and inserting in lieu thereof the following: "**for physician assistants in psychiatry;**".

Senator Riddle moved that the amendment be adopted.

At the request of Senator Riddle, **HB 1719**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HB 2347, introduced by Representative Davis, with **SCS**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

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

SCS for **HB 2347,** entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2347

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

Was taken up.

Senator Wallingford moved that **SCS** for **HB 2347** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **HB 2347** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cierpiot	Crawford	Cunningham	Curls	Dixon
Eigel	Emery	Hegeman	Hoskins	Hummel	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Holsman Schaaf—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

Senator Eigel moved that **HCS** for **HB 2540**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Eigel moved that **SCS** for **HCS** for **HB 2540** be adopted, which motion prevailed on a standing division vote.

On motion of Senator Eigel, **SCS** for **HCS** for **HB 2540** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

Senator Romine 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 966**, entitled:

An Act to repeal sections 43.505, 43.507, 57.117, 57.450, 84.510, 109.210, 217.010, 217.015, 217.030, 217.075, 217.655, 217.665, 217.670, 217.690, 217.703, 217.705, 217.720, 217.722, 217.735, 217.750, 217.755, 217.760, 217.762, 217.777, 217.810, 221.105, 488.5320, 513.653, 566.147, 589.303, 595.010, 595.015, 595.020, 595.025, 595.030, 595.035, 595.045, 595.055, 595.220, 610.027, 610.140, and 650.055, RSMo, and to enact in lieu thereof fifty-two new sections relating to administration of the criminal justice system, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, House Amendment No. 1 to House Amendment No. 14, House Amendment No. 14, as amended, House Amendment Nos. 15, 16, 17, 18 and 19.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 3, Section 43.507, Line 9, by inserting immediately after said section and line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 4 and 5 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register**, including the tier level assigned to the offender under sections 589.400 to 589.425**;

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 shall be exempt from public notification to include any adjudications from another state, territory, the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction."; and

Further amend said bill, Page 36, Section 566.147, Line 42, by inserting immediately after said section and line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter **[**convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor,**]** **adjudicated for an offense referenced in section 589.414,** unless such person is **[**exempted**]** **exempt** from registering under subsection **[**8**]** **9 or 10** of this section **or section 589.401**; **[**or**]**

(2) **[**Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more

of the following offenses: kidnapping or kidnapping in the first degree when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint or kidnapping in the second degree when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home or sexual conduct with a nursing facility resident or vulnerable person in the first or second degree; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3)**]** Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; **[**or**]**

[(4)**]** **(3)** Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense **[**listed**]** **referenced** in **[**subdivision (1) or (2) of this subsection**]** **section 589.414**; **[**or**]**

[(5)**]** **(4)** Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been **[**convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;**]** **adjudicated for an offense listed under section 589.414;**

[(6)**]** **(5)** Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

[(7)**]** **(6)** Any person who is a resident of this state who has, since July 1, 1979, **been** or is hereafter **[**convicted of, been found guilty of, or pled guilty to or nolo contendere**]** **adjudicated** in any other state, **territory, the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction **[**to committing, attempting to commit, or conspiring to commit**]** **for** an offense which, if committed in this state, would **[**be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection**]** **constitute an offense listed under section 589.414,** or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

[(8)**]** **(7)** Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three **business** days of **[**conviction**]** **adjudication**, release from incarceration, or placement upon probation, register with the chief

law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile under subdivision (5) of subsection 1 of this section, within three business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, such juvenile shall register with the chief law enforcement official of the county or city not within a county in which he or she resides unless he or she has already registered in such county or city not within a county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three **business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 **[**are lifetime registration requirements**] shall be as provided under subsection 4 of this section** unless:

(1) All offenses requiring registration are reversed, vacated**,** or set aside;

(2) **[**The registrant is pardoned of the offenses requiring registration;

(3)**]** The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of **[**subsection 6 of this**]** section **589.414**; or

[(4)**] (3)** The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal or exemption of such person from the registry **under section 589.401**.

4. **The registration requirements shall be as follows:**

(1) Fifteen years if the offender is a tier I sex offender as provided under section 589.414;

(2) Twenty-five years if the offender is a tier II sex offender as provided under section 589.414; or

(3) The life of the offender if the offender is a tier III sex offender.

5. (1) The registration period shall be reduced as described in subdivision (3) of this subsection for a sex offender who maintains a clean record for the periods described under subdivision (2) of this subsection by:

(a) Not being adjudicated of any offense for which imprisonment for more than one year may be imposed;

(b) Not being adjudicated of any sex offense;

(c) Successfully completing any periods of supervised release, probation, or parole; and

(d) Successfully completing an appropriate sex offender treatment program certified by the attorney general.

(2) In the case of a:

(a) Tier I sex offender, the period during which the clean record shall be maintained is ten years;

(b) Tier III sex offender adjudicated delinquent for the offense which required registration in a sex offender registry under sections 589.400 to 589.425, the period during which the clean record shall be maintained is twenty-five years.

(3) In the case of a:

(a) Tier I sex offender, the reduction is five years;

(b) Tier III sex offender adjudicated delinquent, the reduction is from life to that period for which the clean record under paragraph (b) of subdivision (2) is maintained.

6. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

[5.**]** **7.** For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

[6.**]** **8.** Any person currently on the sexual offender registry **[**for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit,**] or who otherwise would be required to register for being adjudicated for the offense of** felonious restraint **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping **of a nonsexual nature** when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**]** **9. The following persons shall be exempt from registering as a sexual offender upon petition to the court of jurisdiction under section 589.401; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:**

(1) Any person currently on the sexual offender registry **[**for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] or who otherwise would be required to register for a sexual offense involving:**

(a) Sexual conduct where no force or threat of force was directed toward the victim or any other individual involved, if the victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) Sexual conduct where no force or threat of force was directed toward the victim, the victim was at least fourteen years of age, and the offender was not more than four years older than the victim at the time of the offense; or

(2) Any person currently required to register for the following sexual offenses:

(a) Promoting obscenity in the first degree under section 573.020;

(b) Promoting obscenity in the second degree under section 573.030;

(c) Furnishing pornographic materials to minors under section 573.040;

(d) Public display of explicit sexual material under section 573.060;

(e) Coercing acceptance of obscene material under section 573.065;

(f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor under section 566.206;

(g) Abusing an individual through forced labor under section 566.203;

(h) Contributing to human trafficking through the misuse of documentation under section 566.215; or

(i) Acting as an international marriage broker and failing to provide the information and notice as required under section 578.475.

[8. Effective August 28, 2009,**] 10.** Any person **currently** on the sexual offender registry for having been **[**convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense**] adjudicated for a tier I or II offense or adjudicated delinquent for a tier III offense or other comparable offenses listed under section 589.414 may file a petition under section 589.401**.

[9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the

prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.**]**

[10.**]** 11. Any nonresident worker, including work as a volunteer or intern, or nonresident student shall register for the duration of such person's employment**, including participation as a volunteer or intern,** or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**] whether public or private, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis in this state unless granted relief under section 589.401. Any registered offender shall provide information regarding any place in which the offender is staying when away from his or her residence for seven or more days, including the period of time the offender is staying in such place**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**] unless granted relief under section 589.401**.

[11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.**]**

589.401. 1. A person on the sexual offender registry may file a petition in the division of the circuit court in the county or city not within a county in which the offense requiring registration was committed to have his or her name removed from the sexual offender registry.

2. A person who is required to register in this state because of an offense that was adjudicated in another jurisdiction shall file his or her petition for removal according to the laws of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which his or her offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, such judgment may be registered in this state by sending the information required under subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated to the court in the county or city not within a county in which the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.

3. A person required to register as a tier III offender shall not file a petition under this section unless the requirement to register results from a juvenile adjudication.

4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register for his or her most recent offense under sections

589.400 to 589.425:

(1) For a tier I offense, ten years;

(2) For a tier II offense, twenty-five years; or

(3) For a tier III offense adjudicated delinquent, twenty-five years.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name, including any alias used by the individual;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address; and

(g) Place of employment, school, or volunteer status;

(2) The offense and tier of the offense that required the petitioner to register;

(3) The date the petitioner was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The case number and court, including the county or city not within a county, that entered the original order for the adjudicated sex offense;

(6) Petitioner's fingerprints on an applicant fingerprint card;

(7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The person seeking removal or exemption from the registry shall provide the prosecuting attorney in the circuit court in which the petition is filed with notice of the petition. The prosecuting attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including, but not limited to, criminal history records, mental health records, juvenile records, and records of the department of corrections or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. The court shall not enter an order directing the removal of the petitioner's name from the sexual offender registry unless it finds the petitioner:

(1) Has not been adjudicated or does not have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date the offender was required to register for his or her current tier level;

(2) Has not been adjudicated or does not have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date the offender was required to register for his or her current tier level, even if the offense was punishable by less than one year imprisonment;

(3) Has successfully completed any required periods of supervised release, probation, or parole without revocation since the date the offender was required to register for his or her current tier level;

(4) Has successfully completed an appropriate sex offender treatment program as approved by a court of competent jurisdiction or the Missouri department of corrections; and

(5) Is not a current or potential threat to public safety.

12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol. The petitioner shall be responsible for all costs associated with the fingerprint-based criminal history check of both state and federal files under section 43.530.

13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition under this section until:

(1) Fifteen years have passed from the date of the adjudication resulting in the denial of relief if the petitioner is classified as a tier I offender;

(2) Twenty-five years have passed from the date of adjudication resulting in the denial of relief if the petitioner is classified as a tier II offender; or

(3) Twenty-five years have passed from the date of the adjudication resulting in the denial of relief if the petitioner is classified as a tier III offender on the basis of a juvenile adjudication.

14. If the petition is denied due to the petitioner having charges pending in violation of subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition under this section until:

(1) The pending charges resulting in the denial of relief have been finally disposed of in a manner

other than adjudication; or

(2) If the pending charges result in an adjudication, the necessary time period has elapsed under subsection 13 of this section.

15. If the petition is denied for reasons other than those outlined in subsection 11 of this section, no successive petition requesting such relief shall be filed for at least five years from the date the judgment denying relief is entered.

16. If the court finds the petitioner is entitled to have his or her name removed from the sexual offender registry, the court shall enter judgment directing the removal of the name. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to the judgment requiring his or her name to be removed from the sexual offender registry is not required to register under sections 589.400 to 589.425 unless such person is required to register for an offense that was different from that listed on the judgment of removal.

18. The court shall not deny the petition unless the petition failed to comply with the provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence demonstrating the petition should be denied.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a web page on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 4 and 5 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register**, including the tier level assigned to the offender under sections 589.400 to 589.425**;

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 shall be exempt from public notification to include any adjudications from another state, territory, the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction.

589.403. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425 and** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections **[**or**],** any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in this state, be informed by the official in charge of such correctional facility**, private jail,** or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility**, private jail,** or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, to **the Missouri state highway patrol and** the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole**,** or release**[**. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.**]; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility, private jail, or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility, private jail, or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration, within three business days of release, to the Missouri state highway patrol and the chief law enforcement official within the county or city not within a county where the correctional facility, private jail, or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within three business days as directed, the offender commits the offense of failure to register under section 589.425 within the jurisdiction where the correctional facility, private jail, or mental health institution is located.

589.404. As used in sections 589.400 to 589.425, the following terms mean:

(1) "Adjudicated" or "adjudication", adjudication of delinquency, a finding of guilt, plea of guilt, finding of not guilty due to mental disease or defect, or plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

(2) "Adjudicated delinquent", a person found to have committed an offense that, if committed by an adult, would be a criminal offense;

(3) "Chief law enforcement official", the sheriff's office of each county or the police department of a city not within a county;

(4) "Offender registration", the required minimum informational content of sex offender registries, which shall consist of, but not be limited to, a full set of fingerprints on a standard sex offender registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(5) "Residence", any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(6) "Sex offender", any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248;

(7) "Sex offense", any offense which is listed under section 589.414 or comparable to those listed under section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248;

(8) "Sexual act", any type or degree of genital, oral, or anal penetration;

(9) "Sexual contact", any sexual touching of or contact with a person's body, either directly or through the clothing;

(10) "Sexual element", used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities shall refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, the plea agreement, or court documentation to determine if a sexual element exists;

(11) "Signature", the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;

(12) "Student", an individual who enrolls in or attends the physical location of an educational institution, including a public or private secondary school, trade or professional school, or an institution of higher education;

(13) "Vehicle", any land vehicle, watercraft, or aircraft.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**]** **who is required to register under sections 589.400 to 589.425 and** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge **and at the time of adjudication**, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the

court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**]** **make it a condition of probation that the offender** report**[**,**]** within three business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release**]** **of adjudication to complete initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the offender resides; or

(2) If the offender does not reside in Missouri:

(a) Order the offender to report directly to the chief law enforcement official in the county or city not within a county where the adjudication was heard to register as provided in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county where the offender was adjudicated.

2. If the offender resides in Missouri and refuses to complete and sign the registration information as provided in subdivision (1) of subsection 1 of this section, or if the offender resides outside of Missouri and refuses to directly report to the chief law enforcement official as provided in subdivision (2) of subsection 1 of this section, the offender commits the offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form shall **consist of a statement, including the signature of the offender, and shall** include, but is not limited to**,** the following:

(1) A statement in writing signed by the person, giving the name, address, **date of birth,** Social Security number**,** and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 566.125, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;

(2) The fingerprints**[**,**]** **and** palm prints**[**, and a photograph**]** of the person; **[**and**]**

(3) **Unless the offender's appearance has not changed significantly, a photograph of such offender as follows:**

(a) Quarterly if a tier III sex offender under section 589.414. Such photograph shall be taken every ninety days beginning in the month of the person's birth;

(b) Semiannually if a tier II sex offender. Such photograph shall be taken in the month of the person's birth and six months thereafter; and

(c) Yearly if a tier I sex offender. Such photograph shall be taken in the month of the person's birth; and

(4) A DNA sample **from the individual**, if a sample has not already been obtained.

2. The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card;

(2) A document verifying proof of the offender's residency; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles.

3. The Missouri state highway patrol shall maintain all required registration information in digitized form.

4. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

5. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and, if any inaccuracies are found, provide proof of the information in question.

6. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425 and a statement to this effect shall be included on the form that the individual is required to sign at each registration.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, **[**not later than**]** **within** three business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status**]**, appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**]** **if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment, including status as a volunteer or intern;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within three business

days, notify the chief law enforcement official of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary lodging information;

(3) Temporary residence information;

(4) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications; or

(5) Telephone or other cellular number, including any new forms of electronic communication.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described under subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

[2.**]** **4.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state **his or her state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state, **territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction,** the Missouri state highway patrol shall inform the responsible official in the new state**, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3.**]** **5. Tier I sexual offenders,** in addition to the requirements of subsections 1 **[**and 2**]** **to 4** of this section, **[**the following offenders**]** shall report in person to the chief law enforcement **[**agency every ninety days**]** **official annually in the month of their birth** to verify the information contained in their statement made pursuant to section 589.407**. Tier I sexual offenders include**:

(1) Any offender **[**registered as a predatory or persistent sexual offender under the definitions found in section 566.125**]** **who has been adjudicated for the offense of:**

(a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of age or older;

(b) Sexual misconduct involving a child under section 566.083 if it is a first offense and the punishment is less than one year;

(c) Sexual abuse in the second degree under section 566.101 if the punishment is less than a year;

(d) Kidnapping in the second degree under section 565.120 with sexual motivation;

(e) Kidnapping in the third degree under section 565.130;

(f) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is less than one year;

(g) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable person;

(h) Sexual contact with a prisoner or offender under section 566.145 if the victim is eighteen years of age or older;

(i) Sex with an animal under section 566.111;

(j) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is eighteen years of age or older;

(k) Possession of child pornography under section 573.037;

(l) Sexual misconduct in the first degree under section 566.093;

(m) Sexual misconduct in the second degree under section 566.095;

(n) Child molestation in the second degree under section 566.068 as it existed prior to January 1, 2017, if the punishment is less than one year; or

(o) Invasion of privacy under section 565.252 if the victim is less than eighteen years of age;

(2) **[** Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**]** **Any offender who is or has been adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of a sexual nature or with a sexual element that is comparable to the tier I sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248**.

6. Tier II sexual offenders, in addition to the requirements of subsections 1 **[**and 2**] to 4** of this section, **[**all registrants**]** shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement **[**agency**] official** to verify the information contained in their statement made pursuant to section 589.407. **[**All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency.**] Tier II sexual offenders include:**

(1) Any offender who has been adjudicated for the offense of:

(a) Statutory sodomy in the second degree under section 566.064 if the victim is sixteen to seventeen years of age;

(b) Child molestation in the third degree under section 566.069 if the victim is between thirteen and fourteen years of age;

(c) Sexual contact with a student under section 566.086 if the victim is thirteen to seventeen years of age;

(d) Enticement of a child under section 566.151;

(e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim is thirteen to seventeen years of age;

(f) Sexual exploitation of a minor under section 573.023;

(g) Promoting child pornography in the first degree under section 573.025;

(h) Promoting child pornography in the second degree under section 573.035;

(i) Patronizing prostitution under section 567.030;

(j) Sexual contact with a prisoner or offender under section 566.145 if the victim is thirteen to seventeen years of age;

(k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen to seventeen years of age;

(l) Sexual misconduct involving a child under section 566.083 if it is a first offense and the penalty is a term of imprisonment of more than a year; or

(m) Age misrepresentation with intent to solicit a minor under section 566.153;

(2) Any person who is adjudicated of an offense comparable to a tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense and who is already required to register as a tier I offender due to having been adjudicated of a tier I offense on a previous occasion; or

(3) Any person who is or has been adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:

(1) Any offender registered as a predatory sexual offender as defined in section 566.123 or a persistent sexual offender as defined in section 566.124;

(2) Any offender who has been adjudicated for the crime of:

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

(b) Statutory rape in the first degree under section 566.032;

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

(d) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;

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

(f) Statutory sodomy under section 566.062;

(g) Statutory sodomy under section 566.064 if the victim is under sixteen years of age;

(h) Sodomy in the second degree under section 566.061;

(i) Sexual misconduct involving a child under section 566.083 if the offense is a second or subsequent offense;

(j) Sexual abuse in the first degree under section 566.100 if the victim is under thirteen years of age;

(k) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years of age, excluding kidnapping by a parent or guardian;

(l) Child kidnapping under section 565.115;

(m) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is greater than a year;

(n) Incest under section 568.020;

(o) Endangering the welfare of a child in the first degree under section 568.045 with sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;

(p) Child molestation in the first degree under section 566.067;

(q) Child molestation in the second degree under section 566.068;

(r) Child molestation in the third degree under section 566.069 if the victim is under thirteen years of age;

(s) Promoting prostitution in the first degree under section 567.050 if the victim is under eighteen years of age;

(t) Promoting prostitution in the second degree under section 567.060 if the victim is under eighteen years of age;

(u) Promoting prostitution in the third degree under section 567.070 if the victim is under eighteen years of age;

(v) Promoting travel for prostitution under section 567.085 if the victim is under eighteen years of age;

(w) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is under eighteen years of age;

(x) Sexual trafficking of a child in the first degree under section 566.210;

(y) Sexual trafficking of a child in the second degree under section 566.211;

(z) Genital mutilation of a female child under section 568.065;

(aa) Statutory rape in the second degree under section 566.034;

(bb) Child molestation in the fourth degree under section 566.071 if the victim is under thirteen years of age;

(cc) Sexual abuse in the second degree under section 566.101 if the penalty is a term of imprisonment of more than a year;

(dd) Patronizing prostitution under section 567.030 if the offender is a persistent offender;

(ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim is under thirteen years of age;

(ff) Sexual contact with a prisoner or offender under section 566.145 if the victim is under thirteen years of age;

(gg) Sexual intercourse with a prisoner or offender under section 566.145;

(hh) Sexual contact with a student under section 566.086 if the victim is under thirteen years of age;

(ii) Use of a child in a sexual performance under section 573.200; or

(jj) Promoting a sexual performance by a child under section 573.205;

(3) Any offender who is adjudicated for a crime comparable to a tier I or tier II offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-state failure to register offense, who has been or is already required to register as a tier II offender because of having been adjudicated for a tier II offense, two tier I offenses, or combination of a tier I offense and failure to register offense, on a previous occasion;

(4) Any offender who is adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual element that is comparable to a tier III offense listed in this section or a tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or

(5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this section.

[5.**]** **8.** In addition to the requirements of subsections 1 **[**and 2**]** **to 7** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**]** **whether public or private, including any secondary school, trade school, professional school, or institution of higher education,** on a full-time or part-time basis **[**in any other state**]** **or have a temporary residence in this state** shall be required to report in person to the chief law enforcement officer in the area of the state where they work**, including as a volunteer or unpaid intern,** or attend **any** school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month

period.

[6.**]** **9.** If a person**[**,**]** who is required to register as a sexual offender under sections 589.400 to 589.425**[**,**]** changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier."; 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. 966, Page 35, Section 513.653, Line 19, by inserting after all of said section and line the following:

"**558.043. Notwithstanding any other provision of law, in sentencing a person convicted of an offense for which there is a statutory minimum sentence or a minimum prison term required by section 558.019 but that did not:**

(1) Include the use, attempted use, or threatened use of serious physical force by the defendant against another person or result in the serious physical injury of another person by the defendant;

(2) Involve any sexual offense by the defendant against a minor other than an offense involving sexual contact if the victim was fourteen years of age or older and the defendant was not more than four years older than the victim and the sexual contact was consensual; or

(3) Include the brandishing or discharge of a firearm by the defendant,

the court may depart from the applicable statutory minimum sentence or minimum prison term required by section 558.019 if the court finds substantial and compelling reasons on the record that, giving due regard to the nature of the offense, the history and character of the defendant, and his or her chances of successful rehabilitation, imposition of the statutory minimum sentence or minimum prison term required by section 558.019 would result in substantial injustice to the defendant or is not necessary for the protection of the public."; 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. 966, Page 29, Section 221.105, Line 48, by inserting after all of said section and line the following:

"**407.431. The attorney general shall have all powers, rights, and duties regarding violations of sections 407.430 to 407.436 as are provided in sections 407.010 to 407.130, in addition to rulemaking authority under section 407.145.**

407.432. As used in sections 407.430 to 407.436, the following terms shall mean:

(1) "Acquirer", a business organization, financial institution, or an agent of a business organization or financial institution that authorizes a merchant to accept payment by credit card for merchandise;

(2) "Cardholder", the person's name on the face of a credit card to whom or for whose benefit the credit card is issued by an issuer**[**,**]** or any agent**,** authorized signatory**,** or employee of such person;

(3) **"Chip", an integrated circuit imbedded in a card that stores data so that the card may use the**

EMV payment method for transactions;

(4) "Contactless payment", any payment method that uses a contactless smart card, a near field communication (NFC) antenna, radio-frequency identification (RFID) technology, or other method to remotely communicate data to a scanning device for transactions;

(5) "Counterfeit credit card", any credit card which is fictitious, altered, or forged, any false representation, depiction, facsimile or component of a credit card, or any credit card which is stolen, obtained as part of a scheme to defraud, or otherwise unlawfully obtained, and which may or may not be embossed with account information or a company logo;

[(4)**] (6)** "Credit card" **[**or "debit card"**]**, any instrument or device, whether known as a credit card, credit plate, bank service card, banking card, check guarantee card, or debit card or by any other name, **that is** issued with or without **a** fee by an issuer for the use of the cardholder in obtaining money or merchandise on credit**[**,**]** **or by transferring payment from the cardholder's checking account** or for use in an automated banking device to obtain any of the services offered through the device. The presentation of a credit card account number is deemed to be the presentation of a credit card**. "Credit card" shall include credit or debit cards whose information is stored in a digital wallet for use in in-app purchases or contactless payments**;

[(5)**] (7)** "Expired credit card", a credit card for which the expiration date shown on it has passed;

[(6)**] (8)** "Issuer", the business organization **[**or**] ,** financial institution**,** or **[**its**]** duly authorized agent**[**, which**]** **thereof that** issues a credit card;

[(7)**] (9)** "Merchandise", any objects, wares, goods, commodities, intangibles, real estate, services, or anything else of value;

[(8)**] (10)** "Merchant", an owner or operator of any retail mercantile establishment, or any agent, employee, lessee, consignee, officer, director, franchisee, or independent contractor of such owner or operator. A merchant includes a person who receives from **[**an authorized user of a payment card**] a cardholder**, or an individual the person believes to be **[**an authorized user**] a cardholder**, a **[**payment**] credit** card or information from a **[**payment**] credit** card as the instrument for obtaining, purchasing, or receiving goods, services, money, or anything of value from the person;

[(9)**] (11)** "Person", any natural person or his legal representative, partnership, firm, for-profit or not-for-profit corporation, whether domestic or foreign, company, foundation, trust, business entity or association, and any agent, employee, salesman, partner, officer, director, member, stockholder, associate, trustee or cestui que trust thereof;

[(10)**] (12)** "Reencoder", an electronic device that places encoded information from the **chip or** magnetic strip or stripe of a credit **[**or debit**]** card onto the **chip or** magnetic strip or stripe of a different credit **[**or debit**]** card;

[(11)**] (13)** "Revoked credit card", a credit card for which permission to use it has been suspended or terminated by the issuer;

[(12)**] (14)** "Scanning device", a scanner, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, information **stored in the chip or** encoded on the magnetic strip or stripe of a credit **[**or debit**]** card. **"Scanning device" shall include devices**

used by a merchant for contactless payments.

407.433. 1. No person, other than the cardholder, shall:

(1) Disclose more than the last five digits of a credit card **[**or debit card**]** account number on any sales receipt provided to the cardholder for merchandise sold in this state**[**;

(2) Use a scanning device to access, read, obtain, memorize, or store, temporarily or permanently, information encoded on the magnetic strip or stripe of a credit or debit card without the permission of the cardholder and with the intent to defraud any person, the issuer, or a merchant; or

(3) Use a reencoder to place information encoded on the magnetic strip or stripe of a credit or debit card onto the magnetic strip or stripe of a different card without the permission of the cardholder from which the information is being reencoded and with the intent to defraud any person, the issuer, or a merchant**]**.

2. Any person who knowingly violates this section is guilty of an infraction and any second or subsequent violation of this section is a class A misdemeanor.

3. It shall not be a violation of subdivision (1) of subsection 1 of this section if:

(1) The sole means of recording the credit card number **[**or debit card number**]** is by handwriting or, prior to January 1, 2005, by an imprint of the credit card **[**or debit card**]**; and

(2) For handwritten or imprinted copies of credit card **[**or debit card**]** receipts, only the merchant's copy of the receipt lists more than the last five digits of the account number.

4. This section shall become effective on January 1, 2003, and applies to any cash register or other machine or device that prints or imprints receipts of credit card **[**or debit card**]** transactions and which is placed into service on or after January 1, 2003. Any cash register or other machine or device that prints or imprints receipts on credit card **[**or debit card**]** transactions and which is placed in service prior to January 1, 2003, shall be subject to the provisions of this section on or after January 1, 2005.

407.435. 1. A person commits the offense of illegal use of a card scanner if the person:

(1) Directly or indirectly uses a scanning device to access, read, obtain, memorize, or store, temporarily or permanently, information stored in the chip or encoded on the magnetic strip or stripe of a credit card without the permission of the cardholder, the credit card issuer, or a merchant;

(2) Possesses a scanning device with the intent to defraud a cardholder, credit card issuer, or merchant or possesses a scanning device with the knowledge that some other person intends to use the scanning device to defraud a cardholder, credit card issuer, or merchant;

(3) Directly or indirectly uses a reencoder to copy a credit card without the permission of the cardholder of the card from which the information is being reencoded and does so with the intent to defraud the cardholder, the credit card issuer, or a merchant; or

(4) Possesses a reencoder with the intent to defraud a cardholder, credit card issuer, or merchant or possesses a reencoder with the knowledge that some other person intends to use the reencoder to defraud a cardholder, credit card issuer, or merchant.

2. The offense of illegal use of a card scanner is a class D felony. However, a second or subsequent offense arising from a separate incident is a class C felony.

407.436. **[**1. Any person who willfully and knowingly, and with the intent to defraud, engages in any practice declared to be an unlawful practice in sections 407.430 to 407.436 of this credit user protection law shall be guilty of a class E felony.

2. The violation of any provision of sections 407.430 to 407.436 of this credit user protection law constitutes an unlawful practice pursuant to sections 407.010 to 407.130, and the violator shall be subject to all penalties, remedies and procedures provided in sections 407.010 to 407.130. The attorney general shall have all powers, rights, and duties regarding violations of sections 407.430 to 407.436 as are provided in sections 407.010 to 407.130, in addition to rulemaking authority as provided in section 407.145.**] A person commits the offense of defacing a credit card reader if a person damages, defaces, alters, or destroys a scanning device and the person has no right to do so. The offense of defacing a credit card reader is a class A misdemeanor.**"; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 29, Section 221.105, Lines 38-48, by deleting said lines and inserting in lieu thereof the following:

"**4. The presiding judge of a judicial circuit may propose expenses to be reimbursable by the state on behalf of one or more of the counties in that circuit. Proposed reimbursable expenses may include pretrial assessment and supervision strategies for defendants who are ultimately eligible for state incarceration. A county may not receive more than its share of the amount appropriated in the previous fiscal year, inclusive of expenses proposed by the presiding judge. Any county shall convey such proposal to the department, and any such proposal presented by a presiding judge shall include the documented agreement with the proposal by the county governing body, prosecuting attorney, at least one associate circuit judge, and the officer of the county responsible for custody or incarceration of prisoners of the county represented in the proposal. Any county that declines to convey a proposal to the department, pursuant to the provisions of this subsection, shall receive its per diem cost of incarceration for all prisoners chargeable to the state in accordance with the provisions of subsections 1, 2, and 3 of this section.**"; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 7, Section 109.320, Line 44, by inserting after all of said section and line the following:

"210.1014. 1. There is hereby created the "Amber Alert System Oversight Committee", whose primary duty shall be to develop criteria and procedures for the Amber alert system and shall be housed within the department of public safety. The committee shall regularly review the function of the Amber alert system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification **and meet at least annually to discuss potential improvements to the Amber alert system**. As soon as practicable, the committee shall adopt criteria and procedures to expand the Amber alert system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. The Amber alert system oversight committee shall consist of ten members of which seven members shall be appointed by the governor with the advice and consent of the senate. Such members shall represent the following entities: two representatives of the Missouri Sheriffs' Association; two representatives of the Missouri Police Chiefs Association; one representative of small market radio broadcasters; one representative of large market radio broadcasters; one representative of television broadcasters. The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee. Additional members shall include one representative of the highway patrol and one representative of the department of health and senior services.

3. Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

4. Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.

5. The Amber alert system oversight committee shall promulgate rules for the implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

210.1016. 1. The provisions of this section shall be known and may be cited as "Hailey's Law".

2. The Amber alert system shall be integrated into the Missouri uniform law enforcement system (MULES) and Regional Justice Information Service (REJIS) to expedite the reporting of child abductions."; and

Further amend said bill, Page 33, Section 455.560, Line 46, by inserting after all of said section and line the following:

"483.075. 1. Every clerk shall record the judgments, rules, orders and other proceedings of the court; issue and attest all process when required by law and affix the seal of his office thereto, or if none be provided, then his private seal; keep a perfect account of all moneys coming into his hands on account of costs or otherwise, and punctually pay over the same.

2. Provided, that where the clerk of the circuit court is a party, plaintiff or defendant, whether singly or jointly with others, to a suit or action, the writ of summons and all other process shall be issued by the clerk of the county commission, the reason therefor being noted on said process, and said latter named clerk shall, on the trial of said cause, act as temporary clerk of the circuit court and otherwise perform in said cause all the duties of the circuit court clerk. **This subsection shall not apply where the clerk of the circuit court is named as a party under sections 610.130 to 610.145 or other sections relating to the expungement of criminal records.**

488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within **[**the thirty-first judicial circuit**]**

any judicial circuit composed of a single noncharter county in all **civil and** criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge**, who shall deposit the funds in a separate account known as the "justice center fund", to be established and maintained by the political subdivision**.

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, **planning,** construction, maintenance, and operation of any county or municipal judicial facility **or justice center** including, but not limited to, **architectural, engineering, and other plans and studies,** debt service, utilities, maintenance, and building security. The county or municipality shall maintain records identifying **[**such operating costs, and any moneys not needed for the operating costs of the county or municipal judicial facility shall be transmitted quarterly to the general revenue fund of the county or municipality respectively**]** **all funds received and expenditures made from their respective center funds**.

488.2250. 1. For all appeal transcripts of testimony given **[**or proceedings in any circuit court**]**, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter's fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production, who shall reimburse the court reporter **[**the sum provided in subsection 1 of this section**]**."; and

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

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 36, Section 566.147, Line 42, by inserting after all of said section and line the following:

"577.029. A licensed physician, registered nurse, phlebotomist, or trained medical technician, acting at the request and direction of the law enforcement officer **under section 577.020**, shall**, with the consent of the patient or a warrant issued by a court of competent jurisdiction,** withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.

579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

(1) More than thirty grams but less than ninety grams of a mixture or substance containing a detectable amount of heroin;

(2) More than one hundred fifty grams but less than four hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances;

(3) More than eight grams but less than twenty-four grams of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base;

(4) More than five hundred milligrams but less than one gram of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD);

(5) More than thirty grams but less than ninety grams of a mixture or substance containing a detectable amount of phencyclidine (PCP);

(6) More than four grams but less than twelve grams of phencyclidine;

(7) More than thirty kilograms but less than one hundred kilograms of a mixture or substance containing marijuana;

(8) More than thirty grams but less than ninety grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; **[**or**]**

(9) More than thirty grams but less than ninety grams of any material, compound, mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine**; or**

(10) More than ten grams but less than sixty grams of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

2. The offense of trafficking drugs in the first degree is a class B felony.

3. The offense of trafficking drugs in the first degree is a class A felony if the quantity involved is:

(1) Ninety grams or more of a mixture or substance containing a detectable amount of heroin; or

(2) Four hundred fifty grams or more of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances; or

(3) Twenty-four grams or more of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base; or

(4) One gram or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD); or

(5) Ninety grams or more of a mixture or substance containing a detectable amount of phencyclidine (PCP); or

(6) Twelve grams or more of phencyclidine; or

(7) One hundred kilograms or more of a mixture or substance containing marijuana; or

(8) Ninety grams or more of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

(9) More than thirty grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers; methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate, and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, or within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

(10) Ninety grams or more of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine; or

(11) More than thirty grams of any material, compound, mixture, or preparation which contains any

quantity of 3,4-methylenedioxymethamphetamine and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests**; or**

(12) Sixty grams or more of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

579.068. 1. A person commits the offense of trafficking drugs in the second degree if, except as authorized by this chapter or chapter 195, such person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this state:

(1) More than thirty grams but less than ninety grams of a mixture or substance containing a detectable amount of heroin;

(2) More than one hundred fifty grams but less than four hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances;

(3) More than eight grams but less than twenty-four grams of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base;

(4) More than five hundred milligrams but less than one gram of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD);

(5) More than thirty grams but less than ninety grams of a mixture or substance containing a detectable amount of phencyclidine (PCP);

(6) More than four grams but less than twelve grams of phencyclidine;

(7) More than thirty kilograms but less than one hundred kilograms of a mixture or substance containing marijuana;

(8) More than thirty grams but less than ninety grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; **[**or**]**

(9) More than thirty grams but less than ninety grams of any material, compound, mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine**; or**

(10) More than ten grams but less than sixty grams of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

2. The offense of trafficking drugs in the second degree is a class C felony.

3. The offense of trafficking drugs in the second degree is a class B felony if the quantity involved is:

(1) Ninety grams or more of a mixture or substance containing a detectable amount of heroin; or

(2) Four hundred fifty grams or more of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances; or

(3) Twenty-four grams or more of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base; or

(4) One gram or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD); or

(5) Ninety grams or more of a mixture or substance containing a detectable amount of phencyclidine (PCP); or

(6) Twelve grams or more of phencyclidine; or

(7) One hundred kilograms or more of a mixture or substance containing marijuana; or

(8) More than five hundred marijuana plants; or

(9) Ninety grams or more but less than four hundred fifty grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate; or

(10) Ninety grams or more but less than four hundred fifty grams of any material, compound, mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine**; or**

(11) Sixty grams or more of fentanyl, or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl.

4. The offense of trafficking drugs in the second degree is a class A felony if the quantity involved is four hundred fifty grams or more of any material, compound, mixture or preparation which contains:

(1) Any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate; or

(2) Any quantity of 3,4-methylenedioxymethamphetamine.”; and

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

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 10, Section 217.075, Line 41, by inserting immediately after all of said section and line

the following:

"**217.149. 1. By January 1, 2019, all correctional centers shall develop specific procedures for the intake and care of offenders who are pregnant, which shall include procedures regarding:**

(1) Maternal health evaluations;

(2) Dietary supplements;

(3) Substance abuse treatment;

(4) Treatment for the human immunodeficiency virus and ways to avoid human immunodeficiency virus transmission;

(5) Hepatitis C;

(6) Sleeping arrangements for such offenders, including requiring such offenders to sleep on the bottom bunk bed;

(7) Access to mental health professionals;

(8) Sanitary materials;

(9) Postpartum recovery, including that no such offender shall be placed in isolation during such recovery unless deemed necessary for medical or security reasons. Such reasons shall be documented in writing within forty-eight hours of the incident. Such documents shall be kept on file by the correctional center for at least ten years from the date the incident occurred;

(10) A requirement that a female medical professional be present during any examination of such offender while in a state of undress; and

(11) The department shall, with the assistance of the department of social services and consent of the pregnant offender, consider enrolling an unborn child in the show-me healthy babies program under section 208.662.

2. As used in this section "postpartum recovery" means, as determined by a physician, the period immediately following delivery, including the entire period an offender who was pregnant is in the hospital or infirmary after delivery.

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

(1) "Extraordinary circumstance", a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of a pregnant offender in her third trimester or a postpartum offender within forty-eight hours postdelivery, the staff of the correctional center or medical facility, other offenders, or the public;

(2) "Labor", the period of time before a birth during which contractions are present;

(3) "Postpartum", the period of recovery immediately following childbirth, which is six weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by a physician or nurse;

(4) "Restraints", any physical restraint or other device used to control the movement of a person's body or limbs.

2. A correctional center shall not use restraints on a pregnant offender in her third trimester, whether during transportation to and from visits to health care providers and court proceedings or medical appointments and examinations, or during labor, delivery, or within forty-eight hours postdelivery.

3. Pregnant offenders shall be transported in vehicles equipped with seatbelts.

4. Any time restraints are used on a pregnant offender in her third trimester or on a postpartum offender within forty-eight hours postdelivery, the restraints shall be the least restrictive available and the most reasonable under the circumstances. In no case shall leg, ankle, or waist restraints or any mechanical restraints be used on any such offender, and if wrist restraints are used, such restraints shall be placed in the front of such offender's body to protect the offender and the unborn child in the case of a forward fall.

5. If a doctor, nurse, physician assistant, paramedic, or emergency medical technician treating the pregnant offender in her third trimester or the postpartum offender within forty-eight hours postdelivery requests that restraints not be used, the corrections officer accompanying such offender shall immediately remove all restraints.

6. In the event a corrections officer determines that extraordinary circumstances exist and restraints are necessary, the corrections officer shall fully document in writing within forty-eight hours of the incident the reasons he or she determined such extraordinary circumstances existed, the type of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances. Such documents shall be kept on file by the correctional center for at least ten years from the date the restraints were used.

7. The sentencing and corrections oversight commission established under section 217.147 and the advisory committee established under section 217.015 shall conduct biannual reviews of every report written on the use of restraints on a pregnant offender in her third trimester or on a postpartum offender within forty-eight hours postdelivery in accordance with subsection 6 of this section to determine compliance with this section. The written reports shall be kept on file by the department for ten years.

8. The chief administrative officer, or equivalent position, of each correctional center shall:

(1) Ensure that employees of the correctional center are provided with training, which may include online training, on the provisions of this section; and

(2) Inform female offenders, in writing and orally, of any policies and practices developed in accordance with this section upon admission to the correctional center, including policies and practices in any offender handbook, and post the policies and practices in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities.

9. Nothing in this section shall be construed to prohibit the use of handcuffs upon arrest."; and

Further amend said bill, Page 29, Section 221.105, Line 48, by inserting immediately after said section and line the following:

"**221.523. 1. By January 1, 2019, all county and city jails shall develop specific written policies and**

procedures for the intake and care of offenders who are pregnant. Nothing in this section shall be construed to prohibit the use of handcuffs upon arrest. The policies and procedures shall include the following:

(1) Maternal health evaluations;

(2) Dietary supplements;

(3) Substance abuse treatment;

(4) Treatment for the human immunodeficiency virus and ways to avoid human immunodeficiency virus transmission;

(5) Hepatitis C;

(6) Sleeping arrangements for such offenders, including requiring such offenders to sleep on the bottom bunk bed;

(7) Access to mental health professionals;

(8) Sanitary materials;

(9) Postpartum recovery, including that no such offender shall be placed in isolation during such recovery unless deemed necessary for medical or security reasons. Such reasons shall be documented in writing within forty-eight hours of the incident. Such documents shall be kept on file by the correctional center for at least ten years from the date the incident occurred;

(10) The jail shall, with the assistance of the department of social services and consent of the pregnant offender, consider enrolling an unborn child in the show-me healthy babies program under section 208.662; and

(11) The use of restraints on a pregnant offender in her third trimester. Such policy may include provisions that:

(a) A county or city jail shall not use restraints on a pregnant offender in her third trimester, whether during transportation to and from visits to health care providers and court proceedings or medical appointments and examinations, or during labor, delivery, or forty-eight hours postdelivery;

(b) Pregnant offenders shall be transported in vehicles equipped with seatbelts;

(c) Anytime restraints are used on a pregnant offender in her third trimester or on a postpartum offender within forty-eight hours postdelivery, the restraints shall be the least restrictive available and the most reasonable under the circumstances. If wrist restraints are used, such restraints shall be placed in the front of such offender's body to protect the offender and the unborn child in the case of a forward fall;

(d) If a doctor, nurse, physician assistant, paramedic, or emergency medical technician treating the pregnant offender in her third trimester or the postpartum offender within forty-eight hours postdelivery requests that restraints not be used, the sheriff or jailer accompanying such offender shall immediately remove all restraints;

(e) In the event a sheriff or jailer determines that extraordinary circumstances exist and restraints

are necessary, the sheriff or jailer shall fully document in writing within forty-eight hours of the incident the reasons he or she determined such extraordinary circumstances existed, the type of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances. Such documents shall be kept on file by the county or city jail for at least ten years from the date the restraints were used;

(f) The county or city jail shall:

a. Ensure that employees of the jail are provided with training, which may include online training, on the provisions of this section; and

b. Inform female offenders, in writing and orally, of any policies and practices developed in accordance with this section upon admission to the jail;

(g) A female medical professional be present during any examination of such offender while in a state of undress.

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

(1) "Extraordinary circumstance", a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of a pregnant offender in her third trimester or a postpartum offender within forty-eight hours postdelivery, the staff of the county or city jail or medical facility, other offenders, or the public;

(2) "Gestational age", the same meaning as in section 188.015;

(3) "Labor", the period of time before a birth during which contractions are present;

(4) "Postpartum", the period of recovery immediately following childbirth, which is six weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by a physician or nurse;

(5) "Restraints", any physical restraint or other device used to control the movement of a person's body or limbs;

(6) "Third trimester", the period of pregnancy beginning after twenty-seven weeks gestational age."; and

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

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting immediately after said section and line the following:

"559.600. **1.** In cases where the board of probation and parole is not required under section 217.750 to provide probation supervision and rehabilitation services for misdemeanor offenders, the circuit and associate circuit judges in a circuit may contract with one or more private entities or other court-approved entity to provide such services. The court-approved entity, including private or other entities, shall act as a misdemeanor probation office in that circuit and shall, pursuant to the terms of the contract, supervise persons placed on probation by the judges for class A, B, C, and D misdemeanor offenses, specifically including persons placed on probation for violations of section 577.023. Nothing in sections 559.600 to

559.615 shall be construed to prohibit the board of probation and parole, or the court, from supervising misdemeanor offenders in a circuit where the judges have entered into a contract with a probation entity.

2. In all cases, the entity providing such private probation service shall utilize the cutoff concentrations utilized by the department of corrections with regard to drug and alcohol screening for clients assigned to such entity. A drug test is positive if drug presence is at or above the cutoff concentration or negative if no drug is detected or if drug presence is below the cutoff concentration.

3. In all cases, the entity providing such private probation service shall not require the clients assigned to such entity to travel in excess of fifty miles in order to attend their regular probation meetings."; and

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

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 1, Section A, Line 11, by inserting after all of said section and line the following:

"**37.940. 1. There is hereby established within the office of administration the "Social Innovation Grant Program". The governor shall designate an individual to serve as the executive director of the social innovation grant program, who shall establish and oversee the program. For purposes of this section, the following terms mean:**

(1) "Critical state concern", instances or circumstances in which the state of Missouri is currently, and will likely be in the future, responsible for the costs associated with a particular act of the state through annual appropriations. The programs for which the costs are associated may not be optimal for reducing the overall scope of the problem to the greatest extent while limiting the exposure of the state budget;

(2) "Demonstration project", a project selected by the social innovation grant team in response to the grant team's request for proposals process;

(3) "Social innovation grant", a grant awarded to a nonprofit organization with experience in the area of critical state concern to design a short-term demonstration project based on evidence and best practices that can be replicated to optimize state funding and services for populations and programs identified as areas of critical state concern.

2. Areas of critical state concern include, but are not limited to:

(1) Families in generational child welfare;

(2) Opioid-addicted pregnant women; and

(3) Children in residential treatment with behavioral issues where the children were not removed from the family due to abuse or neglect.

The office of administration or the general assembly may identify additional critical state concerns that could potentially be addressed through the social innovation grant program.

3. For any critical state concern for which a social innovation grant is being utilized, the executive director shall establish a "Social Innovation Grant Team" to be comprised of:

(1) Individuals working in governmental agencies responsible for the oversight of programs related to the critical state concern;

(2) Persons working in the nonprofit sector with practical field experience related to the critical state concern; and

(3) Academic leaders in research and study related to the critical state concern.

4. The social innovation grant team shall be charged with:

(1) Formulating a request for proposals for social innovation grants;

(2) Evaluating responsive proposals and selecting those bids for demonstration projects that provide the greatest opportunity for addressing the critical state concern in a cost-effective and replicable way; and

(3) Monitoring demonstration projects and evaluating them based on the objectives outlined in the request for proposals, the program's outline, the project's impact on the critical state concern, and the project's ability to be replicated on a cost-effective basis.

5. Demonstration projects shall be operated over a period of time sufficient to impact the population served by the project based on the parameters and objectives outlined in the request for proposals. Grantees, at a minimum, shall be nonprofit organizations with experience working with the population identified as a critical state concern.

6. Upon the conclusion of a demonstration project, the social innovation grant team shall compile all relevant data and submit a report to the general assembly:

(1) Evaluating the project's effectiveness in impacting the critical state concern;

(2) Assessing, based on the actual experience of the project, the likely ease of statewide deployment in a methodology consistent with the execution of the project and identifying possible barriers to deployment;

(3) Analyzing the likely cost of statewide deployment; and

(4) Identifying funding strategies for statewide deployment, which may include scaling based on savings reinvestment or outside capital investments.

7. The social innovation grant team shall identify methods to fund the social innovation grant program, including state partnerships with nonprofit organizations and foundations. The executive director of the social innovation grant program shall identify sustainability models for deploying successful demonstration projects.

8. All social innovation grants shall be subject to appropriation.

9. The office of administration may promulgate rules and regulations 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, 2018, shall be invalid and void.

10. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly;

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

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

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

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 29, Section 221.105, Line 48, by inserting immediately after said section and line the following:

"221.111. 1. A person commits the offense of possession of unlawful items in a prison or jail if such person knowingly delivers, attempts to deliver, possesses, deposits, or conceals in or about the premises of any correctional center as the term "correctional center" is defined under section 217.010, or any city, county, or private jail:

(1) Any controlled substance as that term is defined by law, except upon the written prescription of a licensed physician, dentist, or veterinarian;

(2) Any other alkaloid of any kind or any intoxicating liquor as the term intoxicating liquor is defined in section 311.020;

(3) Any article or item of personal property which a prisoner is prohibited by law, by rule made pursuant to section 221.060, or by regulation of the department of corrections from receiving or possessing, except as herein provided;

(4) Any gun, knife, weapon, or other article or item of personal property that may be used in such manner as to endanger the safety or security of the institution or as to endanger the life or limb of any prisoner or employee thereof**;**

(5) Any two-way telecommunications device or its component parts.

2. The violation of subdivision (1) of subsection 1 of this section shall be a class D felony; the violation of subdivision (2) **or (5) of subsection 1** of this section shall be a class E felony; the violation of subdivision (3) **of subsection 1** of this section shall be a class A misdemeanor; and the violation of subdivision (4) **of subsection 1** of this section shall be a class B felony.

3. The chief operating officer of a county or city jail or other correctional facility or the administrator of a private jail may deny visitation privileges to or refer to the county prosecuting attorney for prosecution any person who knowingly delivers, attempts to deliver, possesses, deposits, or conceals in or about the premises of such jail or facility any personal item which is prohibited by rule or regulation of such jail or

facility. Such rules or regulations, including a list of personal items allowed in the jail or facility, shall be prominently posted for viewing both inside and outside such jail or facility in an area accessible to any visitor, and shall be made available to any person requesting such rule or regulation. Violation of this subsection shall be an infraction if not covered by other statutes.

4. Any person who has been found guilty of a violation of subdivision (2) of subsection 1 of this section involving any alkaloid shall be entitled to expungement of the record of the violation. The procedure to expunge the record shall be pursuant to section 610.123. The record of any person shall not be expunged if such person has been found guilty of knowingly delivering, attempting to deliver, possessing, depositing, or concealing any alkaloid of any controlled substance in or about the premises of any correctional center, or city or county jail, or private prison or jail.

5. Subdivision (5) of subsection 1 of this section shall not apply to:

(1) Any law enforcement officer employed by a state agency, federal agency, or political subdivision lawfully engaged in his or her duties as a law enforcement officer;

(2) Any other person who is authorized by the correctional center or city, county, or private jail to possess or use a two-way telecommunications device in the correctional center or city, county, or private jail; or

(3) Any person who is not an inmate possessing a two-way telecommunications device or its component parts in an area of a correctional center or city, county, or private jail where such person may lawfully be without the intent to conceal, deliver to, or deposit for the use of another; except that, if such person refuses to comply with orders to surrender such device or its component parts, he or she shall be guilty of a class A misdemeanor."; and

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

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting immediately after said section and line the following:

"559.021. 1. The conditions of probation shall be such as the court in its discretion deems reasonably necessary to ensure that the defendant will not again violate the law. When a defendant is placed on probation he or she shall be given a certificate explicitly stating the conditions on which he or she is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order such conditions as the court believes will serve to compensate the victim, any dependent of the victim, any statutorily created fund for costs incurred as a result of the offender's actions, or society. Such conditions may include restorative justice methods pursuant to section 217.777, or any other method that the court finds just or appropriate including, but not limited to:

(1) Restitution to the victim or any dependent of the victim, or statutorily created fund for costs incurred as a result of the offender's actions in an amount to be determined by the judge;

(2) The performance of a designated amount of free work for a public or charitable purpose, or purposes,

as determined by the judge;

(3) Offender treatment programs;

(4) Work release programs in local facilities; and

(5) Community-based residential and nonresidential programs.

3. **In addition to any of the conditions that may be imposed under this section, the judge may consider assigning the defendant to roadside cleanup as a condition of probation when the judge deems it to be appropriate.**

4. The defendant may refuse probation conditioned on the performance of free work. If he or she does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the defendant or any person deriving a cause of action from him or her if such cause of action arises from such supervision of performance, except for an intentional tort or gross negligence. The services performed by the defendant shall not be deemed employment within the meaning of the provisions of chapter 288. A defendant performing services pursuant to this section shall not be deemed an employee within the meaning of the provisions of chapter 287.

[4.**]** **5.** In addition to such other authority as exists to order conditions of probation, in the case of a finding of guilt, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

[5.**]** **6.** A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

[6.**]** **7.** A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

[7.**]** **8.** The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.”; and

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

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 36, Section 566.147, Line 42, by inserting immediately after all of said section and line the following:

"590.650. 1. **The provisions of this section shall be known and may be cited as "The Fourth Amendment Affirmation Act".** As used in this section **[**"minority group" means individuals of African, Hispanic, Native American or Asian descent**] the following terms mean:**

(1) "Benchmark", the number used as a basis of comparison in determining possible disproportions in law enforcement activities, including the following:

(a) The benchmark for measuring disproportions in vehicle stops shall be the proportions of drivers in racial or ethnic groups residing or traveling in a jurisdiction;

(b) The benchmark for measuring disproportions in post-stop activities shall be the racial or ethnic group's proportion of stops; and

(c) The benchmark used to measure disproportions in hit rates shall be the group proportions of drivers searched;

(2) "Consent search", a search authorized by the consent of the individual, not by probable cause;

(3) "Discriminatory policing", circumstances in which the peace officer's actions are based in whole or in part on the real or perceived race, ethnicity, religious beliefs, gender, English language proficiency, status as a person with a disability, or a person's national origin rather than upon specific and articulable facts, which, taken together with rational inferences from those facts, reasonably indicate criminal activity. "Discriminatory policing" does not include investigations of alleged crimes when law enforcement must seek out suspects who match a specifically delineated description;

(4) "Hit rate", the rate of searches in which contraband is found. The hit rate is calculated by dividing the number of searches that yield contraband by the total number of searches. Hit rate may be calculated for individual officers, agencies, or multiple agencies;

(5) "Investigative stop", any stop by a peace officer of a motor vehicle involving at least in part an investigation of a criminal violation other than a motor vehicle violation. Investigative stops can involve calls for service, stops conducted in support of an agency investigation, stops conducted because of a peace officer's observations, stops made at a sobriety checkpoint or other road block, or other investigatory stops;

(6) "Minority group", individuals of African, Hispanic, Native American, or Asian descent;

(7) "Ratio of disparity", the ratio of the rate of stops or other peace officer activities for a non-white group as compared to the rate for the white group. The ratio of disparity for the white group shall be the white group rate compared to the rate for non-white groups;

(8) "Significant disparity", a ratio of disparity that is over one hundred twenty-five percent of the overall state disparity for any minority group for that category of officer activity after controlling for factors other than discrimination that are contributing to the disparity;

(9) "Significant disproportion", a ratio of disparity that is over one hundred twenty-five percent of the overall state ratio of disparity for any minority group for that category of peace officer activity.

2. Each time a peace officer stops a driver of a motor vehicle, that officer shall report **at least** the following information to the law enforcement agency that employs the officer:

(1) The age, gender and race or minority group of the individual stopped;

(2) **Whether the driver resides in the jurisdiction of the stop;**

(3) The reasons for the stop**. Reasons for an investigative stop include, but are not limited to, calls for service, stops conducted in support of an agency investigation, stops conducted because of a peace officer's observations, and stops made at a sobriety checkpoint or other road block**;

[(3)**] (4)** Whether a search was conducted as a result of the stop;

[(4)**] (5)** If a search was conducted, whether the individual consented to the search, **how the individual's consent was documented,** the probable cause for the search, whether the person was searched, whether the person's property was searched, and the duration of the search;

[(5)**] (6)** Whether any contraband was discovered in the course of the search and the type of any contraband discovered;

[(6)**] (7)** Whether any warning or citation was issued as a result of the stop;

[(7)**] (8)** If a warning or citation was issued, the violation charged or warning provided;

[(8)**] (9)** Whether an arrest was made as a result of either the stop or the search;

[(9)**] (10)** If an arrest was made, the crime charged; and

[(10)**] (11)** The location of the stop.

Such information may be reported using a format determined by the department of public safety which uses existing citation and report forms.

3. (1) Each law enforcement agency shall compile the data described in subsection 2 of this section for the calendar year into a report to the attorney general.

(2) Each law enforcement agency shall submit the report to the attorney general no later than March first of the following calendar year.

(3) The attorney general shall determine the format that all law enforcement agencies shall use to submit the report. **The attorney general may allow the department of public safety to extract the data from other reports filed by law enforcement agencies.**

4. (1) The attorney general shall analyze the annual reports of law enforcement agencies required by this section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year.

(2) **The report shall identify situations in which data submitted by agencies indicate that racial and ethnic groups are disproportionately affected by law enforcement activity so that further analysis may be conducted to determine whether peace officers are engaging in discriminatory policing;**

(3) The report shall provide group ratios of disparity for all categories of stops, post-stop activities, searches, and contraband found using appropriate benchmarks as defined in subsection 1 of this section;

(4) The report of the attorney general shall include at least the following information for each agency

and for the state overall:

(a) The total number of vehicles stopped by peace officers during the previous calendar year;

(b) The number and percentage of stopped motor vehicles that were driven by members of each particular minority group;

(c) **[**A comparison of the percentage of stopped motor vehicles driven by each minority group and the percentage of the state's population that each minority group comprises**] Ratios of disparity for all categories of stops, post-stop activities, searches, and contraband using appropriate benchmarks as defined in subsection 1 of this section**; and

(d) A compilation of the information reported by law enforcement agencies pursuant to subsection 2 of this section.

5. **(1)** Each law enforcement agency shall adopt a policy on **[**race-based traffic stops**] discriminatory policing** that:

[(1)**] (a)** Prohibits **[**the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law**] discriminatory policing**;

[(2)**] (b)** Provides for **[**periodic**] annual** reviews by the law enforcement agency of the annual report of the attorney general required by subsection 4 of this section that:

[(a)**] a.** Determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency; and

[(b)**] b.** If the review reveals a pattern, require an investigation to determine whether any peace officers of the law enforcement agency **[**routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law; and**] engaged in discriminatory policing;**

c. Include a review of complaints received by the law enforcement agency and a breakdown of which complaints were verified, found to be unfounded, remain active, and what steps were taken to address verified complaints. The review of complaints shall indicate the number of complaints alleging discriminatory policing that a law enforcement agency received; and

d. The results of the review shall be made public, however, no personnel information prohibited by law shall be disclosed; and

[(3)**] (c)** Provides for appropriate **discipline, up to and including dismissal,** counseling**,** and training of any peace officer found to have engaged in **[**race-based traffic stops**] discriminatory policing** within ninety days of the review.

The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, **cultural competency,** and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

(2) Each policy shall be in writing and accessible by the public. The attorney general shall certify that the discriminatory policing policy of each agency is substantially equivalent to the requirements of this subsection.

(3) Each policy shall put in place procedures to eliminate discriminatory policing.

6. **When a motor vehicle has been stopped solely for a traffic violation, a peace officer shall request only the following documentation from only the driver of the motor vehicle:**

(1) A driver's license or other verifiable, government-issued identification, including foreign-issued identification;

(2) Motor vehicle registration; and

(3) Proof of insurance.

7. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency.

[7.**] 8.** Each law enforcement agency in this state may utilize federal funds from community-oriented policing services grants or any other federal sources to equip each vehicle used for traffic stops with a video camera and voice-activated microphone **or to purchase body cameras**.

[8. A peace officer who stops a driver of a motor vehicle pursuant to a lawfully conducted sobriety check point or road block shall be exempt from the reporting requirements of subsection 2 of this section.**]**"; and

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

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 5, Section 84.510, Line 61, by inserting immediately after said section and line the following:

"105.055. 1. **As used in this section, the following terms mean:**

(1) "Disciplinary action", any dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal or withholding of work, regardless of whether the withholding of work has affected or will affect the employee's compensation;

(2) "Public employee", any employee, volunteer, intern, or other individual performing work or services for a public employer;

(3) "Public employer", any state agency or office, the general assembly, any legislative or governing body of the state, any unit or political subdivision of the state, or any other instrumentality of the state.

2. No supervisor or appointing authority of any **[**state agency**] public employer** shall prohibit any employee of the **[**agency**] public employer** from discussing the operations of the **[**agency**] public employer**, either specifically or generally, with any member of the legislature, state auditor, attorney general, **a prosecuting or circuit attorney, a law enforcement agency, news media, the public,** or any state official or body charged with investigating **[**such**] any** alleged misconduct **described in this section**.

[2.**] 3.** No supervisor or appointing authority of any **[**state agency**] public employer** shall:

(1) Prohibit a **[**state**] public** employee from or take any disciplinary action whatsoever against a **[**state**]**

public employee for the disclosure of any alleged prohibited activity under investigation or any related activity, or for the disclosure of information which the employee reasonably believes evidences:

(a) A violation of any law, rule or regulation; or

(b) Mismanagement, a gross waste of funds or abuse of authority, **violation of policy, waste of public resources, alteration of technical findings or communication of scientific opinion, breaches of professional ethical canons,** or a substantial and specific danger to public health or safety, if the disclosure is not specifically prohibited by law; **[**or**]**

(2) Require **[**any such**] a public** employee to give notice to the supervisor or appointing authority prior to **[**making any such report**] disclosing any activity described in subdivision (1) of this subsection; or**

(3) Prevent a public employee from testifying before a court, administrative body, or legislative body regarding the alleged prohibited activity or disclosure of information.

[3.**] 4.** This section shall not be construed as:

(1) Prohibiting a supervisor or appointing authority from requiring that **[**an**] a public** employee inform the supervisor or appointing authority as to legislative requests for information to the **[**agency**] public employer** or the substance of testimony made, or to be made, by the **public** employee to legislators on behalf of the **[**employee to legislators on behalf of the agency**] public employer**;

(2) Permitting **[**an**] a public** employee to leave the employee's assigned work areas during normal work hours without following applicable rules and regulations and policies pertaining to leaves, unless the **public** employee is requested by a legislator or legislative committee to appear before a legislative committee;

(3) Authorizing **[**an**] a public** employee to represent **[**the employee's**] his or her** personal opinions as the opinions of a **[**state agency**] public employer**; or

(4) Restricting or precluding disciplinary action taken against a **[**state**] public** employee if: the employee knew that the information was false; the information is closed or is confidential under the provisions of the open meetings law or any other law; or the disclosure relates to the employee's own violations, mismanagement, gross waste of funds, abuse of authority or endangerment of the public health or safety.

[4. As used in this section, "disciplinary action" means any dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal or withholding of work, whether or not the withholding of work has affected or will affect the employee's compensation.**]**

5. **In addition to any other remedies provided by law,** any **state** employee may file an administrative appeal whenever the employee alleges that disciplinary action was taken against the employee in violation of this section. The appeal shall be filed with the administrative hearing commission; provided that the appeal shall be filed with the appropriate agency review board or body of nonmerit agency employers which have established appeal procedures substantially similar to those provided for merit employees in subsection 5 of section 36.390. The appeal shall be filed within **[**thirty days**] one year** of the alleged disciplinary action. Procedures governing the appeal shall be in accordance with chapter 536. If the commission or appropriate review body finds that disciplinary action taken was unreasonable, the commission or appropriate review body shall modify or reverse the agency's action and order such relief for the employee as the commission considers appropriate. If the commission finds a violation of this section, it may review and recommend to the appointing authority that the violator be suspended on leave without pay for not more than thirty days or, in cases of willful or repeated violations, may review and recommend to the appointing authority that

the violator forfeit the violator's position as a state officer or employee and disqualify the violator for appointment to or employment as a state officer or employee for a period of not more than two years. The decision of the commission or appropriate review body in such cases may be appealed by any party pursuant to law.

6. Each **[**state agency**]** **public employer** shall prominently post a copy of this section in locations where it can reasonably be expected to come to the attention of all employees of the **[**agency**]** **public employer**.

7. (1) In addition to the remedies in subsection **[**6**]** **5** of this section **or any other remedies provided by law**, a person who alleges a violation of this section may bring a civil action **against the public employer** for damages within **[**ninety days**]** **one year** after the occurrence of the alleged violation.

(2) A civil action commenced pursuant to this subsection may be brought in the circuit court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom the civil complaint is filed resides. **A person commencing such action may request a trial by jury.**

(3) **[**An**]** **A public** employee **[**must**]** **shall** show by clear and convincing evidence that he or she or a person acting on his or her behalf has reported or was about to report, verbally or in writing, a prohibited activity or a suspected prohibited activity. **Upon such a showing, the burden shall be on the public employer to demonstrate that the disciplinary action was not the result of such a report.**

(4) A court, in rendering a judgment in an action brought pursuant to this section, shall order, as the court considers appropriate, actual damages, and may also award the complainant all or a portion of the costs of litigation, including reasonable attorney fees.

8. If the alleged misconduct is related to the receipt and expenditures of public funds, a public employee alleging that disciplinary action was taken against the employee in violation of this section may request the state auditor to investigate the alleged misconduct and whether the disciplinary action was taken in violation of this section. If the state auditor uses his or her discretion to make such an investigation, the time to appeal such disciplinary action under subsections 5 and 7 of this section shall be the later of one year from the date of the alleged disciplinary action or ninety days following the release of the state auditor's report.

9. The provisions of this section shall apply to public employees, notwithstanding any provisions of section 213.070 and section 285.575 to the contrary.

105.725. Any person who obtains a claim or final judgment for a payment to be made out of the state legal expense fund shall not be offered or required to sign any confidentiality agreement stating that he or she will not discuss his or her claim or final judgment or stating that if he or she does discuss such claim or final judgment, he or she will waive any right to moneys from the state legal expense fund. If a confidentiality agreement is offered to a person in violation of this section and such agreement is signed, such signed agreement shall be unenforceable."; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 14

Amend House Amendment No. 14 to House Committee Substitute for Senate Substitute for Senate

Committee Substitute for Senate Bill No. 966, Page 2, Line 24, by inserting after all of said line the following:

"Further amend said bill, Page 36, Section 566.147, Line 42, by inserting after all of said line the following:

"567.050. 1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly:

(1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; **[**or**]**

(2) Promotes prostitution of a person less than sixteen years of age**; or**

(3) Owns, manages, or operates an interactive computer service, as defined 47 U.S.C. Section 230(f), or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another.

2. The term "compelling" includes:

(1) The use of forcible compulsion;

(2) The use of a drug or intoxicating substance to render a person incapable of controlling his conduct or appreciating its nature;

(3) Withholding or threatening to withhold dangerous drugs or a narcotic from a drug dependent person.

3. The offense of promoting prostitution in the first degree is a class B felony**, or a class A felony if a person violates subdivision (3) of subsection 1 of this section and acts in reckless disregard of the fact that such conduct contributed to the offense of trafficking for the purposes of sexual exploitation under section 566.209.**

4. A person injured by the acts committed in violation subdivision (3) of subsection 1 of this section and subdivisions (1) and (2) of subsection 3 of this section shall have a civil cause of action to recover damages and reasonable attorneys' fees for such injury.

5. In addition to the court's authority to order a defendant to make restitution for the damage or loss caused by his or her offense as provided in section 559.105, the court shall enter a judgment of restitution against the offender convicted of violating subdivision (3) of subsection 1 of this section and subdivision (2) of subsection 3 of this section."; and"; and

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

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting after all of said section and line the following:

"556.036. 1. A prosecution for murder, rape in the first degree, forcible rape, attempted rape in the first degree, attempted forcible rape, sodomy in the first degree, forcible sodomy, attempted sodomy in the first degree, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

(1) For any felony, three years, except as provided in subdivision (4) of this subsection;

(2) For any misdemeanor, one year;

(3) For any infraction, six months;

(4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the person is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the person's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; **[**or**]**

(2) During any time when the accused is concealing himself **or herself** from justice either within or without this state; **[**or**]**

(3) During any time when a prosecution against the accused for the offense is pending in this state; **[**or**]**

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020**; or**

(5) During any period of time after which a DNA profile is developed from evidence collected in relation to the commission of a crime and included in a published laboratory report until the date upon which the accused is identified by name based upon a match between that DNA evidence profile and the known DNA profile of the accused. For purposes of this section, the term "DNA profile"

means the collective results of the DNA analysis of an evidence sample.

556.037. **1.** Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under **[**must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for rape in the first degree, forcible rape, attempted rape in the first degree, attempted forcible rape, sodomy in the first degree, forcible sodomy, kidnapping, kidnapping in the first degree, attempted sodomy in the first degree, or attempted forcible sodomy in which case such prosecutions**]** may be commenced at any time.

2. For purposes of this section, "sexual offenses" include, but are not limited to, all offenses for which registration is required under sections 589.400 to 589.425."; and

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

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 10, Section 217.075, Line 41, by inserting after said section and line the following:

"**217.243. 1. Any inmate who receives an on-site nonemergency medical examination or treatment from the correctional center's medical personnel shall be assessed a charge of twenty-five cents per visit for the medical examination or treatment.**

2. Inmates shall be charged a co-pay fee except for the following:

(1) Health care services based on staff referrals;

(2) Staff-approved follow-up treatment for chronic illnesses;

(3) Preventive health care;

(4) Emergency services;

(5) Prenatal care;

(6) Diagnosis or treatment of chronic infectious diseases;

(7) Mental health care; or

(8) Substance abuse treatment.

3. Inmates without funds shall not be charged, provided they are considered to be indigent and are unable to pay the health care services fee.

4. The department may 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, 2018, shall be invalid and void."; and

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

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 7, Section 109.320, Line 44, by inserting the following after all of said section and line:

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

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

(1) First degree murder under section 565.020;

(2) Second degree murder under section 565.021;

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

(4) First degree assault under section 565.050;

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

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

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

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

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

(10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055;

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

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

(13) Voluntary manslaughter under section 565.023;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

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

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

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

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

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

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

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

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

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

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

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

in this subsection but may also include other weapons.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

167.117. 1. **[**In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second or third degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third degree and a written agreement as to the procedure for the reporting of such incidents of third degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.**]** **For purposes of this section, "on school premises" means on any school property including, but not limited to, a school playground or school parking lot; on any school bus in service on behalf of the school district; or while involved in school activities regardless of whether the activity is on or off school property.**

2. In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on **[**the**]** school premises**[**, including but not limited to the school playground or the school parking lot, on a school bus or at a school activity whether on or off of school property**]** any controlled substance as defined in section 195.010 or any weapon as defined in subsection 6 of section 160.261 in violation of school policy, the principal shall **[**immediately**]** **as soon as reasonably practical** report such incident to the appropriate local law enforcement agency and to the superintendent.

In any instance when a school employee becomes aware that a pupil is in possession of a controlled substance or any weapon on school premises, the school employee shall as soon as reasonably practical report such incident to the principal.

3. **[**In any instance when a teacher becomes aware of an assault as set forth in subsection 1 of this section or finds a pupil in possession of a weapon or controlled substances as set forth in subsection 2 of this section, the teacher shall immediately report such incident to the principal.**] In any instance when a pupil is believed to have committed an act listed in subdivisions (1) to (24) of subsection 2 of section 160.261 on school premises, the principal shall as soon as reasonably practical report such incident to the appropriate law enforcement agency; to the superintendent; and, if there is a victim, to the parents or legal guardian of each victim. In any instance when a school employee becomes aware that a pupil has committed an act listed in subdivisions (1) to (24) of subsection 2 of section 160.261 on school premises, the school employee shall as soon as reasonably practical report such incident to the principal.**

4. A school employee, superintendent**,** or such person's designee who in good faith provides information to law enforcement or juvenile authorities pursuant to this section or section 160.261 **or provides information to law enforcement or juvenile authorities regarding an instance in which a pupil is believed to have committed a crime on school premises** shall not be civilly liable for providing such information.

5. Any school official responsible for reporting pursuant to this section or section 160.261 who willfully neglects or refuses to perform this duty shall be subject to the penalty established pursuant to section 162.091."; and

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

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 36, Section 566.147, Line 42, by inserting immediately after said section and line the following:

"571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise provided by sections 571.101 to 571.121, if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use into any area where firearms are restricted under section 571.107; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 579.015.

2. **(1) This subsection shall be known and may be cited as "Blair's Law".**

(2) A person commits the offense of unlawful use of weapons if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality.

(3) This subsection shall not apply if the firearm is discharged:

(a) As allowed by a defense of justification under chapter 563;

(b) On a properly supervised range;

(c) To lawfully take wildlife during an open season established by the department of conservation. Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;

(d) For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;

(e) By special permit of the chief of police of the municipality;

(f) As required by an animal control officer in the performance of his or her duties;

(g) Using blanks;

(h) More than one mile from any occupied structure; or

(i) In self defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person.

(4) Notwithstanding any other provision of this section, a person who commits the offense of unlawful use of weapons under this subsection shall be guilty of a class D felony; except when such

person commits a violation under subdivision (9) of subsection 1 of this section in which case the penalties of subdivision (4) of subsection 9 of this section shall apply.

3. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person 's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency 's jurisdiction, or all qualified retired peace officers, as defined in subsection **[**12**]** **13** of this section, and who carry the identification defined in subsection **[**13**]** **14** of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111;

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are

necessary to the fulfillment of such person ‘s official duties; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district member who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person ‘s official duties.

[3.**]** **4.** Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

[4.**]** **5.** Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

[5.**]** **6.** Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

[6.**]** **7.** Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee ‘s vehicle on the state ‘s property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee’s vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, “state employee” means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

[7.**]** **8.** Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

[8.**]** **9.** A person who commits the crime of unlawful use of weapons under:

(1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony**, except when such person commits a violation under subsection 2 of this section in which case the**

penalties of subdivision (4) of subsection 2 of this section shall apply;

(2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply**; and except when such person commits a violation under subsection 2 of this section in which case the penalties of subdivision (4) of subsection 2 of this section shall apply**;

(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

[9.**]** **10.** Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

[10.**]** **11.** Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

[11.**]** **12.** Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

[12.**]** **13.** As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

[13.**]** **14.** The identification required by subdivision (1) of subsection **[**2**]** **3** of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished

while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection **[**2**]** **3** of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection **[**2**]** **3** of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry permit or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less

than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the

premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual ‘s driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual ‘s driving record. The notice is deemed received three days after mailing.

571.215. 1. A Missouri lifetime or extended concealed carry permit issued under sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No Missouri lifetime or extended concealed carry permit shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries, or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule under subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection **[**2**]** **3** of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection **[**2**]** **3** of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule under subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government, or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid Missouri lifetime or extended concealed carry permit from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid Missouri lifetime or extended concealed carry permit, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county, or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit holders in that portion of a building owned, leased, or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule, or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule, or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule, or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule, or ordinance. The provisions of this subdivision shall not apply to any

other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a Missouri lifetime or extended concealed carry permit to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the Missouri lifetime or extended concealed carry permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a Missouri lifetime or extended concealed carry permit;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager under rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or

commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a Missouri lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a Missouri lifetime or extended concealed carry permit shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her Missouri lifetime or extended concealed carry permit revoked and such person shall not be eligible for a Missouri lifetime or extended concealed carry permit or a concealed carry permit issued under sections 571.101 to 571.121 for a period of three years. Upon conviction of charges arising from a citation issued under this subsection, the court shall notify the sheriff of the county which issued the Missouri lifetime or extended concealed carry permit. The sheriff shall suspend or revoke the Missouri lifetime or extended concealed carry permit."; and

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

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 16, Section 217.690, Line 91, by inserting after said section and line the following:

"**217.697. 1. Notwithstanding any other provision of law, any offender incarcerated in a correctional facility after being sentenced by a court of this state who is serving a sentence of life without parole for a minimum of fifty years or more, is sixty-five years of age or older, has no felony conviction for a violent crime prior to the one for which he or she is currently serving the sentence, and is not a convicted sex offender shall receive a parole hearing upon serving thirty years or more of his or her sentence.**

2. During the parole hearing required under subsection 1 of this section, the board of probation and parole shall determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release and therefore is eligible for release upon a finding that the offender has:

(1) A record of good conduct while incarcerated;

(2) Demonstrated self-rehabilitation while incarcerated;

(3) A workable parole plan, including community and family support;

(4) An institutional risk factor score of no higher than one; and

(5) A mental health score of one or two.

3. Any offender granted parole under this section shall be subject to a minimum of five years of supervision by the board of probation and parole upon release.

4. If the board does not grant parole to an offender who qualifies for parole under this section, the offender shall be eligible for a reconsideration parole hearing every two years until a presumptive release date is established.

5. Nothing in this section shall diminish the consideration of parole under any other provision of law applicable to the offender or the responsibility and authority of the governor to grant clemency, including pardons and commutation of sentences when necessary or desirable."; and

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

HOUSE AMENDMENT NO. 19

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting immediately after said section and line the following:

"558.041. 1. Any offender committed to the department of corrections, except those persons committed pursuant to subsection 7 of section 558.016, or subsection 3 of section 566.125, **[**may**] shall** receive additional credit in terms of days spent in confinement **[**upon recommendation for such credit by the offender's institutional superintendent when**] if** the offender meets the requirements for such credit as provided in subsections 3 **[**and**], 4, 6, and 8** of this section. Good time credit may be rescinded by the director or his or her designee pursuant to the divisional policy issued pursuant to subsection 3 of this section.

2. Any credit extended to an offender shall only apply to the sentence which the offender is currently serving.

3. **(1)** The director of the department of corrections shall issue a policy for awarding credit. The policy **[**may**] shall** reward an **[**inmate**] offender** who has served his or her sentence in an orderly and peaceable manner and has taken advantage of the **work and** rehabilitation programs available to him or her. Any violation of **major** institutional rules **[**or**],** the laws of this state**, or the accumulation of minor violations exceeding six within a calendar year** may result in the loss of all or a portion of any credit earned by the **[**inmate**] offender** pursuant to this section.

(2) Earned credits lost for a violation of institutional rules or laws of this state may be restored as provided under the department's policy.

(3) Earned credits from previous years shall not be lost.

4. **(1)** The department shall cause the policy to be published in the code of state regulations.

(2) Subject to the provisions of subsection 6 of this section, the department shall adopt rules that specify the programs or activities for which credit may be earned under this section; the criteria for determining productive participation in, or completion of, the programs or activities and the criteria for awarding credit, including criteria for awarding additional credit for successful program or activity completion; and the criteria for withdrawing previously earned credit as a result of a violation of institutional rules or laws of this state.

5. **[**No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.**]** **No person committed to the department who is sentenced to death shall be eligible for good time credit.**

6. (1) Each offender shall receive a deduction from his or her sentence by being awarded the following specified monthly credits:

(a) For the offender's participation in any work program, credit earned shall be fifteen days for every month's work performed by such offender;

(b) For the offender's successful completion of high school, or for the offender who has obtained his or her diploma or equivalent general education diploma, credit earned shall be ninety days;

(c) For the offender's successful completion of an alcohol or drug abuse treatment program, credit earned shall be ninety days;

(d) For the offender's successful completion of each restorative justice program, credit earned shall be ninety days;

(e) For the offender's successful completion of each mental health or rehabilitation program not specified in this section, credit earned shall be ninety days;

(f) For the offender's successful completion of vocational training, credit earned shall be ninety days; and

(g) For the offender's successful completion of other educational accomplishments or other programs not specified in this section, credit earned shall be ninety days.

(2) For purposes of this subsection, "credit earned" means good time credit awarded to an offender and each credit shall be calculated to be a period of one day.

7. The accumulated credit of every offender shall be maintained by the institution where the term of imprisonment is being served. A record of such credit accumulated shall be:

(1) Sent to the records office of the department on a quarterly basis;

(2) Forwarded to the division of probation and parole; and

(3) Provided to the offender.

8. The provisions of this section shall only apply to offenses occurring after January 1, 1979.

9. The department of corrections 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 January 1, 2019, shall be invalid and void."; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 951**, 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 has taken up and passed **HCS** for **SS** for **SCS** for **SB 843**, entitled:

An Act to repeal sections 8.003, 8.007, 8.015, 8.017, 41.1010, 91.640, 105.955, 143.1015, 160.2100, 160.2110, 186.007, 189.015, 189.025, 189.030, 189.035, 191.400, 191.980, 192.005, 192.014, 192.230, 192.240, 192.707, 192.710, 192.2030, 194.400, 194.408, 194.409, 196.1129, 208.197, 208.955, 209.287, 209.307, 210.170, 217.900, 217.903, 217.905, 217.907, 217.910, 253.408, 253.412, 288.475, 324.177, 324.180, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.478, 332.086, 334.430, 334.625, 334.749, 335.021, 453.600, 620.1200, 633.200, 701.040, and 701.353, RSMo, and section 105.959 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof fifty-three new sections relating to the existence of certain state boards and commissions, with an emergency clause for certain sections.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos, 2, 3, 4, 5, 6, 7, 8, 9, 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12 and 14.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 6, Line 9, by inserting after all of said line the following:

"Further amend said bill, Page 46, Section 332.086, Line 37, by inserting after all of said line the following:

"334.253. 1. A physician may not make a referral to an entity for the furnishing of any physical therapy services with whom the physician, physician's employer, or immediate family member of such referring physician has a financial relationship. A financial relationship exists if the referring physician, the referring physician's employer, or immediate family member:

(1) Has a direct or indirect ownership or investment interest in the entity whether through equity, debt, or other means; or

(2) Receives remuneration from a compensation arrangement from the entity for the referral.

2. The following financial arrangements shall be exempt from disciplinary action under this section:

(1) When the entity with whom the referring physician has an ownership or investment interest is the sole provider of the physical therapy service within a rural area;

(2) When the referring physician owns registered securities issued by a publicly held corporation or publicly traded limited partnership, the shares of which are traded on a national exchange or the over-the-counter market, provided that such referring physician's interest in the publicly held corporation or publicly traded limited partnership is less than five percent and the referring physician does not receive any compensation from such publicly held corporation or publicly traded limited partnership other than as any other owner of the shares of such publicly held corporation or publicly traded limited partnership;

(3) When the referring physician has an interest in real property resulting in a landlord-tenant relationship between the physician and the entity in which the equity interest is held, unless the rent is determined, in whole or in part, by the business volume or profitability of the tenant or is otherwise unrelated to fair market value;

(4) When the indirect ownership in the entity is by means of a bona fide debt incurred in the purchase or acquisition of the entity for a price which does not in any manner reflect the potential source of referrals from the physician with the indirect interest in the entity and the terms of the debt are fair market value, and neither the amount or the terms of the debt in any manner, directly or indirectly, constitutes a form of compensating such physician for the source of his business;

(5) When such physician's employer is a health maintenance organization as defined in subdivision (6) of section 376.960 and such health maintenance organization owns or controls other organizations which furnish physical therapy services so long as the referral is to such owned or controlled organization and the physician does not also have a direct or indirect ownership or investment interest in such organization, physical therapy services or the health maintenance organization and the referring physician does not receive any remuneration as the result of the referral;

(6) When such physician's employer is a hospital defined in section 197.020 and such hospital owns or controls other organizations which furnish physical therapy services so long as the referral is to such owned or controlled organization and the physician does not also have a direct or indirect ownership or investment interest in such organization, physical therapy service, or the hospital and the referring physician does not receive any remuneration as the result of the referral**;**

(7) When such physician has a direct or indirect minority ownership or investment interest of not more than five percent in a hospital, as defined in section 197.020, whether through equity, debt, or other means and physical therapy is offered as a service of the hospital.

3. The provisions of sections 334.252 and 334.253 shall become effective January 1, 1995."; and"; and

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

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 6, Lines 14-21 by removing all of said Lines from the amendment; and

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 2, Section 8.003, Lines 20-21, by deleting all of said lines and inserting in lieu thereof the following:

"[three] **the first** public [members term] **member appointed after the effective date of this act** shall be for two years, thereafter the [terms] **term of all subsequently appointed public members**"; and

Further amend said bill, Page 5, Section 8.007, Line 61, by inserting immediately after said line the following:

"8.010. 1. The governor, attorney general and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote. The board shall constitute a body corporate and politic. **Except as provided under section 8.007,** the board has general supervision and charge of the public property of the state at the seat of government, including the building located at 105 West Capitol Avenue in Jefferson City, and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board."; and

Further amend said bill and page, Section 29.415, Lines 1-5, by deleting said lines and section from the bill; and

Further amend said bill, Pages 9-17, Section 105.955, Lines 1-272, by removing said section and lines and inserting in lieu thereof the following:

"109.221. 1. The state shall establish and administer a "State Historical Records Advisory Board". The state historical records advisory board shall consist of [twelve] **seven** members appointed by the governor, with the advice and consent of the senate. Each member shall serve for a term of three years, except for the first members appointed, which shall have four members that serve one year, four members that serve two years and four members that serve three years. Thereafter, each member shall serve three years. The secretary of state **or his or her designee** shall serve as chairman of the board and as the state historical records coordinator and his vote shall break any tie vote of the board. The executive director of the state historical society of Missouri shall serve as an ex officio member of the board. The board shall meet when called by the chairman, but shall meet at least annually. The board shall adopt written procedures to govern its activities. The board shall report annually to the general assembly on its activities.

2. The state historical records advisory board is assigned to the office of the secretary of state. Members of the board shall receive no compensation for their service, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

3. The board shall be the central advisory body for historical records planning and for projects relating to historic records developed and carried out within the state of Missouri. The board may perform duties such as sponsoring and publishing surveys of the conditions and needs of historical records in the state; soliciting or developing proposals for projects to be carried out in the state with the National Historical Publications and Records Commission, hereafter called "commission", financing; reviewing records proposals by institutions in the state and making recommendations from these to the commission; developing, revising, and submitting to the commission state priorities for historical records projects following guidelines developed by the commission; and reviewing, through reports and otherwise, the operation and progress of records projects in the state.

4. The board may seek funds available through the National Historical Publications and Records Commission for the subvention of all or part of the costs of printing and manufacturing volumes that have been formally endorsed by the commission.

5. The board may seek funds from the National Historical Publications and Records Commission for sponsoring and publishing surveys of the conditions and needs of historical records in the state; for soliciting or developing proposals for projects to be carried out in the state for preservation of historical records and publications; for reviewing records proposals by institutions in the state and making recommendations from these to the commission; and for developing, revising, and submitting to the commission state priorities for historical records projects following guidelines developed by the commission. The board may further carry out those necessary duties to fulfill its purpose of helping in the collection and preservation of Missouri's historical records and such other duties as may be prescribed by law.

6. The secretary of state, as state historical records coordinator, may fund and administer[, with the advice of the state historical records advisory board], grant requests for preservation of local records. In carrying out this subsection the secretary of state shall have the power to promulgate necessary rules and regulations. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024. Funds retained by the recorder of a county or a city not within a county and deposited in a recorder's fund for records preservation purposes pursuant to subsection 1 of section 59.319 may be used by a recorder of a county or a city not within a county toward any local matching funds requirement for funding pursuant to the grant program authorized by this subsection. A recorder's application for grant funding pursuant to this subsection shall not be penalized in any way because local funds collected pursuant to subsection 1 of section 59.319 are to be used to fund any local matching funds requirement.

109.225. 1. There is hereby established the "Missouri Board on Geographic Names". The board shall be assigned for administrative purposes to the office of the secretary of state.

2. The board shall consist of nineteen members as follows:

(1) The secretary of state, who shall serve as chair of the board;

(2) [Nine] **Eight** citizens of Missouri appointed by the secretary of state;

(3) The director or the director's designee of the department of transportation;

(4) The director or the director's designee of the department of conservation;

(5) The director or the director's designee of the department of natural resources;

(6) **The director or the director's designee of the department of agriculture;**

(7) The commissioner or the commissioner's designee of the office of administration;

[(7)] **(8)** The director or the director's designee of the state archives;

[(8)] **(9)** The executive director or the executive director's designee of the state historical society of Missouri;

[(9)] **(10)** The director or the director's designee of the United States Geological Survey;

[(10)] **(11)** The director or the director's designee of the United States Forest Service; and

[(11)] **(12)** The director or the director's designee of the United States Corps of Engineers.

3. Appointed members of the board shall serve three-year terms and shall serve until their successors are appointed. Vacancies on the board shall be filled in the same manner as the original appointment and such member appointed shall serve the remainder of the unexpired term.

4. The board shall meet annually and as otherwise required by the secretary of state.

5. The board shall designate from its members a vice chair and shall adopt written guidelines to govern the management of the board.

6. Each member of the board shall serve without compensation, but may be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the board.

7. The secretary of state shall designate an employee of the secretary of state's office as executive secretary for the board, who shall serve as a nonvoting member and shall maintain the records of the board's activities and decisions and shall be responsible for correspondence between the board and the United States Board on Geographic Names and other agencies.

8. The board shall:

(1) Receive and evaluate all proposals for changes in or additions to names of geographic features and places in the state of Missouri to determine the most appropriate and acceptable names for use in maps and official documents of all levels of government;

(2) Make official recommendations to the United States Board on Geographic Names on behalf of the state of Missouri with respect to each proposal;

(3) Assist and cooperate with the United States Board on Geographic Names in matters relating to names of geographic features and places in Missouri;

(4) Assist in the maintenance of a Missouri geographic names database as part of the national database;

(5) Maintain a list of advisors who have special interest and knowledge in Missouri history, geography, or culture and consult with such advisors on a regular basis in the course of the board's deliberations;

(6) Develop and revise state priorities for geographic records projects following guidelines of the United States Board on Geographic Names; and

(7) Submit a report on its activities annually to the general assembly.

9. The board may apply for moneys through federal and state grant programs to sponsor and publish surveys of the condition and needs of geographic records in the state of Missouri and to solicit or develop proposals for projects to be carried out in the state for preservation of geographic records and publications.

109.255. 1. The secretary of state**, or his or her designee,** is hereby authorized to appoint and serve as chairman of a local records board to advise, counsel, and judge what local records shall be retained, copied, preserved, or disposed of and in what manner these functions shall be carried out by the director. This board shall represent a wide area of public interest in local records and shall consist of at least twelve members one of whom shall represent school boards, one constitutional charter city, one third class city, one fourth class city, [one village, one township, one for each class of county of the first and second class, one third or fourth class county, one higher education,] one historical society**, two of whom shall represent counties of the first or second classification, two of whom shall represent counties of the third or fourth classification,** and such other members as the secretary of state shall direct.

2. The members of the board of record control shall serve staggered terms and may be removed at the pleasure of the secretary of state.

3. The members of the board of control shall receive no salary but may be compensated for travel expenses if the budget of the secretary of state permits.

4. The board shall meet at such times as the chairman may call them.

5. The director with advice of the board of record control shall issue directives to guide local officials on the destruction of local records and nonrecord materials.”; and

Further amend said bill, Page 18, Section 143.1015, Line 32, by inserting after all of said section and line the following:

“181.022. 1. The secretary of state shall create the “Secretary’s Council on Library Development” to advise the secretary of state and the state library on matters that relate to the state’s libraries and library service to Missouri citizens, to recommend to the secretary of state and the state library policies and programs relating to libraries in the state, and to communicate the value of libraries.

2. Members of the secretary’s council on library development shall serve three-year terms, to be served on a rotating basis as shall be established by the secretary of state.

3. The members of the secretary’s council on library development shall be appointed by the secretary of state, to include [members of the house of representatives, members of the senate,] representatives of the public and of libraries, trustees of Missouri libraries, and users of the state libraries **,as well as members of the house of representatives, members of the senate, and the state librarian, who shall serve as ex-officio members of the council**.”; and

Further amend said bill, Page 27, Section 194.408, Line 34, by inserting immediately after said line the following:

“195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, or an assistant physician in accordance with section 334.037 or a physician assistant in accordance with section 334.747 in good faith and in the course of his

or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, and may have restricted authority in Schedule II. Prescriptions for Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian's professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug**, except as provided in section 195.265**.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.265. 1. Unused controlled substances may be accepted from ultimate users, from hospice or home health care providers on behalf of ultimate users to the extent federal law allows, or from any person lawfully entitled to dispose of a decedent's property if the decedent was an ultimate user who died while in lawful possession of a controlled substance, through:

(1) Collection receptacles, drug disposal boxes, mail back packages, and other means by a Drug Enforcement Agency-authorized collector in accordance with federal regulations, even if the authorized collector did not originally dispense the drug; or

(2) Drug take back programs conducted by federal, state, tribal, or local law enforcement agencies in partnership with any person or entity.

This subsection shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state, regarding the disposal of unused controlled substances. For the purposes of this section, the term "ultimate user" shall mean a person who has lawfully obtained and possesses a controlled substance for his or her own use or for the use of a member of his or her household or for an animal owned by him or her or a member of his or her household.

2. By August 28, 2019, the department of health and senior services shall develop an education and awareness program regarding drug disposal, including controlled substances. The education and awareness program may include, but not be limited to:

(1) A web-based resource that:

(a) Describes available drug disposal options, including take back, take back events, mail back packages, in-home disposal options that render a product safe from misuse, or any other methods that comply with state and federal laws and regulations, may reduce the availability of unused controlled substances, and may minimize the potential environmental impact of drug disposal;

(b) Provides a list of drug disposal take back sites, which may be sorted and searched by name or location and is updated every six months by the department;

(c) Provides a list of take back events and mail back events in the state, including the date, time, and location information for each event and is updated every six months by the department; and

(d) Provides information for authorized collectors regarding state and federal requirements to comply with the provisions of subsection 1 of this section; and

(2) Promotional activities designed to ensure consumer awareness of proper storage and disposal of prescription drugs, including controlled substances."; and

Further amend said bill, Page 45, Section 324.478, Line 49, by inserting immediately after said line the following:

"327.313. Applications for enrollment as a land surveyor-in-training shall be typewritten on prescribed forms furnished to the applicant. The application shall contain applicant's statements showing the applicant's education, experience**,** and such other pertinent information as the board may require[, including but not limited to three letters of reference, one of which shall be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience]. Each application shall contain a statement that it is made under oath or affirmation and that the representations are true and correct to the best knowledge and belief of the applicant, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

327.321. Applications for licensure as a professional land surveyor shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of prior land surveying examinations, if any, and such other pertinent information as the board may require[, including but not limited to three letters of reference from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience]. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee."; and

Further amend said bill, Pages 58-59, Section 105.959, Lines 1-57, by removing said lines from the bill; and

Further amend said bill, Page 68, Section B, Line 6, by inserting immediately after said line the following:

"Section C. Because immediate action is necessary to allow for the safe disposal of unused pharmaceuticals, the enactment of section 195.265 and the repeal and reenactment of section 195.070 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety,

and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 195.265 and the repeal and reenactment of section 195.070 of this act shall be in full force and effect upon its passage and approval."; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 22, Section 191.980, Line 51, by inserting immediately after said line the following:

"191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:

(1) "Asynchronous store-and-forward transfer", the collection of a patient's relevant health information and the subsequent transmission of that information from an originating site to a health care provider at a distant site without the patient being present;

(2) "Clinical staff", any health care provider licensed in this state;

(3) "Distant site", a site at which a health care provider is located while providing health care services by means of telemedicine;

(4) "Health care provider", as that term is defined in section 376.1350;

(5) "Originating site", a site at which a patient is located at the time health care services are provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-forward transfer, originating site shall also mean the location at which the health care provider transfers information to the distant site;

(6) "Telehealth" or "telemedicine", the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient's health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology.

2. Any licensed health care provider shall be authorized to provide telehealth services if such services are within the scope of practice for which the health care provider is licensed and are provided with the same standard of care as services provided in person. **This section shall not be construed to prohibit a health carrier, as defined in section 376.1350, from reimbursing non-clinical staff for services otherwise allowed by law.**

3. In order to treat patients in this state through the use of telemedicine or telehealth, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards.

4. Nothing in subsection 3 of this section shall apply to:

(1) Informal consultation performed by a health care provider licensed in another state, outside of the context of a contractual relationship, and on an irregular or infrequent basis without the expectation or exchange of direct or indirect compensation;

(2) Furnishing of health care services by a health care provider licensed and located in another state in

case of an emergency or disaster; provided that, no charge is made for the medical assistance; or

(3) Episodic consultation by a health care provider licensed and located in another state who provides such consultation services on request to a physician in this state.

5. Nothing in this section shall be construed to alter the scope of practice of any health care provider or to authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this state.

6. No originating site for services or activities provided under this section shall be required to maintain immediate availability of on-site clinical staff during the telehealth services, except as necessary to meet the standard of care for the treatment of the patient's medical condition if such condition is being treated by an eligible health care provider who is not at the originating site, has not previously seen the patient in person in a clinical setting, and is not providing coverage for a health care provider who has an established relationship with the patient.

7. Nothing in this section shall be construed to alter any collaborative practice requirement as provided in chapters 334 and 335."; and

Further amend said bill, Page 27, Section 194.408, Line 34, by inserting immediately after said line the following:

"208.670. 1. As used in this section, these terms shall have the following meaning:

(1) **"Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;**

(2) "Distant site", the same meaning as such term is defined in section 191.1145;

(3) "Originating site", the same meaning as such term is defined in section 191.1145;

(4) "Provider", **[**any provider of medical services and mental health services, including all other medical disciplines**] the same meaning as the term "health care provider" is defined in section 191.1145, and such provider meets all other MO HealthNet eligibility requirements**;

[(2)**] (5)** "Telehealth", the same meaning as such term is defined in section 191.1145.

2. **[**Reimbursement for the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program shall be allowed for orthopedics, dermatology, ophthalmology and optometry, in cases of diabetic retinopathy, burn and wound care, dental services which require a diagnosis, and maternal-fetal medicine ultrasounds.

3. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain participant consent before telehealth services are initiated and to ensure confidentiality of medical information.

4. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants

under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

5. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program**] The department of social services shall reimburse providers for services provided through telehealth if such providers can ensure services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. The department shall not restrict the originating site through rule or payment so long as the provider can ensure services are rendered meeting the standard of care that would otherwise be expected should such services be provided in person. Payment for services rendered via telehealth shall not depend on any minimum distance requirement between the originating and distant site. Reimbursement for telehealth services shall be made in the same way as reimbursement for in-person contact; however, consideration shall also be made for reimbursement to the originating site. Reimbursement for asynchronous store-and-forward may be capped at the reimbursement rate had the service been provided in person.**

208.677. **[**1. For purposes of the provision of telehealth services in the MO HealthNet program, the term "originating site" shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter. The standard of care in the practice of telehealth shall be the same as the standard of care for services provided in person. An originating site shall be one of the following locations:

(1) An office of a physician or health care provider;

(2) A hospital;

(3) A critical access hospital;

(4) A rural health clinic;

(5) A federally qualified health center;

(6) A long-term care facility licensed under chapter 198;

(7) A dialysis center;

(8) A Missouri state habilitation center or regional office;

(9) A community mental health center;

(10) A Missouri state mental health facility;

(11) A Missouri state facility;

(12) A Missouri residential treatment facility licensed by and under contract with the children's division. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed psychologists, and advanced practice registered nurses who are MO HealthNet providers shall be consulting providers at these locations;

(13) A comprehensive substance treatment and rehabilitation (CSTAR) program;

(14) A school;

(15) The MO HealthNet recipient's home;

(16) A clinical designated area in a pharmacy; or

(17) A child assessment center as described in section 210.001.

2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.**] Prior to the provision of telehealth services in a school, the parent or guardian of the child shall provide authorization for the provision of such service. Such authorization shall include the ability for the parent or guardian to authorize services via telehealth in the school for the remainder of the school year.**"; and

Further amend said bill, Page 64, Section 208.197, Line 18, by inserting immediately after said line the following:

"**[**208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) "Asynchronous store-and-forward", the transfer of a participant's clinically important digital samples, such as still images, videos, audio, text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the participant and the participant's treating provider;

(2) "Asynchronous store-and-forward technology", cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;

(3) "Consultation", a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;

(4) "Consulting provider", a provider who, upon referral by the treating provider, evaluates a participant and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;

(5) "Distant site", the site where a consulting provider is located at the time the consultation service is provided;

(6) "Originating site", the site where a MO HealthNet participant

receiving services and such participant's treating provider are both physically located;

(7) "Provider", any provider of medical, mental health, optometric, or dental health services, including all other medical disciplines, licensed and providing MO HealthNet services who has the authority to refer participants for medical, mental health, optometric, dental, or other health care services within the scope of practice and licensure of the provider;

(8) "Telehealth", as that term is defined in section 191.1145;

(9) "Treating provider", a provider who:

(a) Evaluates a participant;

(b) Determines the need for a consultation;

(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment; and

(d) Provides or supplements the participant's history and provides pertinent physical examination findings and medical information to the consulting provider.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall include, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Timelines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, timelines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Participant consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment

under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain participant consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for services provided in person.**]**

[208.673. 1. There is hereby established the "Telehealth Services Advisory Committee" to advise the department of social services and propose rules regarding the coverage of telehealth services in the MO HealthNet program utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

(1) The director of the MO HealthNet division, or the director's designee;

(2) The medical director of the MO HealthNet division;

(3) A representative from a Missouri institution of higher education with expertise in telehealth;

(4) A representative from the Missouri office of primary care and rural health;

(5) Two board-certified specialists licensed to practice medicine in this state;

(6) A representative from a hospital located in this state that utilizes telehealth;

(7) A primary care physician from a federally qualified health center (FQHC) or rural health clinic;

(8) A primary care physician from a rural setting other than from an FQHC or rural health clinic;

(9) A dentist licensed to practice in this state; and

(10) A psychologist, or a physician who specializes in psychiatry, licensed to practice in this state.

3. Members of the committee listed in subdivisions (3) to (10) of subsection 2 of this section shall be appointed by the governor with the advice and consent of the senate. The first appointments to the

committee shall consist of three members to serve three-year terms, three members to serve two-year terms, and three members to serve a one-year term as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. 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.**]**

[208.675. For purposes of the provision of telehealth services in the MO HealthNet program, the following individuals, licensed in Missouri, shall be considered eligible health care providers:

(1) Physicians, assistant physicians, and physician assistants;

(2) Advanced practice registered nurses;

(3) Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;

(4) Psychologists and provisional licensees;

(5) Pharmacists;

(6) Speech, occupational, or physical therapists;

(7) Clinical social workers;

(8) Podiatrists;

(9) Optometrists;

(10) Licensed professional counselors; and

(11) Eligible health care providers under subdivisions (1) to (10) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.**]**"; 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. 843, Page 46, Section 332.086, Line 37, by inserting immediately after said line the following:

"332.321. 1. The board may refuse to issue or renew a permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or the board may, as a condition to issuing or renewing any such permit or license, require a person to submit himself or herself for identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any permit or license required by this chapter or any person who has failed to renew or has surrendered his or her permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; or increasing charges when a patient utilizes a third-party payment program; or for repeated irregularities in billing a third party for services rendered to a patient. For the purposes of this subdivision, irregularities in billing shall include:

(a) Reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered;

(b) Reporting incorrect treatment dates for the purpose of obtaining payment;

(c) Reporting charges for services not rendered;

(d) Incorrectly reporting services rendered for the purpose of obtaining payment that is greater than that to which the person is entitled;

(e) Abrogating the co-payment or deductible provisions of a third-party payment contract. Provided, however, that this paragraph shall not prohibit a discount, credit or reduction of charges provided under an

agreement between the licensee and an insurance company, health service corporation or health maintenance organization licensed pursuant to the laws of this state; or governmental third-party payment program; or self-insurance program organized, managed or funded by a business entity for its own employees or labor organization for its members;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of, or relating to one's ability to perform, the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a permit or license or allowing any person to use his or her permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter imposed by another state, province, territory, federal agency or country upon grounds for which discipline is authorized in this state;

(9) A person is finally adjudicated incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice, by lack of supervision or in any other manner, any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter;

(11) Issuance of a permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate, permit or license if so required by this chapter or by any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation that is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. **For the purposes of this section, "advertising" shall mean any communication specified in subdivision (9) of section 332.071.** False, misleading or deceptive advertisements or solicitations shall include, but not be limited to:

(a) Promises of cure, relief from pain or other physical or mental condition, or improved physical or mental health;

(b) Any misleading or deceptive statement offering or promising a free service. Nothing herein shall be construed to make it unlawful to offer a service for no charge if the offer is announced as part of a full disclosure of routine fees including consultation fees;

(c) Any misleading or deceptive claims of patient cure, relief or improved **health** condition; superiority in service, treatment or materials; new or improved service, treatment or material; or reduced costs or greater savings. Nothing herein shall be construed to make it unlawful to use any such claim if it is readily verifiable by existing documentation, data or other substantial evidence. Any claim that exceeds or exaggerates the scope of its supporting documentation, data or evidence is misleading or deceptive;

(d) Any announced fee for a specified service where that fee does not include the charges for necessary

related or incidental services, or where the actual fee charged for that specified service may exceed the announced fee, but it shall not be unlawful to announce only the maximum fee that can be charged for the specified service, including all related or incidental services, modified by the term "up to" if desired;

(e) Any announcement in any form including the term "specialist" or the phrase "limited to the specialty of" unless each person named in conjunction with the term or phrase, or responsible for the announcement, holds a valid Missouri certificate and license evidencing that the person is a specialist in that area;

(f) Any announcement containing any of the terms denoting recognized specialties, or other descriptive terms carrying the same meaning, unless the announcement clearly designates by list each dentist not licensed as a specialist in Missouri who is sponsoring or named in the announcement, or employed by the entity sponsoring the announcement, after the following clearly legible**, with print equal to or larger than the announcement of services,** or audible**, with speech volume and pace equal to the announcement of services,** statement: "Notice: the following dentist(s) in this practice is (are) not licensed in Missouri as specialists in the advertised dental specialty(s) of";

(g) Any announcement containing any terms denoting or implying specialty areas that are not recognized by the American Dental Association;

(h) Any advertisement that does not contain the name of one or more of the duly registered and currently licensed dentists regularly employed in and responsible for the management, supervision, and operation of each office location listed in the advertisement; and

(i) Any advertisement denoting the use of sedation services permitted by the board under section 332.362 using any term other than deep sedation, general anesthesia, or moderate sedation. Such terms may only be used in the announcement or advertisement of sedation services if the advertising dentist is duly permitted to use deep sedation, general anesthesia, or moderate sedation under section 332.362;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(17) Failing to maintain his or her office or offices, laboratory, equipment and instruments in a safe and sanitary condition;

(18) Accepting, tendering or paying "rebates" to or "splitting fees" with any other person; provided, however, that nothing herein shall be so construed as to make it unlawful for a dentist practicing in a partnership or as a corporation organized pursuant to the provisions of chapter 356 to distribute profits in accordance with his or her stated agreement;

(19) Administering, or causing or permitting to be administered, nitrous oxide gas in any amount to himself or herself, or to another unless as an adjunctive measure to patient management;

(20) Being unable to practice as a dentist, specialist or hygienist with reasonable skill and safety to patients by reasons of professional incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. In enforcing this subdivision the board shall, after a hearing before the board, upon a finding of probable cause, require the dentist or

specialist or hygienist to submit to a reexamination for the purpose of establishing his or her competency to practice as a dentist, specialist or hygienist, which reexamination shall be conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the dentist's, specialist's or hygienist's professional competence by at least three dentists or fellow specialists, or to submit to a mental or physical examination or combination thereof by at least three physicians. One examiner shall be selected by the dentist, specialist or hygienist compelled to take examination, one selected by the board, and one shall be selected by the two examiners so selected. Notice of the physical or mental examination shall be given by personal service or registered mail. Failure of the dentist, specialist or hygienist to submit to the examination when directed shall constitute an admission of the allegations against him or her, unless the failure was due to circumstances beyond his or her control. A dentist, specialist or hygienist whose right to practice has been affected pursuant to this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that he or she can resume competent practice with reasonable skill and safety to patients.

(a) In any proceeding pursuant to this subdivision, neither the record of proceedings nor the orders entered by the board shall be used against a dentist, specialist or hygienist in any other proceeding. Proceedings pursuant to this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(b) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the following: denying his or her application for a license; permanently withholding issuance of a license; administering a public or private reprimand; placing on probation, suspending or limiting or restricting his or her license to practice as a dentist, specialist or hygienist for a period of not more than five years; revoking his or her license to practice as a dentist, specialist or hygienist; requiring him or her to submit to the care, counseling or treatment of physicians designated by the dentist, specialist or hygienist compelled to be treated; or requiring such person to submit to identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. For the purpose of this subdivision, "license" includes the certificate of registration, or license, or both, issued by the board.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination:

(1) Censure or place the person or firm named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years; or

(2) Suspend the license, certificate or permit for a period not to exceed three years; or

(3) Revoke the license, certificate, or permit. In any order of revocation, the board may provide that the person shall not apply for licensure for a period of not less than one year following the date of the order of revocation; or

(4) Cause the person or firm named in the complaint to make restitution to any patient, or any insurer or third-party payer who shall have paid in whole or in part a claim or payment for which they should be reimbursed, where restitution would be an appropriate remedy, including the reasonable cost of follow-up care to correct or complete a procedure performed or one that was to be performed by the person or firm named in the complaint; or

(5) Request the attorney general to bring an action in the circuit court of competent jurisdiction to recover a civil penalty on behalf of the state in an amount to be assessed by the court.

4. If the board concludes that a dentist or dental hygienist has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action and constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the conduct that gives rise to the danger and the nature of the proposed restriction or suspension of the dentist's or dental hygienist's license. Within fifteen days after service of the complaint on the dentist or dental hygienist, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged conduct of the dentist or dental hygienist appears to constitute a clear and present danger to the public health and safety that justifies that the dentist's or dental hygienist's license be immediately restricted or suspended. The burden of proving that a dentist or dental hygienist is a clear and present danger to the public health and safety shall be upon the Missouri dental board. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend a dentist's or dental hygienist's license, the dentist or dental hygienist named in the complaint may request a full hearing before the administrative hearing commission. A request for a full hearing shall be made within thirty days after the administrative hearing commission issues a decision. The administrative hearing commission shall, if requested by a dentist or dental hygienist named in the complaint, set a date to hold a full hearing under chapter 621 regarding the activities alleged in the initial complaint filed by the board. The administrative hearing commission shall set the date for full hearing within ninety days from the date its decision was issued. Either party may request continuances, which shall be granted by the administrative hearing commission upon a showing of good cause by either party or consent of both parties. If a request for a full hearing is not made within thirty days, the authority to impose discipline becomes final and the board shall set the matter for hearing in accordance with section 621.110.

6. If the administrative hearing commission dismisses without prejudice the complaint filed by the board under subsection 4 of this section or dismisses the action based on a finding that the board did not meet its burden of proof establishing a clear and present danger, such dismissal shall not bar the board from initiating a subsequent action on the same grounds in accordance with this chapter and chapters 536 and 621.

7. Notwithstanding any other provisions of section 332.071 or of this section, a currently licensed dentist in Missouri may enter into an agreement with individuals and organizations to provide dental health care, provided such agreement does not permit or compel practices that violate any provision of this chapter.

8. At all proceedings for the enforcement of these or any other provisions of this chapter the board shall, as it deems necessary, select, in its discretion, either the attorney general or one of the attorney general's assistants designated by the attorney general or other legal counsel to appear and represent the board at each stage of such proceeding or trial until its conclusion.

9. If at any time when any discipline has been imposed pursuant to this section or pursuant to any provision of this chapter, the licensee removes himself or herself from the state of Missouri, ceases to be currently licensed pursuant to the provisions of this chapter, or fails to keep the Missouri dental board advised of his or her current place of business and residence, the time of his or her absence, or unlicensed status, or unknown whereabouts shall not be deemed or taken as any part of the time of discipline so

imposed."; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 32, Section 209.307, Line 4, by inserting after all of said section and line the following:

"210.102. 1. **[**It shall be the duty of the Missouri children's services commission to:

(1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;

(2) Develop an integrated state plan for the care provided to children in this state through state programs;

(3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:

(a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;

(b) Program recommendations for children's services which include child development, education, supervision, health and social services;

(4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;

(5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:

(a) A general description of the activities pertaining to children of each state agency having a member on the commission;

(b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;

(c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;

(d) A report from the commission regarding the state of children in Missouri.

2.**]** There is hereby established within the **[**children's services commission**]** **department of social services** the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

(1) A representative from the governor's office;

(2) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;

(3) A representative of the judiciary;

(4) A representative of the family and community trust board (FACT);

(5) A representative from the head start program;

(6) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders.

The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.

[3.**]** **2.** The coordinating board for early childhood shall have the power to:

(1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;

(2) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;

(3) Identify legislative recommendations to improve services for children from birth through age five;

(4) Promote coordination of existing services and programs across public and private entities;

(5) Promote research-based approaches to services and ongoing program evaluation;

(6) Identify service gaps and advise public and private entities on methods to close such gaps;

(7) Apply for and accept gifts, grants, appropriations, loans, or contributions to the coordinating board for early childhood fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of **[**subsections 2 and 3**]** **subsection 1** of this section **and this subsection**, and take any and all actions necessary to avail itself of such aid and cooperation;

(8) Direct disbursements from the coordinating board for early childhood fund as provided in this section;

(9) Administer the coordinating board for early childhood fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;

(10) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;

(11) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;

(12) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;

(13) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;

(14) Adopt and use an official seal;

(15) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

(16) Make all expenditures which are incident and necessary to carry out its purposes;

(17) Sue and be sued in its official name;

(18) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

[4.**]** **3.** There is hereby created the "Coordinating Board for Early Childhood Fund" which shall consist of the following:

(1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections **[**2 and 3**]** **1 and 2** of this section;

(2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;

(3) Any moneys received as fees authorized under subsections **[**2 and 3**]** **1 and 2** of this section;

(4) Any moneys received as interest on deposits or as income on approved investments of the fund;

(5) Any moneys obtained from any other available source.

Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the coordinating board for early childhood fund at the end of the biennium shall not revert to the credit of the general revenue fund."; and

Further amend said bill, Page 64, Section 208.197, Line 17, by inserting after all of said section and line the following:

"**[**210.101. 1. There is hereby established the "Missouri Children's Services Commission", which shall be composed of the following members:

(1) The director or the director's designee of the following departments: corrections, elementary and secondary education, higher education, health and senior services, labor and industrial relations, mental health, public safety, and social services;

(2) One judge of a family or juvenile court, who shall be appointed by the chief justice of the supreme court;

(3) Two members, one from each political party, of the house of representatives, who shall be appointed by the speaker of the house of representatives;

(4) Two members, one from each political party, of the senate, who

shall be appointed by the president pro tempore of the senate;

All members shall serve for as long as they hold the position which made them eligible for appointment to the Missouri children's services commission under this subsection. All members shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.

2. All meetings of the Missouri children's services commission shall be open to the public and shall, for all purposes, be deemed open public meetings under the provisions of sections 610.010 to 610.030. The Missouri children's services commission shall meet no less than once every two months. Notice of all meetings of the commission shall be given to the general assembly in the same manner required for notifying the general public of meetings of the general assembly.

3. The Missouri children's services commission may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers.

4. The commission shall elect from amongst its members a chairman, vice chairman, a secretary-reporter, and such other officers as it deems necessary.

5. The services of the personnel of any agency from which the director or deputy director is a member of the commission shall be made available to the commission at the discretion of such director or deputy director. All meetings of the commission shall be held in the state of Missouri.

6. The officers of the commission may hire an executive director. Funding for the executive director may be provided from the Missouri children's services commission fund or other sources provided by law.

7. The commission, by majority vote, may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex officio members of the commission. Such individuals shall not have a vote in commission business and shall serve without compensation but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties for the commission.**]**

[210.103. 1. There is established in the state treasury a special fund, to be known as the "Missouri Children's Services Commission Fund". The state treasurer shall credit to and deposit in the Missouri children's services commission fund all amounts which may be

received from general revenue, grants, gifts, bequests, the federal government, or other sources granted or given for the purposes of sections 210.101 and 210.102.

2. The state treasurer shall invest moneys in the Missouri children's services commission fund in the same manner as surplus state funds are invested pursuant to section 30.260. All earnings resulting from the investment of moneys in the Missouri children's services commission fund shall be credited to the Missouri children's services commission fund.

3. The administration of the Missouri children's services commission fund, including, but not limited to, the disbursement of funds therefrom, shall be as prescribed by the Missouri children's services commission in its bylaws.

4. The provisions of section 33.080, requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue of this state at the end of each biennium, shall not apply to the Missouri children's services commission fund.

5. Amounts received in the fund shall only be used by the commission for purposes authorized under sections 210.101 and 210.102.**]**"; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 50, Section 335.021, Line 36, by inserting after all of said line the following:

"338.315. 1. Except as otherwise provided by the board by rule, it shall be unlawful for any pharmacist, pharmacy owner or person employed by a pharmacy to knowingly purchase or receive any legend drugs under 21 U.S.C. Section 353 from other than a licensed or registered drug distributor**, drug outsourcer, third-party logistics provider,** or licensed pharmacy. Any person who violates the provisions of this section shall, upon conviction, be adjudged guilty of a class A misdemeanor. Any subsequent conviction shall constitute a class E felony.

2. Notwithstanding any other provision of law to the contrary, the sale, purchase, or trade of a prescription drug by a pharmacy to other pharmacies is permissible if the total dollar volume of such sales, purchases, or trades are in compliance with the rules of the board and do not exceed five percent of the pharmacy's total annual prescription drug sales.

3. Pharmacies shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of legend drugs. Such records shall be maintained for two years and be readily available upon request by the board or its representatives.

4. The board 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, 2012, shall be invalid and void.

338.330. As used in sections 338.300 to 338.370, the following terms mean:

(1) **"Drug outsourcer", an outsourcing facility as defined by 21 U.S.C. Section 353b of the federal Drug Quality and Security Act;**

(2) "Legend drug":

(a) Any drug or biological product:

a. Subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act, including finished dosage forms and active ingredients subject to such Section 503(b); or

b. Required under federal law to be labeled with one of the following statements prior to being dispensed or delivered:

(i) "Caution: Federal law prohibits dispensing without prescription";

(ii) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or

(iii) "Rx Only"; or

c. Required by any applicable federal or state law or regulation to be dispensed by prescription only or that is restricted to use or dispensed by practitioners only; and

(b) The term "drug", "prescription drug", or "legend drug" shall not include:

a. An investigational new drug, as defined by 21 CFR 312.3(b), that is being utilized for the purposes of conducting a clinical trial or investigation of such drug or product that is governed by, and being conducted under and pursuant to, 21 CFR 312, et. seq.;

b. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed by, and being conducted under and pursuant to, 21 CFR 312, et. seq.; or

c. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed or approved by an institutional review board subject to 21 CFR Part 56 or 45 CFR Part 46;

[(2)**]** **(3)** "Out-of-state wholesale drug distributor", a wholesale drug distributor with no physical facilities located in the state;

[(3)**]** **(4)** "Pharmacy distributor", any licensed pharmacy, as defined in section 338.210, engaged in the delivery or distribution of legend drugs to any other licensed pharmacy where such delivery or distribution constitutes at least five percent of the total gross sales of such pharmacy;

[(4)**]** **(5) "Third-party logistics provider", an entity that provides or coordinates warehousing or other logistics services of a product on behalf of a drug manufacturer, wholesale distributor, or dispenser of a legend drug, but does not take ownership of the product, nor have responsibility to**

direct the sale or disposition of the product;

(6) "Wholesale drug distributor", anyone engaged in the delivery or distribution of legend drugs from any location and who is involved in the actual, constructive or attempted transfer of a drug or drug-related device in this state, other than to the ultimate consumer. This shall include, but not be limited to, drug wholesalers, repackagers and manufacturers which are engaged in the delivery or distribution of drugs in this state, with facilities located in this state or in any other state or jurisdiction. A wholesale drug distributor shall not include any common carrier or individual hired solely to transport legend drugs. Any locations where drugs are delivered on a consignment basis, as defined by the board, shall be exempt from licensure as a drug distributor, and those standards of practice required of a drug distributor but shall be open for inspection by board of pharmacy representatives as provided for in section 338.360.

338.333. 1. Except as otherwise provided by the board of pharmacy by rule in the event of an emergency or to alleviate a supply shortage, no person or distribution outlet shall act as a wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor without first obtaining license to do so from the Missouri board of pharmacy and paying the required fee. The board may grant temporary licenses when the wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor first applies for a license to operate within the state. Temporary licenses shall remain valid until such time as the board shall find that the applicant meets or fails to meet the requirements for regular licensure. No license shall be issued or renewed for a wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor to operate unless the same shall be operated in a manner prescribed by law and according to the rules and regulations promulgated by the board of pharmacy with respect thereto. Separate licenses shall be required for each distribution**, drug outsourcer or third-party logistics** site owned or operated by a wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor, unless such drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor meets the requirements of section 338.335.

2. An agent or employee of any licensed or registered wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor need not seek licensure under this section and may lawfully possess pharmaceutical drugs, if **[**he**]** **the agent or employee** is acting in the usual course of his **or her** business or employment.

3. The board may permit out-of-state wholesale drug distributors**, drug outsourcers, third-party logistics providers,** or out-of-state pharmacy distributors to be licensed as required by sections 338.210 to 338.370 on the basis of reciprocity to the extent that **[**an out-of-state wholesale drug distributor or out-of-state pharmacy distributor**]** **the entity** both:

(1) Possesses a valid license granted by another state pursuant to legal standards comparable to those which must be met by a wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor of this state as prerequisites for obtaining a license under the laws of this state; and

(2) Distributes into Missouri from a state which would extend reciprocal treatment under its own laws to a wholesale drug distributor**, drug outsourcer, third-party logistics provider,** or pharmacy distributor of this state.

338.337. It shall be unlawful for any out-of-state wholesale drug distributor **[**or**]** **,** out-of-state pharmacy acting as a distributor**, drug outsourcer, or out-of-state third-party logistics provider** to do business in this state without first obtaining a license to do so from the board of pharmacy and paying the required fee,

except as otherwise provided by section 338.335 and this section. Application for an out-of-state wholesale drug distributor's**, drug outsourcer's, or out-of-state third-party logistics provider's** license under this section shall be made on a form furnished by the board. The issuance of a license under sections 338.330 to 338.370 shall not change or affect tax liability imposed by the Missouri department of revenue on any **[**out-of-state wholesale drug distributor or out-of-state pharmacy**] entity**. Any out-of-state wholesale drug distributor that is a drug manufacturer and which produces and distributes from a facility which has been inspected and approved by the Food and Drug Administration, maintains current approval by the federal Food and Drug Administration, and has provided a copy of the most recent Food and Drug Administration Establishment Inspection Report to the board, and which is licensed by the state in which the distribution facility is located, or, if located within a foreign jurisdiction, is authorized and in good standing to operate as a drug manufacturer within such jurisdiction, need not be licensed as provided in this section but such out-of-state distributor shall register its business name and address with the board of pharmacy and pay a filing fee in an amount established by the board.

338.340. No person acting as principal or agent for any out-of-state wholesale drug distributor **[**or**] ,** out-of-state pharmacy distributor**, drug outsourcer, or out-of-state third-party logistics provider** shall sell or distribute drugs in this state unless the **[**wholesale drug distributor or pharmacy distributor**] entity** has obtained a license pursuant to the provisions of sections 338.330 to 338.370."; and

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

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 9, Section 91.640, Line 67, by inserting immediately after all of said section and line the following:

"103.008. 1. The general administration and the responsibility for the proper operation of the plan is vested in a board of trustees of thirteen persons, as follows: the director of the department of health and senior services, the director of the department of insurance, financial institutions and professional registration, the commissioner of the state office of administration serving ex officio, one member of the senate from the majority party appointed by the president pro tem of the senate and one member of the senate from the minority party appointed by the president pro tem of the senate with the concurrence of the minority floor leader of the senate, one member of the house of representatives from the majority party appointed by the speaker of the house of representatives and one member of the house of representatives from the minority party appointed by the speaker of the house of representatives with the concurrence of the minority floor leader of the house of representatives, **two members of the system who are current employees elected by a plurality vote of members of the system who are also current employees for a term of four years, one member of the system who is a retiree elected by a plurality vote of retired members of the system for a term of four years,** and **[**six**] three** members appointed by the governor with the advice and consent of the senate. Of the **[**six**] three** members appointed by the governor, **[**three**] all** shall be citizens of the state of Missouri who are not members of the plan, but who are familiar with medical issues. **[**The remaining three members shall be members of the plan and may be selected from any state agency or any participating member agency.**]**

2. Except for the legislative members, the director of the department of health and senior services, the director of the department of insurance, financial institutions and professional registration, and the

commissioner of the office of administration, trustees shall be chosen for terms of four years from the first day of January next following their election or appointment. Any vacancies occurring in the office of trustee shall be filed in the same manner the office was filed previously."; and

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

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 53, Section 620.1200, Line 29, by inserting after all of said section and line the following:

"**620.2200. 1. This act shall be known and may be cited as the "Missouri Route 66 Centennial Commission Act".**

2. The commission shall be composed of eighteen members who reflect the interests, history, and importance of the communities along Route 66 in Missouri. The members shall be appointed as follows:

(1) Two public members appointed by the speaker of the house of representatives;

(2) Two public members appointed by the minority leader of the house of representatives;

(3) Two public members appointed by the president pro tempore of the senate;

(4) Two public members appointed by the minority leader of the senate;

(5) Three public members appointed by the governor, one of whom shall serve as chairperson; and

(6) Seven ex officio members as follows:

(a) The governor, or his or her designee;

(b) The director of the department of transportation, or his or her designee;

(c) The director of the department of natural resources, or his or her designee;

(d) The director of the division of tourism, or his or her designee;

(e) The director of the department of economic development, or his or her designee;

(f) The secretary of state, or his or her designee; and

(g) The president of the Route 66 Association of Missouri, or his or her designee.

3. An ex officio member of the commission vacates his or her position on the commission if he or she ceases to hold the position that qualifies the person for service on the commission.

4. (1) A public member of the commission is not entitled to compensation but is entitled to reimbursement for the travel expenses incurred by the member while transacting commission business.

(2) An ex officio member's service on the commission is an additional duty of the underlying position that qualifies the member for service on the commission. The entitlement of an ex officio member to compensation or reimbursement for travel expenses incurred while transacting

commission business is governed by the law that applies to the member's service in that underlying position, and any payment to the member for either purpose shall be made from an appropriation that may be used for the purpose and is available to the state agency that the member serves in that underlying position.

5. (1) The commission shall meet at least quarterly at the times and places in this state that the commission designates.

(2) A majority of the members of the commission constitutes a quorum for transacting commission business.

6. The duties of the commission shall be to:

(1) Plan and sponsor official Route 66 centennial events, programs, and activities in the state;

(2) Encourage the development of programs designed to involve all citizens in activities that commemorate Route 66 centennial events in the state; and

(3) To the best of the commission's ability, make available to the public information on Route 66 centennial events happening throughout the state.

7. Subject to appropriation, the office of tourism shall provide administrative and other support to the commission.

8. (1) The commission may accept monetary gifts and grants from any public or private source, to be held in the Missouri Route 66 centennial commission fund. The Missouri Route 66 centennial commission fund is created as a nonappropriated trust fund to be held outside of the state treasury, with the state treasurer as custodian. The fund shall be expended solely for the use of the commission in performing the commission's powers and duties under this section.

(2) The commission may also accept in-kind gifts.

9. Before June 30, 2027, a final report on the commission's activities shall be delivered to the governor. The commission shall be dissolved on June 30, 2027, and any moneys remaining in the Missouri Route 66 centennial commission fund shall be deposited in the general revenue fund.

10. The provisions of this section terminate on December 1, 2027."; and

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

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 52, Section 453.600, Line 51, by inserting immediately after all of said section and line the following:

"**610.031. 1. If the attorney general concludes that any person may have engaged in any act, conduct, or practice that violates any provision of chapter 109 or this chapter, the attorney general may apply for an order issued by a judge of the circuit court of Cole County to serve a civil investigative demand on any person who the attorney general believes may have information or evidence relevant to the suspected violation. A judge shall issue the order to serve the civil investigative demand if the judge finds that probable cause exists that a violation of chapter 109 or**

this chapter has occurred. Once a judge has issued an order to serve a civil investigative demand, the demand issued under this section may seek any information and documents that could be obtained by means of a subpoena duces tecum issued by a court of this state. A civil investigative demand issued under this section may also require answers to written interrogatories that would be permitted by the Missouri supreme court rules.

2. A civil investigative demand issued under this section shall:

(1) State the statute or statutes that the attorney general believes may have been violated;

(2) Describe the class or classes of information and evidence to be produced with sufficient specificity so as to fairly indicate the material demanded;

(3) Prescribe a return date, which shall be at least thirty days, by which the information and evidence is to be produced;

(4) Identify the members of the attorney general's staff to whom the information and evidence requested is to be produced; and

(5) Provide notice to the recipient of the demand of the recipient's ability to file a petition in the circuit court of Cole County to extend the return date for good cause or to quash or modify any portion of the demand.

3. Service of a civil investigative demand issued under this section may be made by:

(1) Delivering a duly executed copy thereof to the person to be served, or to a partner or any officer or agent authorized by appointment or by law to receive service of process on behalf of such person;

(2) Delivering a duly executed copy thereof to the principal place of business or the residence in this state of the person to be served;

(3) Mailing by registered or certified mail a duly executed copy thereof addressed to the person to be served, at the person's principal place of business or residence in this state, or if such person has no place of business or residence in this state, to his or her principal office, place of business, or his or her residence; or

(4) Mailing by registered or certified mail a duly executed copy thereof, requesting a return receipt signed by the addressee only, to the last known place of business, residence, or abode within or without this state of such person.

4. At any time prior to the return date specified in a civil investigative demand issued under this section or within twenty days after the civil investigative demand is served, whichever is earlier, the recipient of the civil investigative demand may file a petition in the circuit court of Cole County seeking to extend the return date for good cause or to quash or modify any portion of the civil investigative demand. A civil investigative demand issued under this section shall only be quashed or modified on the same basis as a subpoena duces tecum issued by a court of this state.

5. If any person fails to comply with any portion of a civil investigative demand served under this section, the attorney general may file a petition for an order to enforce the civil investigative demand. The attorney general may file such petition in the circuit court of Cole County or in any circuit court

where such person has his or her principal place of business or residence. Any person who refuses to comply with an order enforcing a civil investigative demand shall be found in contempt.

6. Any person who, with the intent to avoid, evade, or prevent compliance with a civil investigative demand issued under this section, removes, conceals, withholds, destroys, alters, or falsifies any information or evidence responsive to a civil investigative demand served under this section shall be guilty of a class A misdemeanor. The attorney general shall have concurrent jurisdiction to enforce the provisions of this subsection.

7. No information, documentary material, or physical evidence requested pursuant to a civil investigative demand issued under this section shall, unless otherwise ordered by a court for good cause shown, be produced for or the contents thereof be disclosed to, any person other than the authorized employee of the attorney general without the consent of the person who produced such information, documentary material or physical evidence; provided, that under such reasonable terms and conditions as the attorney general shall prescribe, such information, documentary material or physical evidence shall be made available for inspection and copying by the person who produced such information, documentary material or physical evidence, or any duly authorized representative of such person. The attorney general, or any attorney designated by him or her, may use the information, documentary material, or physical evidence in the enforcement of chapter 109 or this chapter, by presentation before any court or by disclosure to law enforcement agencies of this state.

610.033. There is created within the office of the attorney general a transparency division. No assistant attorney general while assigned to the transparency division shall participate in the prosecution or defense of any civil claim on behalf of the state, any agency of the state, or any officer of the state, except the prosecution of an action alleging a violation of any provision of chapter 109 or this chapter."; and

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

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 37, Section 253.408, Line 57, by inserting after all of said section and line the following:

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

(1) "Licensing authority", any agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any occupation or profession;

(2) "Licensing requirement", any required training, education, or fee to work in a specific occupation or profession;

(3) "Lobbyist", the same meaning given to the term in section 105.470;

(4) "Occupational fee", a tax on or fee, including any application or renewal fee, for a professional license. "Occupational fee" shall not include a fee imposed by a political subdivision to obtain or renew a business license.

2. State licensing authorities shall not contract for pay, or otherwise compensate any lobbyist to lobby on their behalf; except this section shall not be construed to prohibit, limit, preclude, or deprive

any officer or employee of a department or agency from exercising the department's or agency's individual right to communicate with members of the general assembly through proper official channels at the request of a member or to request legislative action or appropriations that are deemed necessary for the efficient conduct of public business or actually made in the proper performance of his or her official duties, including testifying before the general assembly or any committee thereof for information purposes."; and

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

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 40, Section 324.409, Lines 19-21, by deleting all of said lines and inserting in lieu thereof the following:

"[2. Verification of experience required pursuant to this section shall be based on a minimum of two client references, business or employment verification and three industry references, submitted to the council.]"; and

Further amend said bill and section by renumbering subsequent subsections; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 6, Line 1, by inserting immediately after said line the following:

"**13. Nothing in this section or section 334.036 shall be construed to limit the authority of hospitals or hospital medical staff to make employment or medical staff credentialing or privileging decisions.**"; and

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

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 46, Section 332.086, Line 37, by inserting after all of said section and line the following:

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

(1) "Assistant physician", any medical school graduate who:

(a) Is a resident and citizen of the United States or is a legal resident alien;

(b) Has successfully completed **[**Step 1 and**]** Step 2 of the United States Medical Licensing Examination or the equivalent of such **[**steps**] step** of any other board-approved medical licensing examination within the **[**two-year**] three-year** period immediately preceding application for licensure as an assistant physician, **[**but in no event more than**] or within** three years after graduation from a medical college or osteopathic medical college**, whichever is later**;

(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding **[**two-year**]** **three-year** period unless when such **[**two-year**]** **three-year** anniversary occurred he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and

(d) Has proficiency in the English language.

Any medical school graduate who could have applied for licensure and complied with the provisions of this subdivision at any time between August 28, 2014, and August 28, 2017, may apply for licensure and shall be deemed in compliance with the provisions of this subdivision;

(2) "Assistant physician collaborative practice arrangement", an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;

(3) "Medical school graduate", any person who has graduated from a medical college or osteopathic medical college described in section 334.031.

2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.

(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:

(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

(b) No supervision requirements in addition to the minimum federal law shall be required.

3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. **No licensure fee for an assistant physician shall exceed the amount of any licensure fee for a physician assistant.** An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule. **No rule or regulation shall require an assistant physician to complete more hours of continuing medical education than that of a licensed physician.**

(2) 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 under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

(3) Any rules or regulations regarding assistant physicians in effect as of the effective date of this

section that conflict with the provisions of this section and section 334.037 shall be null and void as of the effective date of this section.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms "doctor", "Dr.", or "doc". No assistant physician shall practice or attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. **[**To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period.**]** Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

7. Each health carrier or health benefit plan that offers or issues health benefit plans that are delivered, issued for delivery, continued, or renewed in this state shall reimburse an assistant physician for the diagnosis, consultation, or treatment of an insured or enrollee on the same basis that the health carrier or health benefit plan covers the service when it is delivered by another comparable mid-level health care provider including, but not limited to, a physician assistant.

334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by **[**P.L.**]** **Pub. L.** 95-210 **[,] (42 U.S.C. Section 1395x), as amended,** as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician **or supervising physician** shall not enter into a collaborative practice arrangement **or supervision agreement** with more than [three] **six** full-time equivalent assistant physicians**, full-time equivalent physician assistants, or full-time equivalent advance practice registered nurses, or any combination thereof**. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of section 334.104**.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. **No rule or regulation shall require the collaborating physician to review more than ten percent of the assistant physician's patient charts or records during such one-month period.** Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill**, except that buprenorphine may be prescribed for up to a thirty-day supply without refill for patients receiving medication assisted treatment for substance use disorders under the direction of the collaborating physician**. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009**, or assistant physicians providing opioid addiction treatment**.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon

protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services. **An advanced practice registered nurse may prescribe buprenorphine for up to a thirty-day supply without refill for patient's receiving medication assisted treatment for substance use disorders under the direction of the collaborating physician.**

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical

access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician **or supervising physician** shall not enter into a collaborative practice arrangement **or supervision agreement** with more than **[**three**] six** full-time equivalent advanced practice registered nurses**, full-time equivalent licensed physician assistants, or full-time equivalent assistant physicians, or any combination thereof**. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008**, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of this section**.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating

physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

Further amend said bill, Page 48, Section 334.625, Line 36, by inserting immediately after said section and line the following:

"334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;

(5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of

sections 334.735 to 334.749;

(8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, **[**where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services**] within a geographic proximity to be determined by the board of registration for the healing arts**.

(2) For a physician-physician assistant team working in a **certified community behavioral health clinic as defined by P.L. 113-93 and a** rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, **or a federally qualified health center as defined in 42 U.S.C. Section 1395 of the Public Health Service Act, as amended,** no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients; and

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license

of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician **or collaborating physician** for more than **[**three**]** **six** full-time equivalent licensed physician assistants**, full-time equivalent advanced practice registered nurses, or full-time equivalent assistant physicians, or any combination thereof**. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197**, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of section 334.104**.

334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. Prescriptions for Schedule II medications prescribed by a physician assistant with authority to prescribe delegated in a supervision agreement are restricted to only those medications containing hydrocodone. Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill**, except that buprenorphine may be prescribed for up to a thirty-day supply without refill for patients receiving medication assisted treatment for substance use disorders under the direction of the supervising physician**. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced

pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration."; and

Further amend said bill, Page 50, Section 335.021, Line 36, by inserting immediately after said section and line the following:

"337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology.

3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **[**or**] (APA),** the Canadian Psychological Association**, or the Psychological Clinical Science Accreditation System (PCSAS) provided that such program include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology**; or

(2) A program designated or approved, including provisional approval, by the Association of State and Provincial Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

(h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and

(i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:

a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;

c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;

d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;

e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.

4. Acceptable supervised professional experience may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours shall consist of:

(1) A minimum of fifteen hundred hours of experience in a successfully completed internship to be completed in not less than twelve nor more than twenty-four months; and

(2) A minimum of two thousand hours of experience consisting of any combination of the following:

(a) Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after

completion of a master's degree in psychology or equivalent as defined by rule by the committee;

(b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or

(c) Postdoctoral professional experience obtained in no more than twenty-four consecutive calendar months. In no case shall this experience be accumulated at a rate of more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers and other applicants shall involve and relate to the delivery of psychological services in accordance with professional requirements and relevant to the applicant's intended area of practice.

5. Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. For postinternship and postdoctoral hours, the psychological activities of the applicant shall be performed pursuant to the primary supervisor's order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.

337.029. 1. A psychologist licensed in another jurisdiction who has had no violations and no suspensions and no revocation of a license to practice psychology in any jurisdiction may receive a license in Missouri, provided the psychologist passes a written examination on Missouri laws and regulations governing the practice of psychology and meets one of the following criteria:

(1) Is a diplomate of the American Board of Professional Psychology;

(2) Is a member of the National Register of Health Service Providers in Psychology;

(3) Is currently licensed or certified as a psychologist in another jurisdiction who is then a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement;

(4) Is currently licensed or certified as a psychologist in another state, territory of the United States, or

the District of Columbia and:

(a) Has a doctoral degree in psychology from a program accredited, or provisionally accredited, by the American Psychological Association **or the Psychological Clinical Science Accreditation System,** or that meets the requirements as set forth in subdivision (3) of subsection 3 of section 337.025;

(b) Has been licensed for the preceding five years; and

(c) Has had no disciplinary action taken against the license for the preceding five years; or

(5) Holds a current certificate of professional qualification (CPQ) issued by the Association of State and Provincial Psychology Boards (ASPPB).

2. Notwithstanding the provisions of subsection 1 of this section, applicants may be required to pass an oral examination as adopted by the committee.

3. A psychologist who receives a license for the practice of psychology in the state of Missouri on the basis of reciprocity as listed in subsection 1 of this section or by endorsement of the score from the examination of professional practice in psychology score will also be eligible for and shall receive certification from the committee as a health service provider if the psychologist meets one or more of the following criteria:

(1) Is a diplomate of the American Board of Professional Psychology in one or more of the specialties recognized by the American Board of Professional Psychology as pertaining to health service delivery;

(2) Is a member of the National Register of Health Service Providers in Psychology; or

(3) Has completed or obtained through education, training, or experience the requisite knowledge comparable to that which is required pursuant to section 337.033.

337.033. 1. A licensed psychologist shall limit his or her practice to demonstrated areas of competence as documented by relevant professional education, training, and experience. A psychologist trained in one area shall not practice in another area without obtaining additional relevant professional education, training, and experience through an acceptable program of respecialization.

2. A psychologist may not represent or hold himself or herself out as a state certified or registered psychological health service provider unless the psychologist has first received the psychologist health service provider certification from the committee; provided, however, nothing in this section shall be construed to limit or prevent a licensed, whether temporary, provisional or permanent, psychologist who does not hold a health service provider certificate from providing psychological services so long as such services are consistent with subsection 1 of this section.

3. "Relevant professional education and training" for health service provider certification, except those entitled to certification pursuant to subsection 5 or 6 of this section, shall be defined as a licensed psychologist whose graduate psychology degree from a recognized educational institution is in an area designated by the American Psychological Association as pertaining to health service delivery or a psychologist who subsequent to receipt of his or her graduate degree in psychology has either completed a respecialization program from a recognized educational institution in one or more of the American Psychological Association recognized clinical health service provider areas and who in addition has completed at least one year of postdegree supervised experience in such clinical area or a psychologist who

has obtained comparable education and training acceptable to the committee through completion of postdoctoral fellowships or otherwise.

4. The degree or respecialization program certificate shall be obtained from a recognized program of graduate study in one or more of the health service delivery areas designated by the American Psychological Association as pertaining to health service delivery, which shall meet one of the criteria established by subdivisions (1) to (3) of this subsection:

(1) A doctoral degree or completion of a recognized respecialization program in one or more of the American Psychological Association designated health service provider delivery areas which is accredited, or provisionally accredited, **either** by the American Psychological Association **or the Psychological Clinical Science Accreditation System**; or

(2) A clinical or counseling psychology doctoral degree program or respecialization program designated, or provisionally approved, by the Association of State and Provincial Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A doctoral degree or completion of a respecialization program in one or more of the American Psychological Association designated health service provider delivery areas that meets the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as being in one or more of the American Psychological Association designated health service provider delivery areas;

(b) Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists in one or more of the American Psychological Association designated health service provider delivery areas.

5. A person who is lawfully licensed as a psychologist pursuant to the provisions of this chapter on August 28, 1989, or who has been approved to sit for examination prior to August 28, 1989, and who subsequently passes the examination shall be deemed to have met all requirements for health service provider certification; provided, however, that such person shall be governed by the provisions of subsection 1 of this section with respect to limitation of practice.

6. Any person who is lawfully licensed as a psychologist in this state and who meets one or more of the following criteria shall automatically, upon payment of the requisite fee, be entitled to receive a health service provider certification from the committee:

(1) Is a diplomate of the American Board of Professional Psychology in one or more of the specialties recognized by the American Board of Professional Psychology as pertaining to health service delivery; or

(2) Is a member of the National Register of Health Service Providers in Psychology."; and

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

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 5, Section 29.415, Line 5, by inserting after all of said section and line the following:

"**37.940. 1. There is hereby established within the office of administration the "Social Innovation Grant Program". The governor shall designate an individual to serve as the executive director of the social innovation grant program, who shall establish and oversee the program. For purposes of this section, the following terms mean:**

(1) "Critical state concern", instances or circumstances in which the state of Missouri is currently, and will likely be in the future, responsible for the costs associated with a particular act of the state through annual appropriations. The programs for which the costs are associated may not be optimal for reducing the overall scope of the problem to the greatest extent while limiting the exposure of the state budget;

(2) "Demonstration project", a project selected by the social innovation grant team in response to the grant team's request for proposals process;

(3) "Social innovation grant", a grant awarded to a nonprofit organization with experience in the area of critical state concern to design a short-term demonstration project based on evidence and best practices that can be replicated to optimize state funding and services for populations and programs identified as areas of critical state concern.

2. Areas of critical state concern include, but are not limited to:

(1) Families in generational child welfare;

(2) Opioid-addicted pregnant women; and

(3) Children in residential treatment with behavioral issues where the children were not removed from the family due to abuse or neglect.

The office of administration or the general assembly may identify additional critical state concerns that could potentially be addressed through the social innovation grant program.

3. For any critical state concern for which a social innovation grant is being utilized, the executive director shall establish a "Social Innovation Grant Team" to be comprised of:

(1) Individuals working in governmental agencies responsible for the oversight of programs related to the critical state concern;

(2) Persons working in the nonprofit sector with practical field experience related to the critical state concern; and

(3) Academic leaders in research and study related to the critical state concern.

4. The social innovation grant team shall be charged with:

(1) Formulating a request for proposals for social innovation grants;

(2) Evaluating responsive proposals and selecting those bids for demonstration projects that provide the greatest opportunity for addressing the critical state concern in a cost-effective and replicable way; and

(3) Monitoring demonstration projects and evaluating them based on the objectives outlined in the request for proposals, the program's outline, the project's impact on the critical state concern, and the project's ability to be replicated on a cost-effective basis.

5. Demonstration projects shall be operated over a period of time sufficient to impact the population served by the project based on the parameters and objectives outlined in the request for proposals. Grantees, at a minimum, shall be nonprofit organizations with experience working with the population identified as a critical state concern.

6. Upon the conclusion of a demonstration project, the social innovation grant team shall compile all relevant data and submit a report to the general assembly:

(1) Evaluating the project's effectiveness in impacting the critical state concern;

(2) Assessing, based on the actual experience of the project, the likely ease of statewide deployment in a methodology consistent with the execution of the project and identifying possible barriers to deployment;

(3) Analyzing the likely cost of statewide deployment; and

(4) Identifying funding strategies for statewide deployment, which may include scaling based on savings reinvestment or outside capital investments.

7. The social innovation grant team shall identify methods to fund the social innovation grant program, including state partnerships with nonprofit organizations and foundations. The executive director of the social innovation grant program shall identify sustainability models for deploying successful demonstration projects.

8. All social innovation grants shall be subject to appropriation.

9. The office of administration may promulgate rules and regulations 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, 2018, shall be invalid and void.

10. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly;

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

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

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

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 843, Page 37, Section 253.408, Line 57, by inserting after all of said section and line the following:

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

(1) "Licensing authority", any agency, examining board, credentialing board, or other office with the authority to impose occupational fees or licensing requirements on any occupation or profession;

(2) "Licensing requirement", any required training, education, or fee to work in a specific occupation or profession;

(3) "Low-income individual", any individual:

(a) Whose household adjusted gross income is below one hundred thirty percent of the federal poverty line or a higher threshold to be set by the department of insurance, financial institutions and professional registration by rule; or

(b) Who is enrolled in a state or federal public assistance program including, but not limited to, Temporary Assistance for Needy Families, the MO HealthNet program, or the Supplemental Nutrition Assistance Program;

(4) "Military families", any active duty service members and their spouses and honorably discharged veterans and their spouses. The term "military families" includes surviving spouses of deceased service members who have not remarried;

(5) "Occupational fee", a fee or tax on professionals or businesses that is charged for the privilege of providing goods or services within a certain jurisdiction;

(6) "Political subdivision", any city, town, village, or county.

2. All state and political subdivision licensing authorities shall waive all occupational fees and any other fees associated with licensing requirements for military families and low-income individuals for a period of two years beginning on the date an application is approved under subsection 3 of this section. Military families and low-income individuals whose applications are approved shall not be required to pay any occupational fees that become due during the two-year period.

3. Any individual seeking a waiver described under subsection 2 of this section shall apply to the appropriate licensing authority in a format prescribed by the licensing authority. The licensing authority shall approve or deny the application within thirty days of receipt.

4. An individual shall be eligible to receive only one waiver under this section from each licensing authority.

5. The waiver described under subsection 2 of this section shall not apply to fees required to obtain business licenses.

6. State licensing authorities and the department of insurance, financial institutions and professional registration 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, 2018, shall be invalid and void."; and

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

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: 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 951**, as amended. Representatives: Pfautsch, Ross, Walker (74), Kendrick.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 2128, regarding Dr. Jim B. Simpson, Crestwood, which was adopted.

INTRODUCTION OF GUESTS

Senator Wallingford introduced to the Senate, the Physician of the Day, Dr. Sharon Wallace, and her husband, Douglas, Cape Girardeau.

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

SENATE CALENDAR

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SEVENTY-SECOND DAY–WEDNESDAY, MAY 16, 2018

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2644-Rowland

HJR 79-Brattin

HCS for HJR 100

THIRD READING OF SENATE BILLS

SS for SB 579-Libla (In Fiscal Oversight)

SS for SB 699-Sifton (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SJR 36-Schatz, with SCS
2. SB 678-Eigel
3. SB 1102-Kehoe, with SCS
4. SB 1015-Wieland, with SCS

5. SB 709-Schatz, with SCS
6. SB 640-Sater
7. SB 963-Wieland, with SCS
8. SB 952-Rowden
9. SB 864-Hoskins
10. SB 998-Schatz, with SCS
11. SB 703-Hegeman
12. SB 915-Crawford
13. SB 934-Hegeman
14. SB 988-Rowden, with SCS
15. SB 790-Cierpiot, with SCS
16. SB 734-Schatz, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HBs 2280, 2120, 1468 & 1616, with SCS (Sater)
2. HB 1460-Evans (Rowden)
3. HCS for HB 2140, with SCS (Nasheed)
4. HB 1517-McCann Beatty (Curls)
5. HB 1625-Morris (Curls)
6. HB 2117-Pfautsch (Emery)
7. HB 1800-Miller, with SCS (Emery)
8. HB 1675-Redmon (Emery)
9. HBs 1421 & 1371-Pfautsch, with SCS (Romine)
10. HB 1265-Schroer (Onder)
11. HCS for HB 1300, with SCS (Schatz)
12. HB 1349-Black (Hoskins)
13. HB 1469-Davis (Wallingford)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SBs 617, 611 & 667-Eigel (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 546-Munzlinger, with SS#4 (pending)
SB 550-Wasson, with SCS
SBs 555 & 609-Brown, with SCS
SB 556-Brown, with SA 1 (pending)
SB 561-Sater, with SA 1 (pending)
SB 567-Cunningham, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)
SB 578-Romine
SB 591-Hegeman, with SCS
SB 596-Riddle, with SCS
SB 599-Schatz
SB 602-Onder, with SCS
SB 612-Koenig, with SCS, SS#2 for SCS, SA 2, SSA 1 for SA 2 & SA 1 to SSA 1 for SA 2 (pending)
SB 663-Schatz, with SCS, SS for SCS & SA 1 (pending)
SB 730-Wallingford, with SCS & SA 1 (pending)
SB 751-Schatz
SB 767-Hoskins, with SCS, SS for SCS & SA 2 (pending)
SB 774-Munzlinger
SB 813-Riddle, with SCS & SA 1 (pending)
SB 822-Hegeman, with SCS & SS for SCS (pending)
SB 832-Rowden, with SCS, SS#2 for SCS & point of order (pending)
SB 837-Rowden
SB 848-Riddle

SB 849-Kehoe and Schupp, with SCS, SA 1 & SA 1 to SA 1 (pending)
SB 859-Koenig, with SCS & SS for SCS (pending)
SB 860-Koenig, with SCS, SS for SCS & SA 1 (pending)
SB 861-Hegeman, with SCS
SB 865-Kehoe
SB 893-Sater, with SCS, SS for SCS & SA 1 (pending)
SB 912-Rowden, with SCS & SS#3 for SCS (pending)
SB 920-Riddle, with SS & SA 2 (pending)
SB 928-Onder, with SCS
SB 1003-Wasson, with SS & SA 1 (pending)
SB 1021-Dixon and Wallingford, with SCS

HOUSE BILLS ON THIRD READING

HB 1247-Pike (Onder)
HB 1249-Plocher, with SCS (Dixon)
HB 1250-Plocher, with SCS (Dixon)
HCS for HB 1251, with SCS (Crawford)
HCS for HB 1264 (Hegeman)
HB 1267-Lichtenegger (Munzlinger)
HB 1303-Alferman, with SCS (Rowden)
HB 1329-Remole, with SCS, SS for SCS & SA 5 (pending) (Munzlinger)
HCS for HB 1388, with SCS (Riddle)
HB 1389-Fitzpatrick, with SCS (Schatz)
HB 1409-Fitzpatrick (Kehoe)
HB 1413-Taylor, with SCS, SS for SCS & SA 1 (pending) (Onder)
HB 1442-Alferman, with SCS, SS for SCS & SA 1 (pending) (Schatz)
HCS for HB 1443, with SCS (Sater)
HB 1446-Eggleston, with SCS (Koenig)
HCS for HB 1456, with SCS (Wallingford)
HB 1578-Kolkmeyer (Munzlinger)
HCS for HB 1597, with SCS (Dixon)
HCS for HB 1605, with SCS (Kehoe)
HCS for HB 1611 (Riddle)
HCS for HB 1614 (Hegeman)
HCS for HB 1617, with SCS, SS#2 for SCS & SA 1 (pending) (Onder)
HB 1630-Evans (Rowden)
HCS for HB 1645 (Rowden)
HCS for HB 1667, with SCS (Wallingford)
HB 1691-Miller, with SCS & SS for SCS (pending) (Emery)
HCS for HB 1710, with SCS (Eigel)
HCS for HB 1713, with SCS (Sater)
HB 1719-Grier, with SCS, SS for SCS & SA 1 (pending) (Riddle)
HCS for HBs 1729, 1621 & 1436 (Brown)
HCS for HB 1796, with SS (pending) (Rowden)
HB 1809-Tate (Schatz)
HB 1831-Ruth, with SA 1 & SA 1 to SA 1 (pending) (Wieland)
HB 1832-Cornejo, with SCS (Riddle)
HCS for HB 1868, with SCS (Riddle)
HCS for HB 1872 (Hegeman)
HB 1892-Wilson (Cierpiot)
HB 1968-Grier (Schatz)
HB 1998-Bondon, with SCS (Emery)
HB 2026-Wilson, with SCS (Rowden)
HCS for HB 2031 (Hoskins)
HB 2039-Fraker (Cunningham)
HCS for HB 2042, with SCS (Dixon)
HB 2043-Tate (Wasson)
HB 2044-Taylor, with SCS (pending) (Dixon)
HCS for HB 2079, with SCS (Crawford)
HCS for HB 2119 (Rowden)
HB 2122-Engler, with SCS (Schatz)
HB 2179-Richardson (Kehoe)
HB 2208-Curtman, with SCS (Eigel)
HCS for HB 2216, with SCS (Emery)
HCS for HB 2249, with SCS (Riddle)
HCS for HBs 2277 & 1983, with SCS (Schatz)
HCS for HBs 2337 & 2272, with SCS (Wieland)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 549-Wasson, with HA 1, HA 3, HA 4, HA 5, as amended, HA 6, HA 7, HA 8, HA 9 & HA 10
SS#2 for SCS for SB 590-Hegeman, with HA 1 & point of order (pending)
SS for SB 597-Riddle, with HCS, as amended
SB 757-Schatz, with HA 1, HA 3, HA 4, HA 5, HA 6, HA 8 & HA 9
SS for SCS for SB 843-Riddle, with HCS, as amended
SS for SCS for SB 966-Rowden, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 569-Cunningham, with HCS, as amended (Senate adopted CCR and passed CCS)
SS for SCS for SBs 603, 576 & 898-Onder, with HCS, as amended
SS for SB 608-Hoskins, with HCS
SB 660-Riddle, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 687-Sater, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 718-Eigel, with HCS, as amended
SB 743-Sater, with HCS, as amended (Senate adopted CCR and passed CCS)
SS for SCS for SB 775-Brown, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 806-Crawford, with HCS, as amended (Senate adopted CCR and passed CCS)
SS for SCS for SB 826-Sater, with HCS, as amended (Senate adopted CCR and passed CCS)
SS for SB 870-Hegeman, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 951-Crawford, with HCS, as amended
HB 1350-Smith (163), with SS for SCS, as amended (Rowden)
HB 1633-Corlew, with SS for SCS, as amended (Dixon)

Requests to Recede or Grant Conference

SCS for SBs 807 & 577-Wasson, with HCS, as amended (Senate requests House recede or grant conference)
SB 808-Brown, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

SR 1137-Walsh, with SS (pending)
SR 1487-Schaaf
SR 2020-Schaaf
SR 2052-Schaaf

SR 2053-Schaaf
SR 2054-Schaaf
SR 2055-Schaaf
SR 2056-Schaaf
SR 2057-Schaaf
SR 2058-Schaaf
SR 2059-Schaaf
SR 2060-Schaaf
SR 2061-Schaaf
SR 2062-Schaaf
SR 2063-Schaaf
SR 2064-Schaaf
SR 2065-Schaaf
SR 2066-Schaaf

Reported from Committee

SCR 28-Schupp and Nasheed
SCR 30-Wallingford, with SA 1 (pending)
HCR 63-Haefner (Wieland)
HCR 69-Davis (Hoskins)
HCR 96-Conway (Eigel)

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