

# Journal of the Senate

SECOND REGULAR SESSION

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**SEVENTY-THIRD DAY—THURSDAY, MAY 17, 2018**

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The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“To do righteousness and justice is more acceptable to the Lord than sacrifice.” (Proverbs 21:3)

Almighty God, we are thankful for bringing us to the beginning of this day and the promise that You will be with us as we face the stress and tension that is part of our lives during this time. We see the finish line, the final stretch but it puts greater demands on us and we need You to provide us yet even greater strength and energy to push toward it. We also pray for increased calm and peace within so we may make wise and thoughtful decisions on what we vote on this day. 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 Crawford offered Senate Resolution No. 2157, regarding Gunter Farms, Conway, which was

adopted.

Senators Schaaf and Hegeman offered Senate Resolution No. 2158, regarding Ian H.S. Riseley, Australia, which was adopted.

Senator Hegeman offered Senate Resolution No. 2159, regarding Eagle Scout Jack Emory Muirhead, Plattsburg, which was adopted.

Senator Hegeman offered Senate Resolution No. 2160, regarding the Fiftieth Wedding Anniversary of Ron and Maureen Sharp, Cameron, which was adopted.

Senator Hegeman offered Senate Resolution No. 2161, regarding the Seventieth Wedding Anniversary of Earl and Evelyn Furst, Saint Joseph, which was adopted.

Senator Hegeman offered Senate Resolution No. 2162, regarding the One Hundredth Birthday of Datha Roberts, Savannah, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2163, regarding Rick Gann, Callo, which was adopted.

Senator Rowden offered Senate Resolution No. 2164, regarding Donald Lee “Don” Catlett, Columbia, which was adopted.

Senator Hegeman offered Senate Resolution No. 2165, regarding the Sixty-eighth Wedding Anniversary and Ninetieth Birthdays of Tom and June Markt, Oregon, which was adopted.

Senator Hegeman offered Senate Resolution No. 2166, regarding the Fiftieth Wedding Anniversary of Larry and Donna Dack, Ravenwood, which was adopted.

Senator Hegeman offered Senate Resolution No. 2167, regarding the Seventieth Wedding Anniversary of John and Irene Schulte, Maryville, which was adopted.

### 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 **SB 881**, entitled:

An Act to repeal sections 21.795, 71.012, 71.015, 226.770, 226.780, 227.240, 301.010, 301.067, 301.074, 301.075, 301.140, 301.145, 302.170, 304.180, 304.190, 307.175, and 307.350, RSMo, and to enact in lieu thereof nineteen new sections relating to transportation, with penalty provisions.

With House Amendment Nos. 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

### HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 32, Section 302.170, Line 163, by inserting after all of said section and line the following:

“304.044. 1. The following terms as used in this section shall mean:

(1) “Bus”, any vehicle or motor car designed and used for the purpose of carrying more than seven persons;

(2) “Truck”, any vehicle, machine, tractor, trailer or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed or used in the transportation of property upon the highways.

2. The driver of any truck or bus, when traveling upon a public highway of this state outside of a business or residential district, shall not follow within three hundred feet of another such vehicle; provided, the provisions of this section shall not be construed to prevent the overtaking and passing, by any such truck or bus, of another similar vehicle.

3. Any person who shall violate the provisions of this section shall be deemed guilty of a class C misdemeanor, and upon conviction thereof shall be punished accordingly.

**4. This section and section 304.017 shall not apply to a connected vehicle technology program that uses networked wireless communication among vehicles, infrastructure, or communications devices. Any connected vehicle technology program shall be limited to the operation of trucks on the public highways of this state and shall be approved by the state highways and transportation commission before such technology shall be used in Missouri. Each commercial motor vehicle in a pair, convoy, or formation shall have an appropriately endorsed driver who holds a valid commercial driver’s license present behind the wheel.**

**5. The highways and transportation commission is authorized to promulgate administrative rules that are reasonable and necessary to approve and implement a connected vehicle technology testing program including designated highways and hours of operation for vehicles in the testing program. 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. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 5, Section 71.012, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

**“existing corporate limits of the city, town, or village but for an intervening state highway or interstate highway as defined in section 304.001, or railroad right-of-way, regardless of whether any other city, town, or village has annexed such state or interstate highway or railroad right-of-way or otherwise has an easement in such state or interstate highway or”;** and

Further amend said bill, Page 7, Section 71.015, Line 12, by deleting the word “**roadway**” and inserting in lieu thereof “**state highway or interstate highway as defined in section 304.001,**”; and

Further amend said bill, section, and page, Line 17, by deleting the word “**roadway**” and inserting in lieu thereof “**state highway or interstate highway**”; and

Further amend said bill, Page 13, Section 227.240, Lines 13-19, by deleting all of said lines and inserting

in lieu thereof the following:

**“3. The department of transportation utility corridor established for the placement of utility facilities on the right-of-way of highways in the state highway system shall be up to twelve feet in width when space is reasonably available, with the location of the utility corridor to be determined by the state highways and transportation commission. The commission shall promulgate rules setting forth a standardized statewide system for requesting and issuing variances to requirements set forth in this section.”; and**

Further amend said bill, Page 29, Section 302.170, Lines 42 and 43, by deleting the phrase “and (5)” on said lines and inserting in lieu thereof the following:

“ [and]

**(5) Documents submitted by a commercial driver’s license applicant who is a Missouri resident and is active duty military or a veteran, as “veteran” is defined in 38 U.S.C. 101, which allow for waiver of the commercial driver’s license knowledge test, skills test, or both; and**

**(6) “; and**

Further amend said bill and section, Page 32, Line 163, by inserting after all of said section and line the following:

“302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person’s license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the Armed Forces, their adult dependents or any active member of the Peace Corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the Armed Forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person’s honorable discharge without submitting to any examination of such person’s ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant’s ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant’s natural or corrected vision as prescribed in section 302.175, the applicant’s ability to understand highway signs regulating, warning or directing traffic, the applicant’s practical knowledge of the traffic laws

of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a license from a state which has requirements for issuance of a license comparable to the Missouri requirements or a license from a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license has not expired more than six months prior to the date of application for the Missouri license, the director may waive the test of the applicant's practical knowledge of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an individual has committed fraud or deception during the examination process, the license examiner shall immediately forward to the director all information relevant to any fraud or deception, including, but not limited to, a statement of the examiner's grounds for belief that the person committed or attempted to commit fraud or deception in the written, skills, or vision examination.

3. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further **practical knowledge or** driving test shall be required to obtain a motorcycle or motortricycle license or endorsement. **The motorcycle rider training course completion shall be accepted for purposes of motorcycle license or endorsement issuance for one year from the date of course completion.**

5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the [U.S.] **United States** Armed Forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further **practical knowledge or** driving test shall be required to obtain a motorcycle or motortricycle license or endorsement. **The military motorcycle rider training course completion shall be accepted for purposes of motorcycle license or endorsement issuance for one year from the date of course completion.** The director of revenue is authorized to promulgate rules and regulations for the administration and implementation of this subsection including rules governing the presentment of motorcycle training course completion cards from a military motorcycle rider training course

or other documentation showing that the applicant has successfully completed a course in basic motorcycle safety instruction that meets or exceeds curriculum standards established by the Motorcycle Safety Foundation or other national organization whose purpose is to improve the safety of motorcyclists on the nation's streets and highways. 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.”; and

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

#### HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 22, Section 301.010, Line 301, by inserting after all of said section and line the following:

“301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided [in the vehicle inspection report] **by the owner of the vehicle**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall retain the odometer information provided [in the vehicle inspection report] **by the owner of the vehicle**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information.

This subsection shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The

director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April of the corresponding year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of the corresponding year, with two years' fees due for biennially-registered vehicles. [Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application.] The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles may apply for fleet license plates bearing a company name or logo, the

size and design thereof subject to approval by the director. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

[5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.]; and

Further amend said bill, Page 23, Section 301.074, by removing all of said section from the bill and inserting in lieu thereof the following:

“301.074. License plates issued under sections 301.071 to 301.075 shall be valid for the duration of the veteran’s disability. Each such applicant issued license plates under these provisions shall annually furnish [proof of vehicle inspection and] proof of disability to the director, except that an applicant whose service connected disability qualifying him for special license plates consists in whole or in part of loss of an eye or a limb or an applicant with a one hundred percent permanent disability, as established by a physician’s signed statement to that effect, need only furnish proof of disability to the director when initially applying for the special license plates and not thereafter, but in such case proof that the veteran is alive shall be required annually. [Each person qualifying under sections 301.071 to 301.075 may license only one motor vehicle under these provisions.] No commercial motor vehicle in excess of twenty-four thousand pounds gross weight may be licensed under the provisions of sections 301.071 to 301.075.”; and

Further amend said bill and page, Section 301.075, Line 4, by inserting after all of said section and line the following:

“301.132. 1. For purposes of this section, “street rod” is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble a vehicle manufactured before 1949; and has been altered from the manufacturer’s original design or has a body constructed from nonoriginal materials.

2. The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word “REPLICA”.

3. For each street rod, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

4. In applying for registration of a street rod pursuant to this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses;

(2) Will not be used for general daily transportation.

5. [In addition to the certification required pursuant to subsection 4 of this section, when applying for

registration of a street rod, the new owner of the street rod shall provide proof that the street rod passed a safety inspection in accordance with section 307.350 that shall be approved by the department of public safety in consultation with the street rod community in this state.

6.] On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "STREET ROD", "STATE OF MISSOURI". Such license plates shall be kept securely attached to the motor vehicle registered pursuant to this section. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

[7.] 6. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

[8.] 7. [Except as provided in subsection 5 of this section,] A vehicle registered pursuant to this section is exempt from any statute of this state that requires [periodic vehicle inspections and from any statute of this state that requires] the use and inspection of emission controls.

[9.] 8. A "custom vehicle" means any motor vehicle that:

(1) Is at least twenty-five years old and of a model year after 1948, or was manufactured to resemble a vehicle twenty-five years old or older and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design, or has an entire body constructed from nonoriginal materials.

[10.] 9. The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word "REPLICA".

[11.] 10. For each custom vehicle, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

[12.] 11. In applying for registration of a custom vehicle pursuant to this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses; and

(2) Will not be used for general daily transportation.

[13.] In addition to the certification required pursuant to subsection 12 of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance with section 307.350 that shall be approved by the department of public safety in consultation with the street rod community in this state.

14.] 12. On registration of a vehicle pursuant to this section, the director of the department of revenue

shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: “CUSTOM VEHICLE”, “STATE OF MISSOURI”. Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

[15.] **13.** Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

[16.] **14.** [Except as provided in subsection 13 of this section,] A vehicle registered pursuant to this section is exempt from any statute of this state that requires [periodic vehicle inspections and from any statute of this state that requires] the use and inspection of emission controls.

[17.] **15.** For purposes of this section, “blue dot tail light” is a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

[18.] **16.** A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.”; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

“301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of [a motor vehicle safety inspection and] any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. 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 July 1, 2000, shall be invalid

and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer, unless the motor vehicle was acquired under section 301.213 in which case the applicant shall make application within thirty days after receiving title from the dealer, upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of

purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the

director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, [the safety inspection required in chapter 307 and] the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri [or as required by section 301.020], it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, [the safety inspection required in chapter 307 and] the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately

designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words “Non-USA-Std Motor Vehicle”.

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words “Reconstructed Motor Vehicle” and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.191. 1. When an application is made for an original Missouri certificate of ownership for a previously untitled trailer [sixteen feet or more in length] which is stated to be homemade, the applicant shall present a certificate of inspection as provided in this section. No certificate of ownership shall be issued for such a homemade trailer if no certificate of inspection is presented.

2. As used in this section, “homemade” means made by a person who is not a manufacturer using readily distinguishable manufacturers’ identifying numbers or a statement of origin.

3. Every person constructing a homemade trailer [sixteen feet or more in length] shall obtain an inspection from the sheriff of his or her county of residence or from the Missouri state highway patrol prior to applying for a certificate of ownership. If the person constructing the trailer sells or transfers the trailer prior to applying for a certificate of ownership, the sheriff's or the Missouri state highway patrol's certificate of inspection shall be transferred with the trailer.

4. A fee of [ten] **twenty-five** dollars shall be paid for the inspection. If the inspection is completed by the sheriff, the proceeds from the inspections shall be deposited by the sheriff within thirty days into the county law enforcement fund if one exists; otherwise into the county general revenue fund. If the inspection is completed by the Missouri state highway patrol, the applicant shall pay the [ten] **twenty-five** dollar inspection fee to the director of revenue at the time of application for a certificate of ownership for the homemade trailer. The fee shall be deposited in the state treasury to the credit of the state highway fund.

5. The sheriff or Missouri state highway patrol shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff or Missouri state highway patrol may request the owner to provide any documents or other evidence showing that the trailer was homemade. When a trailer is certified by the sheriff, the sheriff may stamp a permanent identifying number in the tongue of the frame. The certificate of inspection shall be on a form designed and provided by the director of revenue.

6. Upon presentation of the certificate of inspection and all applicable documents and fees including the identification plate fee provided in section 301.380, the director of revenue shall issue a readily distinguishable manufacturers' identifying number plate. The identification number plate shall be affixed to the tongue of the trailer's frame.

7. The sheriff or Missouri state highway patrol may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff or Missouri state highway patrol may hold the trailer as evidence while an investigation is conducted. The trailer shall be returned if no related criminal charges are filed within thirty days or when the charges are later dropped or dismissed or when the owner is acquitted.

301.380. 1. Whenever the original, manufacturer's, or other distinguishing number on any motor vehicle, trailer or motor vehicle tire has been destroyed, removed, covered, altered, defaced or is otherwise nonexistent, the director of revenue, upon application, payment of a fee of seven dollars and fifty cents, and satisfactory proof of ownership by the owner, shall issue a certificate authorizing the owner to place a special number designated by the director of revenue upon the vehicle, trailer or tire.

2. In order to properly calculate the sales tax due, in the case of a trailer which is alleged to have been made by someone who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a certificate of origin, the person seeking the special number authorized by the provisions of this section shall secure a [written statement from a motor vehicle inspection station] **vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue**, that the trailer has been examined and that it is not one made by a regular manufacturer. **The person seeking the special number authorized by the provisions of this section shall pay a fee of twenty-five dollars for such examination certificate, payable to the director of revenue, which shall be deposited into the state treasury to the credit of the state highways and transportation department fund.** The superintendent of the state highway patrol shall provide such forms for [inspection stations, and the person, firm, or corporation seeking the examination shall pay a regular inspection fee for the examination. The proceeds of the fee shall be distributed in the same manner as regular inspection fees

are distributed] **law enforcement agencies performing such inspections.** This subsection shall not apply to trailers inspected under section 301.191.

3. The director of revenue shall designate the special numbers consecutively beginning with the number one preceded by the letters “DR” and followed by the letters “Mo” for each make of motor vehicle, trailer or motor vehicle tire, or if the make be unknown, the number shall also be preceded by the letter “X”.

4. When such number has been placed upon the motor vehicle or motor or engine thereof, or trailer or motor vehicle tire, it shall be the lawful number of the same for the purpose of identification, registration, and all other purposes of this chapter, and the owner may sell and transfer such property under the special number. No person shall destroy, remove, cover, alter or deface any such special number.

301.443. 1. Any legal resident of the state of Missouri who is a veteran of service in the Armed Forces of the United States and has been honorably discharged from such service and who is a former prisoner of war and any legal resident of the state of Missouri who is a former prisoner of war and who was a United States citizen not in the Armed Forces of the United States during such time is, upon filing an application for registration together with such information and proof in the form of a statement from the United States Veterans Administration or the Department of Defense or any other form of proof as the director may require, entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 for a motor vehicle other than a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. There shall be no fee charged for license plates issued under the provisions of this section.

2. Not more than one certificate of registration and one corresponding set of motor vehicle license plates or other evidence of registration as provided in section 301.130 shall be issued each year to a qualified former prisoner of war under this section.

3. Proof of ownership [and vehicle inspection] of the particular motor vehicle for which a registration certificate and set of license plates is requested must be shown at the time of application. Proof of status as a former prisoner of war as required in subsection 1 of this section shall only be required on the initial application.

4. As used in this section, “former prisoner of war” means any person who was taken as an enemy prisoner during World War I, World War II, the Korean Conflict, or the Vietnam Conflict.

5. The director shall furnish each former prisoner of war obtaining a set of license plates under the provisions of subsections 1 to 4 of this section special plates which shall have the words “FORMER P.O.W.” on the license plates in preference to the words “SHOW-ME STATE” as provided in section 301.130 in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

6. Registration certificates and license plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified former prisoner of war.

7. (1) Notwithstanding the provisions of subsection 6 of this section to the contrary, the surviving spouse

of a former prisoner of war who has not remarried and who has been issued license plates described in subsection 5 of this section shall be entitled to transfer such license plates to the motor vehicle of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the transfer of such license plates.

(2) The department of revenue shall promulgate rules for the obtaining of a set of license plates described in subsection 5 of this section by the surviving spouse of the former prisoner of war when such license plates are not issued prior to the death of the former prisoner of war. The surviving spouse shall be entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the license plates issued pursuant to this subdivision.

301.800. 1. Any motor vehicle assembled by a two- or four-year institution of higher education exclusively utilizing solar power and built to compete in a national competition organized to foster interest in solar energy shall be registered and titled by the director of revenue, other laws regulating licensing of motor vehicles to the contrary notwithstanding.

2. Such institution shall file an application in a form prescribed by the director, verified by affidavit, that such vehicle meets the requirements of subsection 1 of this section.

3. The plate issued by the director shall be the collegiate plate of the institution and shall display the term "solar" in a manner prescribed by the director.

4. The institution shall pay the applicable fees as determined by the director.

5. Such motor vehicle shall be exempt from the [inspections required by section 307.350 and] **inspection required under** section 643.315 and shall only be operated on the streets and highways with the approval of the institution of higher education.""; and

Further amend said bill, Page 41, Section 307.350, Line 49, by inserting after all of said section and line the following:

"307.360. 1. The superintendent of the Missouri state highway patrol shall issue permits and written instructions to official inspection stations and shall furnish forms and certificates for the [inspection of brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system, and any other safety equipment required by the state. In no instance will road testing of a vehicle be considered a part of the inspection procedure] **certification of manufacturer's identification numbers and odometer readings for vehicles presented for inspection.**

2. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official inspection station and the qualifications for persons who conduct the inspections, and no applicant may be approved to operate an official inspection station until the applicant meets the standards and has the required equipment and qualified inspectors as prescribed. The superintendent of the Missouri state highway patrol shall establish standards and procedures to be followed in the making of inspections required by sections [307.350] **307.360** to 307.390 and shall prescribe rules and regulations for the operation of the stations.

3. (1) The application for permit as an official inspection station shall be made to the superintendent of

the Missouri state highway patrol on a form furnished by the superintendent. The fee for a permit to operate an official inspection station shall be ten dollars per year and each permit shall be renewed annually on the date of issue. All fees shall be payable to the director of revenue and shall be deposited by him in the state treasury to the credit of the state highway fund.

(2) The application shall set forth the name under which applicant transacts or intends to transact business, the location of the applicant's place of business and such other information as the superintendent of the Missouri state highway patrol may require. If the applicant has or intends to have more than one place of business within the state, a separate application shall be made for each place of business. If the applicant is a partnership, the application shall set forth the names of the partners; if a corporation, the names of the officers shall be shown. The application shall be signed and verified by oath or affirmation of the owner or an authorized officer or partner.

(3) Each location which fulfills the superintendent of the Missouri state highway patrol's requirements and whose owners, proprietors and employees comply with the superintendent's regulations and qualifications shall be designated as an official inspection station and the applicant issued a certificate. The superintendent of the Missouri state highway patrol shall investigate all applicants for inspection station permits to determine whether or not the premises, equipment and personnel meet the requirements prescribed by him.

(4) Any automobile mechanic who has had at least one year of practical experience as an automotive mechanic or any person who has successfully completed a course of vocational instruction in automotive mechanics from a generally recognized educational institution, either public or private, and who has demonstrated the knowledge and ability to conduct an inspection in compliance with the regulations established by the superintendent of the Missouri state highway patrol may be issued a permit to conduct inspections at any official inspection station. No person without a valid permit shall conduct any part of an inspection[, except a person without a valid permit may assist in the inspection of a vehicle by operating the vehicle's lighting equipment and signaling devices. The superintendent of the Missouri state highway patrol may require a mechanic to be reexamined at any time to determine the mechanic's knowledge and ability to conduct an inspection. If the mechanic fails the reexamination or refuses to be reexamined, the permit issued to the mechanic shall be suspended until the mechanic passes the examination but under no circumstances can the mechanic again be tested until a period of thirty days has elapsed]. No fee shall be charged for the permit and the permit shall remain valid for a period of three years from the date of issue or until suspended or revoked by the superintendent of the Missouri state highway patrol.

[(5) The superintendent of the Missouri state highway patrol may issue a private official inspection station permit to any association, person, partnership, corporation and/or subsidiary corporation, and governmental entity having registered or titled in his, her or its name in this state one or more vehicles of the type required to be inspected by section 307.350, or who maintains such vehicles under a written maintenance agreement of at least one year's duration and who maintains approved inspection facilities and has qualified personnel; but separate permits must be obtained for separate facilities of the same association, person, partnership, corporation and/or subsidiary corporation, or governmental entity. Such private stations shall inspect only vehicles registered or to be registered, titled or to be titled or maintained in the name of the person or organization described on the application for permit. No fee shall be charged for a permit issued to a governmental entity.]

4. (1) The superintendent of the Missouri state highway patrol shall supervise and cause inspections to

be made of the official inspection stations and inspecting personnel and if the superintendent finds that the provisions of sections [307.350] **307.360** to 307.390 or the regulations issued pursuant to sections [307.350] **307.360** to 307.390 are not being complied with, or that the business of an official inspection station[, in connection with corrections, adjustments, repairs or inspection of vehicles] is being improperly conducted, the superintendent shall suspend or revoke the permit of the station for a period of not less than thirty days or more than one year and require the immediate surrender and return of the permit, together with all official forms and certificates of inspection and approval. If the superintendent finds that an inspector has violated any of the provisions of sections [307.350] **307.360** to 307.390 or the regulations issued pursuant to sections [307.350] **307.360** to 307.390, the superintendent shall suspend or revoke the inspector's permit for a period of not less than thirty days nor more than one year. If a station operator or if an inspector violates any of the provisions of sections [307.350] **307.360** to 307.390, he or she is subject to prosecution as provided in section 307.390.

(2) The suspension or revocation of a station permit or of an inspector's permit shall be in writing to the operator, inspector, or the person in charge of the station. Before suspending or revoking either of the permits, the superintendent shall serve notice in writing by certified mail or by personal service to the permittee at the permittee's address of record giving the permittee the opportunity to appear in the office of the superintendent on a stated date, not less than ten nor more than thirty days after the mailing or service of the notice, for a hearing to show cause why the permittee's permit should not be suspended or revoked. An inspection station owner or an inspector may appear in person or by counsel in the office of the superintendent to show cause why the proposed suspension or revocation is in error, or to present any other facts or testimony that would bear on the final decision of the superintendent. If the permittee or the permittee's agent does not appear on the stated day after receipt of notice, it shall be presumed that the permittee admits the allegations of fact contained in the hearing notification letter. The decision of the superintendent may in such case be based upon the written reports submitted by the superintendent's officers. The order of the superintendent, specifying his findings of fact and conclusions of law, shall be considered final immediately after receipt of notice thereof by the permittee.

(3) Any person whose permit is suspended or revoked or whose application for a permit is denied may within ten days appeal the action as provided in chapter 536.

307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway patrol shall design and furnish each official inspection station, at no cost, one official sign made of metal or other durable material to be displayed in a conspicuous location to designate the station as an official inspection station. Additional signs may be obtained by an official inspection station for a fee equal to the cost to the state. Each inspection station shall also be supplied with one or more posters which must be displayed in a conspicuous location at the place of inspection and which informs the public that required repairs or corrections need not be made at the inspection station.

2. No person operating an official inspection station pursuant to the provisions of sections [307.350] **307.360** to 307.390 may issue a certificate of inspection and approval for any vehicle except upon an official form furnished by the superintendent of the Missouri state highway patrol for that purpose [and only after inspecting the vehicle and determining that its brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control

devices, fuel system and any other safety equipment as required by the state are in proper condition and adjustment to be operated upon the public highways of this state with safety to the driver or operator, other occupants therein, as well as other persons and property upon the highways, as provided by sections 307.350 to 307.390 and the regulations prescribed by the superintendent of the Missouri state highway patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake testing]. No person operating an official inspection station shall furnish, loan, give or sell a certificate of inspection and approval to any other person except those entitled to receive it under provisions of sections [307.350] **307.360** to 307.390. [No person shall have in such person's possession any certificate of inspection and approval and/or inspection sticker with knowledge that the certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.]

3. The superintendent of the Missouri state highway patrol may require officially designated stations to furnish reports upon forms furnished by the superintendent for that purpose as the superintendent considers reasonably necessary for the proper and efficient administration of sections [307.350] **307.360** to 307.390.

4. [If, upon inspection, defects or unsafe conditions are found, the owner may correct them or shall have them corrected at any place the owner chooses within twenty days after the defect or unsafe condition is found, and shall have the right to remove the vehicle to such place for correction, but before the vehicle is operated thereafter upon the public highways of this state, a certificate of inspection and approval must be obtained. The inspecting personnel of the official inspection station must inform the owner that the corrections need not be made at the inspection station.

5.] A fee, not to exceed twelve dollars, as determined by each official inspection station, may be charged by an official inspection station for each official inspection including the issuance of the certificate of inspection [and approval, sticker, seal or other device and a total fee, not to exceed ten dollars, as determined by each official inspection station, may be charged for an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate of inspection and approval, sticker, seal or other device]. Such fee shall be conspicuously posted on the premises of each such official inspection station. [No owner shall be charged an additional inspection fee upon having corrected defects or unsafe conditions found in an inspection completed within the previous twenty consecutive days, excluding Saturdays, Sundays and holidays, if such follow-up inspection is made by the station making the initial inspection. Every inspection for which a fee is charged shall be a complete inspection, and upon completion of the inspection, if any defects are found the owner of the vehicle shall be furnished a list of the defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have any necessary repairs or corrections made at the official inspection station, the owner shall be furnished a written estimate of the cost of such repairs before such repairs or corrections are made by the official inspection station. The written estimate shall have plainly written upon it that the owner understands that the corrections need not be made by the official inspection station and shall have a signature line for the owner. The owner must sign below the statement on the signature line before any repairs are made.

6. Certificates of inspection and approval, sticker, seal or other device shall be purchased by the official inspection stations from the superintendent of the Missouri state highway patrol. The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty cents for each certificate of inspection, sticker, seal or other device issued to the official inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal or other device issued to official inspection stations

operated by governmental entities. All fees collected shall be deposited in the state treasury with one dollar of each fee collected credited to the state highway fund and, for the purpose of administering and enforcing the state motor vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund" which is hereby created. The moneys collected and deposited in the highway patrol inspection fund shall be expended subject to appropriations by the general assembly for the administration and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The unexpended balance in the fund at the end of each biennium exceeding the amount of the appropriations from the fund for the first two fiscal years shall be transferred to the state road fund, and the provisions of section 33.080, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to the fund.

7.] 5. The owner or operator of any inspection station who discontinues operation during the period that a station permit is valid or whose station permit is suspended or revoked shall return all official signs and posters [and any current unused inspection stickers, seals or other devices] to the superintendent of the Missouri state highway patrol and shall receive a full refund on request except for official signs and posters, provided the request is made during the calendar year or within sixty days thereafter in the manner prescribed by the superintendent of the Missouri state highway patrol. [Stations which have a valid permit shall exchange unused previous year issue inspection stickers and/or decals for an identical number of current year issue, provided the unused stickers and/or decals are submitted for exchange not later than April thirtieth of the current calendar year, in the manner prescribed by the superintendent of the Missouri state highway patrol.]

[8.] 6. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this section shall be a class C misdemeanor.

[9.] 7. The owner or operator of any inspection station shall maintain liability insurance at all times to cover possible damage to vehicles during the inspection process.

307.370. 1. No person shall represent in any manner any place as an official inspection station unless the station is operated under a valid permit issued by the superintendent of the Missouri state highway patrol.

2. No person unless then holding a valid permit shall issue a certificate of inspection [and approval, sticker, seal or other device].

3. No person shall make, issue or knowingly use any imitation or counterfeit of an official certificate of inspection[, sticker, seal or other device].

4. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval[, sticker, seal or other device] knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official **school bus** inspection station, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. The inspection shall[, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390,] include **a determination that the brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust**

**system, glazing, air pollution control devices, and fuel system of the bus are in proper condition and, in addition, include** an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

- (1) All mirrors, including crossview, inside, and outside;
- (2) The front and rear warning flashers;
- (3) The stop signal arm;
- (4) The crossing control arm on public school buses required to have them pursuant to section 304.050;
- (5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;
- (6) The exhaust tailpipe shall be flush with or may extend not more than two inches beyond the perimeter of the body or bumper;
- (7) The emergency doors and exits to determine them to be unlocked and easily opened as required;
- (8) The lettering and signing on the front, side and rear of the bus;
- (9) The service door;
- (10) The step treads;
- (11) The aisle mats or aisle runners;
- (12) The emergency equipment which shall include as a minimum a first aid kit, flares or fuses, and a fire extinguisher;
- (13) The seats, including a determination that they are securely fastened to the floor;
- (14) The emergency door buzzer;
- (15) All hand hold grips;
- (16) The interior glazing of the bus.

2. In addition to the inspection required by subsection 1 of this section, the Missouri state highway patrol shall conduct an inspection after February first of each school year of all vehicles required to be marked as school buses under section 304.050. This inspection shall be conducted by the Missouri highway patrol in cooperation with the department of elementary and secondary education and shall include, as a minimum, items in subsection 1 of this section and the following:

- (1) The driver seat belts;
- (2) The heating and defrosting systems;
- (3) The reflectors;
- (4) The bus steps;
- (5) The aisles;
- (6) The frame.

3. If, upon inspection, conditions which violate the standards in subsection 2 of this section are found,

the owner or operator shall have them corrected in ten days and notify the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus shall not be used until corrections are made and the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent are notified.

4. The Missouri highway patrol may inspect any school bus at any time and if such inspection reveals a deficiency affecting the safe operation of the bus, the provisions of subsection 3 of this section shall be applicable.

5. [Notwithstanding the provisions of section 307.390 to the contrary,] A violation of this section shall be a class C misdemeanor.

**6. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official school bus inspection station and the qualifications for persons who conduct the inspections. The Missouri state highway patrol shall establish standards and procedures to be followed when conducting the inspections required under this section and shall prescribe rules and regulations for the operation of the school bus inspection stations.**

307.385. The superintendent of the Missouri state highway patrol may notify the director of revenue and the director of revenue shall suspend the registration of any vehicle which the superintendent of the Missouri state highway patrol determines, after a written notice, is not equipped as required by law or for which a certificate required by sections [307.350] **307.360** to 307.390 has not been obtained.

307.390. 1. Any person who violates any provision of sections [307.350] **307.360** to 307.390 is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

2. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to investigate and enforce motor vehicle safety inspection laws and regulations pursuant to sections [307.350] **307.360** to 307.390 and sections 643.300 to 643.355. A person assigned by the superintendent pursuant to the authority granted by this subsection shall be designated a motor vehicle inspector and shall have limited powers to issue a uniform complaint and summons for a violation of the motor vehicle inspection laws and regulations. A motor vehicle inspector shall not have authority to exercise the power granted in this subsection until such inspector successfully completes training provided by, and to the satisfaction of, the superintendent.

643.303. 1. Beginning September 1, 2007, emissions inspections required by sections 643.300 to 643.355 shall be conducted through a decentralized emissions program that meets the requirements of this section. Prior to September 1, 2007, the air conservation commission shall develop a decentralized emissions inspection program that allows official inspection stations to conduct on-board diagnostic emission inspections of 1996 model year and newer motor vehicles equipped with on-board diagnostic systems meeting the federal Environmental Protection Agency On-Board Diagnostics II (OBDII) standards. The decentralized emissions inspection program shall, at a minimum, provide for the following:

(1) The periodic inspection of certain motor vehicles as required under section 643.315;

(2) The certification and operation of official emissions inspection stations and the licensing of emission inspectors;

- (3) The testing of motor vehicles through on-board diagnostic testing technologies;
- (4) The training, certification, and supervision of emission inspectors and other personnel; and
- (5) Procedures for certifying test results and for reporting and maintaining relevant data records.

2. In addition to any other criteria established by the commission under section 643.320 or by rule, the decentralized emissions inspection program shall allow any official inspection station located in an area described in subsection 1 of section 643.305 otherwise qualified by the Missouri state highway patrol to conduct motor vehicle [safety] inspections under section 307.360 to conduct on-board diagnostic emission inspections. Any motor vehicle [safety] inspection station that desires to conduct emissions inspections shall submit an application for a certificate of authorization to the commission as provided for under section 643.320. Other individuals, corporations, or entities [that do not conduct motor vehicle safety inspections] may conduct emission inspections provided they meet the qualifications set forth in sections 643.300 to 643.355 and [the] rules promulgated by the commission. Applications shall be made upon a form designated by the commission and shall contain such information as may be required by the commission. A certificate of authorization issued under section 643.320 to conduct emission inspections shall be issued only after the commission has made a determination that the applicant's proposed inspection station will be properly equipped, has the necessary licensed emission inspectors to conduct inspections, and meets all other requirements of sections 643.300 to 643.355 or rules promulgated to carry out the provisions of those sections.

3. The decentralized emissions inspection program shall allow any official **emissions** inspection station that is certified to conduct an on-board diagnostic emission inspection under sections 643.300 to 643.355 to repair motor vehicles in order to bring such vehicles into compliance with sections 643.300 to 643.355, if such station and personnel meet the qualifications to conduct emission repairs as set forth in sections 643.300 to 643.355. An official emission inspection station may elect to be an emissions test-only station or may elect to conduct both emission inspections and repairs.

4. The commission is authorized to begin certification of official **emissions** inspection stations prior to September 1, 2007, in order to implement the decentralized emissions inspection program. Prior to January 1, 2007, the department of natural resources shall issue a report to the general assembly and the governor regarding the progress of implementing the decentralized emissions inspection program. The report shall include, but not be limited to, a summary describing how many inspection stations or individuals the department expects to participate in the program and how many inspection stations or individuals will be qualified by September 1, 2007, to conduct such emissions inspections.

5. The commission may, as a part of implementing the decentralized emissions inspection program, use remote sensing devices to collect information regarding the vehicle fleet emissions characteristics and registration compliance within the area described in subsection 1 of section 643.305. The decentralized emissions inspection program established by the commission may also include a clean screen program that utilizes remote sensing devices. Owners of eligible vehicles who comply with clean screen/remote sensing procedures shall be deemed to have complied with the mandatory inspection requirements for the next inspection cycle. As used in this subsection, the term "clean screen program" shall mean a procedure or system that utilizes remote sensing technologies to determine whether a motor vehicle has acceptable emission levels and then allows the motor vehicle owner to bypass the emissions inspection test required under section 643.315.

6. The decentralized emissions inspection program may include a gas cap pressure test and a visual inspection component[, and such tests may be included as part of the motor vehicle safety inspection test under section 307.350].

7. As used in sections 643.300 to 643.355, “decentralized emissions inspection program” means an emissions inspection program under which a certified emissions inspector conducts emissions inspection testing at an official inspection station.

8. The decentralized emission inspection program shall satisfy the requirements established by regulation of the United States Environmental Protection Agency.

9. The decentralized emissions inspection program established by the commission and sections 643.300 to 643.355 shall not be construed to be a new program as described in section 23.253, and the decentralized emissions inspection program shall not be subject to the sunset mandate prescribed by sections 23.250 to 23.298.

10. No later than July 1, 2007, the department of natural resources and the Missouri highway patrol shall enter into an interagency agreement covering all aspects of the administration and enforcement of sections 643.300 to 643.355.

11. No later than July 1, 2007, the air conservation commission shall promulgate rules for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly 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, 2006, shall be invalid and void.

12. Prior to September 1, 2007, the department of natural resources shall actively promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the decentralized emission inspection program, the department shall monitor participation in such program. In determining whether there are a sufficient number of individuals conducting motor vehicle emission inspections under the decentralized program, the department shall attempt to ensure, through promotional efforts, that no more than twenty percent of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject

to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of [the safety and] emission inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by [sections 307.350 to 307.390 and] sections 643.300 to 643.355. The director of revenue may verify that a successful [safety and] emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(3) Model year vehicles manufactured prior to 1996;

(4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;

(6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;

(7) Historic motor vehicles registered pursuant to section 301.131;

(8) School buses;

(9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;

(10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture[, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted];

(11) Motor vehicles that are driven fewer than twelve thousand miles between biennial [safety inspections] **registration periods**; and

(12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a manufacturer, has not been

modified from original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to 643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

- (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or
- (b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020. [No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.]

[307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:

- (1) Motor vehicles, for the five-year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;
- (2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such

vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered pursuant to section 301.131;

(4) Vehicles registered in excess of twenty-four thousand pounds for a period of less than twelve months; shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred. Any vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior to the expiration date of such motor vehicle's current registration.

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]

[307.353. Other provisions of law notwithstanding, no person shall be required to have a biennial vehicle inspection during a registration period which exceeds two years. The inspection required at the beginning of the registration period shall be valid for the entire registration period.]

[307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued during a biennial registration year in which the vehicle is required to be inspected unless the application is accompanied by a certificate of inspection and approval issued no more than sixty days prior to the date of application, or in the case of school buses, which will be required to be inspected annually as provided in section 307.375, except:

(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri;

(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed or that the vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring.

2. If due to interstate operation a commercial motor vehicle as defined in section 301.010 or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.

3. After a commercial motor vehicle as defined in section 301.010 has been registered for the current year, no certificate of inspection and approval is required when a local commercial motor vehicle license is changed to a beyond-local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.]

[307.380. 1. Every vehicle of the type required to be inspected upon having been involved in an accident and when so directed by a police officer must be inspected and an official certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is again operated on the

highways of this state. At the seller's expense every vehicle of the type required to be inspected by section 307.350, whether new or used, shall immediately prior to sale be fully inspected regardless of any current certificate of inspection and approval, and an appropriate new certificate of inspection and approval, sticker, seal or other device shall be obtained.

2. Nothing contained in the provisions of this section shall be construed to prohibit a dealer or any other person from selling a vehicle without a certificate of inspection and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons stated herein. No vehicle of the type required to be inspected by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner has submitted the vehicle for inspection and obtained an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

3. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]

[307.402. All state agencies owning motor vehicles shall be responsible for obtaining an inspection of each of their vehicle's mechanism and equipment in accordance with the provisions of sections 307.350 to 307.402 and obtaining a certificate of inspection and approval and a sticker, seal or other device from a duly authorized official inspection station.]

Section B. The repeal and reenactment of sections 301.020, 301.032, 301.074, 301.132, 301.147, 301.190, 301.191, 301.380, 301.443, 301.800, 307.360, 307.365, 307.370, 307.375, 307.385, 307.390, 643.303, and 643.315 and the repeal of sections 307.350, 307.353, 307.355, 307.380, and 307.402 of this act shall become effective January 1, 2019.”; 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 Bill No. 881, Page 5, Section 21.795, Line 120, by inserting after all of said line the following:

“70.370. Within sixty days after this section becomes effective, the governor by and with the advice and consent of the senate shall appoint three commissioners to enter into a compact on behalf of the state of Missouri with the state of Illinois. If the senate is not in session at the time for making any appointment, the governor shall make a temporary appointment as in case of a vacancy. Any two of the commissioners so appointed together with the attorney general of the state of Missouri may act to enter into the following compact:

COMPACT BETWEEN MISSOURI AND ILLINOIS  
CREATING THE BI-STATE DEVELOPMENT AGENCY  
AND THE BI-STATE METROPOLITAN DISTRICT

The states of Missouri and Illinois enter into the following agreement:

#### ARTICLE I

They agree to and pledge each to the other faithful cooperation in the future planning and development of the bi-state metropolitan district, holding in high trust for the benefit of its people and of the nation the special blessings and natural advantages thereof.

#### ARTICLE II

To that end the two states create a district to be known as the “Bi-State Metropolitan Development District” (herein referred to as “The District” ) which shall embrace the following territory: The City of St. Louis and the counties of St. Louis [and], St. Charles [and], Jefferson, **and Franklin** in Missouri[,] and the counties of Madison, St. Clair, and Monroe in Illinois.

#### ARTICLE III

There is created “The Bi-State Development Agency of the Missouri-Illinois Metropolitan District” (herein referred to as “The Bi-State Agency” ) which shall be a body corporate and politic. The bi-state agency shall have the following powers:

(1) To plan, construct, maintain, own and operate bridges, tunnels, airports and terminal facilities and to plan and establish policies for sewage and drainage facilities;

(2) To make plans for submission to the communities involved for coordination of streets, highways, parkways, parking areas, terminals, water supply and sewage and disposal works, recreational and conservation facilities and projects, land use pattern and other matters in which joint or coordinated action of the communities within the areas will be generally beneficial;

(3) To charge and collect fees for use of the facilities owned and operated by it;

(4) To issue bonds upon the security of the revenues to be derived from such facilities; and, or upon any property held or to be held by it;

(5) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies; or by the federal government or any agency or officer thereof;

(6) To disburse funds for its lawful activities, and fix salaries and wages of its officers and employees;

(7) To perform all other necessary and incidental functions; and

(8) To exercise such additional powers as shall be conferred on it by the legislature of either state concurred in by the legislature of the other or by act of Congress.

No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other political subdivision, shall be taken by the bi-state agency without the authority or consent of such state, county, city, borough, village, township or other political subdivision, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other political subdivision, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

Unless and until otherwise provided, it shall make an annual report to the governor of each state, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

Nothing contained in this compact shall impair the powers of any municipality to develop or improve terminal or other facilities.

The bi-state agency shall from time to time make plans for the development of the district; and when such plans are duly approved by the legislatures of the two states, they shall be binding upon both states with the same force and effect as if incorporated in this compact.

The bi-state agency may from time to time make recommendations to the legislatures of the two states or to the Congress of the United States, based upon study and analysis, for the improvement of transportation, terminal, and other facilities in the district.

The bi-state agency may petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like body), or any other federal, municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvements, change in method, rate of transportation, system of handling freight, warehousing, docking, lightering, or transfer of freight, which, in the opinion of the bi-state agency, may be designed to improve or better the handling of commerce in and through the district, or improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the district.

#### ARTICLE IV

The bi-state agency shall consist of ten commissioners, five of whom shall be resident voters of the state of Missouri and five of whom shall be resident voters of the state of Illinois. All commissioners shall reside within the bi-state district, the Missouri members to be chosen by the state of Missouri and the Illinois members by the state of Illinois in the manner and for the terms fixed by the legislature of each state except as herein provided.

#### ARTICLE V

The bi-state agency shall elect from its number a chairman, a vice chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

Until otherwise determined by the legislatures of the two states no action of the bi-state agency shall be binding unless taken at a meeting at which at least three members from each state are present, and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.

Until otherwise determined by the action of the legislature of the two states, the bi-state agency shall not incur any obligations for salaries, office or other administrative expenses, prior to the making of appropriations adequate to meet the same.

The bi-state agency is hereby authorized to make suitable rules and regulations not inconsistent with the constitution or laws of the United States or of either state, or of any political subdivision thereof, and subject

to the exercise of the power of Congress, for the improvement of the district, which when concurred in or authorized by the legislatures of both states, shall be binding and effective upon all persons and corporations affected thereby.

The two states shall provide penalties for violations of any order, rule or regulation of the bi-state agency, and for the manner of enforcing same.

#### ARTICLE VI

The bi-state agency is authorized and directed to proceed with the development of the district in accordance with the articles of this compact as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States or of either state, to effectuate the same, except the power to levy taxes or assessments.

It shall render such advice, suggestion and assistance to all municipal officials as will permit all local and municipal improvements, so far as practicable, to fit in with the plan.

#### ARTICLE VII

In witness thereof, we have hereunto set our hands and seals under authority vested in us by law.

(Signed)

In the presence of:

(Signed)”; 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 Bill No. 881, Page 11, Section 71.015, Line 148, by inserting immediately after all of said section and line the following:

“137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) “Grain and other agricultural crops in an unmanufactured condition” shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term “processing” shall not include hulling, cleaning, drying, grating, or polishing;

(2) “Hydroelectric power generating equipment”, very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) “Intangible personal property”, for the purpose of taxation, shall include all property other than real

property and tangible personal property, as defined by this section;

(4) “Real property” includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation or storage of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, propane or LP gas equipment, water, and sewage;

(5) **“Reliever airport”, any land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System that may receive federal airport improvement project funds through the Federal Aviation Administration;**

(6) “Tangible personal property” includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

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

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

(2) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include [land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration] **any reliever airport**. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and

shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

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

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

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section. **This subsection shall not apply to any reliever airport.**

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

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

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not

reflect the immediate most suitable economic use of the property;

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

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

(6) Size of such property;

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

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

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

137.017. 1. For general property assessment purposes, the true value in money of land which is in use as agricultural and horticultural property, as defined in section 137.016, shall be that value which such land has for agricultural or horticultural use. The true value of buildings or other structures customarily associated with farming, agricultural, and horticultural uses, excluding residential dwellings and related land, shall be added to the use value of the agricultural and horticultural land to determine the value of the agricultural and horticultural property under sections 137.017 to 137.021.

2. After it has been established that the land is actually agricultural and horticultural property, as defined in section 137.016, and is being valued and assessed accordingly, the land shall remain in this category as long as the owner of the land complies with the provisions of sections 137.017 to 137.021.

3. Continuance of valuation and assessment for general property taxation under the provisions of sections 137.017 to 137.021 shall depend upon continuance of the land being used as agricultural and horticultural property, as defined in section 137.016, and compliance with the other requirements of sections 137.017 to 137.021 and not upon continuance in the same owner of title to the land.

4. For general property assessment purposes, the true value in money of vacant and unused land which is classified as agricultural and horticultural property under subsection 3 of section 137.016 shall be its fair market value. **This subsection shall not apply to any reliever airport.**

**5. For general property assessment purposes, the true value in money of a reliever airport shall be that value which such land has for agricultural or horticultural use.”; 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 Bill No. 881, Page 27, Section 301.140, Line 143, by inserting immediately after all of said section and line the following:

“301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) “Department”, the department of revenue;

(2) “Director”, the director of the department of revenue;

(3) “Other authorized health care practitioner” includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, and optometrists licensed pursuant to chapter 336;

(4) “Physically disabled”, a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one’s ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person’s forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person’s functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) A person’s age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) “Physician”, a person licensed to practice medicine pursuant to chapter 334;

(6) “Physician’s statement”, a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) “Temporarily disabled person”, a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

(8) “Temporary windshield placard”, a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician’s statement;

(9) “Windshield placard”, a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician’s statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician’s statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician’s statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled

or temporarily disabled as defined in this section;

- (3) Include the physician's or other authorized health care practitioner's license number; and
- (4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. **If at any time an individual who obtained disabled license plates issued under this subsection no longer occupies a residence with a physically disabled person, or no longer owns a vehicle that is operated at least fifty percent of the time by a physically disabled person, such individual shall surrender the disabled license plates to the department within thirty days of becoming ineligible for their use.**

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this

subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person, **and shall be surrendered to the department, within thirty days, if a group, organization, or entity that obtained the removable windshield placard due to the transportation of more than one physically disabled person no longer transports more than one disabled person.** When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every four years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant

for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every [fourth] **eighth** year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a [four-year] **eight-year** period.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the [four-year] **eight-year** certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list

of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.”; 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 Bill No. 881, Page 39, Section 304.190, Line 86, by inserting immediately after said section and line the following:

**“304.935. No political subdivision of this state shall impose a tax or other requirement, including performance standards, where such tax or other requirement relates specifically to the operation of**

**vehicles, or capability of vehicles to operate, without real-time input by a conventional human driver, including with regard to the transportation of persons or goods for compensation.”; 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 Bill No. 881, Page 14, Section 301.010, Line 5, by inserting after all of said line the following:

**“(2) “Autocycle”, a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards;”;** and

Further amend said bill and section by renumbering subdivisions accordingly; and

Further amend said bill and section, page 18, Lines 143 to 145, by removing all of said lines from the bill and inserting in lieu thereof the following:

**“[(38)] (39) “Motortricycle”, a motor vehicle upon which the operator straddles or sits astride that is designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;”;** and

Further amend said bill and section, Page 22, Line 301, by inserting after all of said section and line the following:

“301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant’s identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle’s certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, **autocycle**, bus, or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This subsection shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

301.055. 1. The annual registration fee for motor vehicles other than commercial motor vehicles is:

Less than 12 horsepower	\$18.00
12 horsepower and less than 24 horsepower	21.00
24 horsepower and less than 36 horsepower	24.00
36 horsepower and less than 48 horsepower	33.00
48 horsepower and less than 60 horsepower	39.00
60 horsepower and less than 72 horsepower	45.00
72 horsepower and more	51.00
Motorcycles	8.50
Motortricycles	10.00
<b>Autocycles</b>	<b>10.00</b>

**2. Notwithstanding any other provision of law, the registration of any autocycle registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect until the expiration of the registration period for such vehicle at which time the owner shall be required to renew the motor vehicle’s registration under the autocycle classification and pay the appropriate registration fee.”;** and

Further amend said bill, Page 23, Section 301.075, Line 4, by inserting after all of said section and line the following:

“301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of

registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the National Guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, **autocycles**, motorscooters, and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles, **autocycles**, and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the

same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. 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.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for twenty-four thousand pounds that display special personalized license plates shall be subject to the provisions of

subsections 1 and 2 of section 301.030. On and after August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or hereafter statutorily created special personalized license plates.

9. No later than January 1, 2019, the director of revenue shall commence the reissuance of new license plates of such design as approved by the advisory committee under section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.”; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

“301.350. 1. Upon receipt of an application for registration of a motor vehicle, trailer, manufacturer or dealer, as provided in this chapter, the director of revenue shall file such application and register such motor vehicle, trailer, manufacturer or dealer, together with the facts stated in the application, under a distinctive number assigned to such motor vehicle, trailer, manufacturer or dealer. Separate records shall be kept as follows:

- (1) Motor vehicles registered by owners;
- (2) Commercial motor vehicles;
- (3) Trailers;
- (4) Motorcycles and motor tricycles;
- (5) **Autocycles;**
- (6) Manufacturers and dealers.

2. The director of revenue may keep such other classifications and records as he may deem necessary and may enter contracts or agreements or otherwise make arrangements for computerized access to odometer and title information.

3. All of such books and records shall be kept open to public inspection during reasonable business hours.

4. The governor may cause the records of the department of revenue to be audited by the state auditor at any time.”; and

Further amend said bill, Page 32, Section 302.170, Line 163, by inserting after all of said section and

line the following:

“304.005. 1. As used in this section, the term “autocycle” means a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards.

2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an autocycle [shall] **may** not be required to wear protective headgear [if the vehicle is equipped with a roof that meets or exceeds the standards established for protective headgear].

3. No person shall operate an autocycle on any highway or street in this state unless the person has a valid driver’s license. The operator of an autocycle, however, shall not be required to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340.”; 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 Bill No. 881, Page 32, Section 302.170, Line 163, by inserting after all of said line the following:

“304.060. 1. The state board of education shall adopt and enforce regulations not inconsistent with law to cover the design and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and such regulations shall by reference be made a part of any such contract with a school district. The state board of education may adopt rules and regulations governing the use of other vehicles owned by a district or operated under contract with any school district in this state and used for the purpose of transporting school children. The operator of such vehicle shall be licensed in accordance with section 302.272, and such vehicle shall transport no more children than the manufacturer suggests as appropriate for such vehicle. The state board of education may also adopt rules and regulations governing the use of authorized common carriers for the transportation of students on field trips or other special trips for educational purposes. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations. The state board of education shall cooperate with the state transportation department and the state highway patrol in placing suitable warning signs at intervals on the highways of the state.

**2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri in an urban district containing the greater part of the population of a city which has more than three hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be for additional transportation services, and shall not replace or fulfill any of the school district’s obligations pursuant to section 167.231. The school district may notify students of the option to use district contracted transportation services.**

3. Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with such regulations in any contract executed by him on behalf of a school district

shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulations shall be guilty of breach of contract and such contract shall be cancelled after notice and hearing by the responsible officers of such school district.

[3.] 4. Any other provision of the law to the contrary notwithstanding, in any county of the first class with a charter form of government adjoining a city not within a county, school buses may bear the word “special”.; 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 Bill No. 881, Page 5, Section 21.795, Line 120, by inserting after all of said section and line the following:

“68.075. 1. This section shall be known and may be cited as the “Advanced Industrial Manufacturing Zones Act”.

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

(1) “AIM zone”, an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) “County average wage”, the average wage in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the county average wage;

**(4) “Related facility”, a facility operated by a company or a related company prior to the establishment of the AIM zone in question located within any port district, as defined under section 68.015, which is directly related to the operations of the facility within the new AIM zone.**

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority’s jurisdiction, ownership, or control, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority’s jurisdiction or under the port authority’s ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within

such zone after development or redevelopment has commenced shall not be remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the “Port Authority AIM Zone Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.”; 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 Bill No. 881, Page 41, Section 307.350, Line 49, by inserting immediately after said line the following:

**“Section 1. The department of transportation shall have the authority to allow, by permit, the installation and operation of systems of one or more fixed cameras combined with computer algorithms to convert images or registration plates into data readable by a computer for law enforcement purposes on the right of way, overpasses, bridges, of all highways in this state. Such permits may be issued for a period of not less than one year. All existing systems as of August 28, 2018, shall have one year from the passage of this section to obtain the new permit established by this section. The department shall not be required to pay any costs arising from the installation, use, or removal of permitted systems.”; 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 Bill No. 881, Page 22, Section 301.010, Line 301, by inserting after all of said section and line the following:

“301.030. 1. The director shall provide for the retention of license plates by the owners of motor

vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last date of the twelfth month from the date of beginning.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as provided for in sections 301.271 to 301.279 shall be payable not later than the last day of February of each year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle license plates may also be so stamped, marked or designed as to indicate they are to be used only on local commercial motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee established in section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

4. The director shall, upon application, issue registration and license plates for nine thousand pounds gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided in section 301.057.

**5. Notwithstanding any other provision of law to the contrary, any motorcycle or motortricycle registration issued by the Missouri department of revenue shall expire biennially on June 30.”;** and

Further amend said bill, Page 26, Section 301.140, Line 102, by deleting all of said line and inserting in lieu thereof the following:

“[8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.]”; and

Further amend said bill and section, by renumbering subsequent subsections accordingly; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person’s control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **under eighteen years of age who is** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; **except that, any person eighteen years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

**302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has medical payment insurance in addition to maintaining proof of financial responsibility in accordance with chapter 303 and he or she is covered by a health insurance policy or other form of insurance providing medical payment benefits in the minimum amount of one million dollars for injuries incurred as a result of an accident while operating a motorcycle or motortricycle.**

**2. Proof of coverage required by subsection 1 of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator’s insurance card.”; and**

Further amend said bill, Page 39, Section 304.190, Line 86, by inserting after all of said section and line the following:

“304.232. 1. The Missouri state highway patrol shall approve procedures for the certification of municipal police officers, sheriffs, deputy sheriffs, and other law enforcement officials that enforce sections 304.170 to 304.230.

2. The certification procedures shall meet the requirements of the memorandum of understanding between the state of Missouri and the commercial vehicle safety alliance or any successor organization, as periodically adopted or amended.

3. Commercial motor vehicle safety data collection, management, and distribution by law enforcement officials shall be compatible with the information systems of the Missouri state highway patrol.

4. The Missouri state highway patrol shall establish reasonable fees sufficient to recover the cost of training, recurring training, data collection and management, certifying, and additional administrative functions for law enforcement officials approved under this section.

5. The agencies for which law enforcement officials approved under this section shall adhere to the Motor Carrier Safety Assistance Program requirements under 49 Code of Federal Regulations Part 350 of the Federal Motor Carrier Safety Regulations.

6. The agencies for which law enforcement officials approved under this section shall be subject to periodic program reviews and be required to submit a commercial vehicle safety plan that is consistent with and incorporated into the statewide enforcement plan.

7. Beginning January 1, 2009, no local law enforcement officer may conduct a random commercial motor vehicle roadside inspection to determine compliance with the provisions of sections 304.170 to 304.230 unless the law enforcement officer has satisfactorily completed, as a part of his or her training, the basic course of instruction developed by the commercial vehicle safety alliance and has been approved by the Missouri state highway patrol under this section. Law enforcement officers authorized to enforce the provisions of sections 304.170 to 304.230 shall annually receive in-service training related to commercial motor vehicle operations, including but not limited to training in current federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. The annual training requirements shall be approved by the superintendent of the state highway patrol.

8. Law enforcement officers who have received commercial vehicle safety alliance certification prior to January 1, 2009, shall be exempt from the provisions of this section and such officers shall be qualified to conduct random roadside inspections described under this section and section 304.230.

**9. No safety inspection shall be performed on the shoulder of any highway with a posted speed limit in excess of forty miles per hour, except that safety inspections may be permitted on the shoulder at any entrance or exit of such highway where there is adequate space on the shoulder to safely perform such inspection.**

**10.** The superintendent of the state highway patrol shall promulgate rules and regulations necessary to administer the certification procedures and any other 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, 2008, shall be invalid and void.”; 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 Bill No. 881, Page 28, Section 301.145, Line 17, by inserting immediately after said section and line the following:

“301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

(1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;

(2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;

(3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;

(4) Processing scrapped vehicles or vehicle parts as a scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons actually engaged in and holding a current license under sections 301.217 to 301.221 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing salvage vehicles for export outside of the United States. Operators of salvage pools or salvage disposal sales shall:

(1) **Keep [a] an electronic record, for three years, of sales of [salvage vehicles with the purchasers’ name and address, and the year, make, and vehicle identification number for each vehicle] a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a similar brand.** These records shall be open for inspection as **allowed for records** provided in section 301.225. Such records shall be submitted to the department on a quarterly basis **and made available to the National Motor Vehicle Information System (NMTVTIS).** **The electronic record shall:**

**(a) Include the make, model, and year of the vehicle; the vehicle identification number; and current odometer reading;**

**(b) The names and addresses of the purchaser;**

**(c) A copy of the purchaser’s driver’s license or other government-issued identification; and**

**(d) The names and addresses of the seller of such vehicle; and**

**(2) Obtain from any purchaser of such vehicle documented proof of any required license or other authorization to do business under this chapter or, for any person residing in a state, jurisdiction, or country that does not hold a similar license, a declaration under penalty of perjury that the purchaser**

is authorized to purchase salvage vehicles in that person's state, jurisdiction, or country.

**Any person who knowingly violates this subsection by failing to report all transactions of a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a similar brand to the statewide database shall be guilty of a civil infraction, punishable by a fine of up to one thousand dollars per infraction.**

**3. The department shall maintain an accurate record of all reported transactions.**

**4. The department shall assign a unique identifier number of its choosing for all purchasers, as described in subsection 2 of this section, of salvage, wrecked, nonrepairable, junked, or other similarly branded vehicles, for such purchasers to use when submitting the sales transaction information required under this section.**

**5. The department shall make the information received under this section available, without charge, to any state or local law enforcement agency upon request when the person acting on behalf of any of these entities is acting within the course and scope of the entity's duties. Vehicular information on the make, model, and year of the vehicle; the vehicle identification number; and the current odometer reading received by the department under this section may be released to third parties under contract with the department.**

**6. Any person who is licensed under sections 301.217 to 301.229 who is selling a vehicle whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand shall report to the department within ten days all transactions involving the acquisition, transfer of ownership, or disposal of a total loss, salvage, junk, derelict, or other similarly branded vehicle.**

**7. The department shall maintain an electronic record of all purchases of a vehicle whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand, and report each transaction without personal identifying information to NMVTIS within two business days after receiving report of the transaction.**

**8. The operator of a salvage pool or salvage disposal sale, or subsequent purchaser, who sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States at a salvage pool or a salvage disposal sale shall:**

(1) Stamp on the face of the title so as not to obscure any name, date, or mileage statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

(2) Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool, or the name of the governmental entity, as applicable.

The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be forwarded to the department.

[4.] **9. The director of revenue shall issue a separate license for each kind of business described in subsection 1 of this section, to be entitled and designated as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "scrap processor" license.; 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 Bill No. 881, Page 26, Section 301.140, Line 102, by deleting all of said line and inserting in lieu thereof the following:

“[8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.]”; and

Further amend said bill and section by renumbering all of said section accordingly; 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 Bill No. 881, Page 32, Section 302.170, Line 163, by inserting after all of said section and line the following:

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

(1) “Law enforcement officer”, any public servant, other than a patrol officer, who is defined as a law enforcement officer under section 556.061;

(2) “Motor club”, an organization which motor vehicle drivers and owners may join that provide certain benefits relating to driving a motor vehicle;

(3) **“Nonconsensual tow”, the transportation of a motor vehicle by tow truck if such transportation is performed without the prior consent or authorization of the owner or operator of the motor vehicle. For purposes of this section, all law enforcement-ordered tows are considered nonconsensual;**

(4) “Patrol officer”, a Missouri state highway patrol officer;

[(4)] (5) “Tow list”, a list of approved towing companies compiled, maintained, and utilized by the Missouri state highway patrol or its designee;

[(5)] (6) “Tow management company”, any sole proprietorship, partnership, corporation, fiduciary, association, or other business entity that manages towing logistics for government agencies or motor clubs;

[(6)] (7) “Tow truck”, a rollback or car carrier, wrecker, or tow truck as defined under section 301.010;

[(7)] (8) “Towing”, moving or removing, or the preparation therefor, of a vehicle by another vehicle for which a service charge is made, either directly or indirectly, including any dues or other charges of clubs or associations which provide towing services;

[(8)] (9) “Towing company”, any person, partnership, corporation, fiduciary, association, or other entity that operates a wrecker or towing service as defined under section 301.010.

2. In authorizing a towing company to perform services, any patrol officer or law enforcement officer within the officer’s jurisdiction, or Missouri department of transportation employee, may utilize the services of a tow management company or tow list, provided:

(1) The Missouri state highway patrol is under no obligation to include or retain the services of any towing company in any contract or agreement with a tow management company or any tow list established pursuant to this section. A towing company is subject to removal from a tow list at any time;

(2) Notwithstanding any other provision of law or any regulation established pursuant to this section,

an owner or operator's request for a specific towing company shall be honored by the Missouri state highway patrol unless:

(a) The requested towing company cannot or does not respond in a reasonable time, as determined by a law enforcement officer; or

(b) The vehicle to be towed poses an immediate traffic hazard, as determined by a law enforcement officer.

3. A patrol officer shall not use a towing company located outside of Missouri under this section except under the following circumstances:

(1) A state or federal emergency has been declared; or

(2) The driver or owner of the vehicle, or a motor club of which the driver or owner is a member, requests a specific out-of-state towing company.

4. A towing company shall not tow a vehicle to a location outside of Missouri without the consent of the driver or owner of the motor vehicle, or without the consent of a motor club of which the driver or owner of the motor vehicle is a member.

5. Any towing company or tow truck arriving at the scene of an accident that has not been called by a patrol officer, a law enforcement officer, a Missouri department of transportation employee, the driver or owner of the motor vehicle or his or her authorized agent, including a motor club of which the driver or owner is a member, shall be prohibited from towing the vehicle from the scene of the accident, unless the towing company or tow truck operator is rendering emergency aid in the interest of public safety, or is operating during a declared state of emergency under section 44.100.

6. A tow truck operator that stops and tows a vehicle from the scene of an accident in violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon conviction or pleading guilty for the first violation, and such tow truck shall be subject to impounding. The penalty for a second violation shall be a class A misdemeanor, and the penalty for any third or subsequent violation shall be a class D felony. A violation of this section shall not preclude the tow truck operator from being charged with tampering under chapter 569.

7. The provisions of this section shall also apply to motor vehicles towed under section 304.155 or 304.157.

8. The provisions of **subsections 1 to 7** of this section shall not apply to counties of the third or fourth classification.

**9. (1) The Towing Task Force is hereby created. The task force shall make recommendations as provided in this subsection with respect to tows involving vehicles with a gross vehicle weight rating in excess of twenty-six thousand pounds. The task force shall consist of nine members who shall be appointed as follows:**

**(a) One member of the general assembly appointed by the president pro tempore of the senate;**

**(b) One member of the general assembly appointed by the speaker of the house of representatives;**

**(c) One member, or the member's designee, appointed by the governor to represent the department of revenue;**

**(d) One member, or the member’s designee, appointed by the superintendent of the Missouri state highway patrol;**

**(e) One member, or the member’s designee, appointed by the governor to represent towing companies within the state but who does not represent a towing association;**

**(f) One member who insures commercial motor vehicles, or the member’s designee, appointed by the governor to represent insurance companies within the state;**

**(g) One member, or the member’s designee, appointed by the governor to represent an association of motor carriers within the state;**

**(h) One member, or the member’s designee, appointed by the director of the Missouri department of revenue; and**

**(i) One member, appointed by the governor, who is a truck driver that resides in Missouri.**

**(2) The task force shall have the following duties and powers:**

**(a) To make comprehensive recommendations on matters related to the investigation of overcharges made by towing companies in violation of the rules promulgated under this subsection, including:**

**a. A process for the adjudication of consumer complaints regarding nonconsensual tow charges; and**

**b. Factors to consider in determining whether a charge levied by a towing company is just, fair, and reasonable; provided that, it shall be a violation of the rules promulgated under this subsection for a towing company to charge for the use of unnecessary equipment and labor;**

**c. A process for the removal of towing companies from rotation lists for violations of the rules; and**

**(b) To make comprehensive recommendations regarding information that should be included on every invoice with respect to a nonconsensual tow.**

**(3) The task force shall make its first comprehensive recommendations in a report to the general assembly no later than March 1, 2020.**

**(4) The members of the towing task force shall elect a chair from among their membership. The chair shall set the times and frequency of the task force’s meetings.**

**(5) The task force established under this subsection shall expire on January 1, 2021.”; 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 Bill No. 881, Page 14, Section 227.240, Line 44, by inserting immediately after said section and line the following:

**“227.601. 1. Notwithstanding any provision of sections 227.600 to 227.669 to the contrary, the process and approval for concession agreements to build, maintain, operate, or finance projects owned by a political subdivision shall be approved by the governing body of such political subdivision and shall not be subject to approval by the commission. Notwithstanding the provisions of subsection**

**5 of this section, the sale or conveyance of any project owned by a political subdivision shall be subject to voter approval if required by law.**

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

**(1) “Competitive bidding process”, a request for proposal for the financing, development, or operation of the project, including any deadline for submission of such proposals, and notice of the request, which shall be published once a week for two consecutive weeks in:**

**(a) A newspaper of general circulation in the city where the proposed project is located;**

**(b) At least one construction industry trade publication that is nationally distributed; and**

**(c) Such other publications or manner as the governing body of the political subdivision may determine;**

**(2) “Concession agreement”, a license or lease between a private partner and a political subdivision for the development, finance, operation, or maintenance of a project, as such term is defined in section 227.600.**

**3. Notwithstanding any provision of law to the contrary, political subdivisions may enter into concession agreements, provided that:**

**(1) The term of the concession agreement shall be for a term not exceeding thirty years;**

**(2) The political subdivision shall retain oversight of operations of any such project;**

**(3) The political subdivision shall retain oversight of rate setting methodology;**

**(4) The political subdivision shall have the right to terminate the agreement if the private partner does not comply with the concession agreement; and**

**(5) The concession agreement is supported by a preliminary engineering and financial feasibility study, including an estimate of the costs of the project and the rate impact on customers during the life of the agreement.**

**4. The commission shall not be required to oversee, or issue an annual report under section 227.669 for, projects approved by political subdivisions, provided that any political subdivision entering into a concession agreement shall use a public-private partnership framework that shall include a competitive bidding process.**

**5. Except as provided in subsection 1 of this section, the provisions of sections 71.530, 71.550, 78.190, 78.630, 81.190, 88.251, 88.633, 88.770, 88.773, 91.550, and 91.600 shall not apply to concession agreements that are approved as provided in this section.”; and**

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 575**, entitled:

An Act to repeal sections 191.1145, 208.670, 208.671, 208.673, 208.675, 208.677, 354.603, 376.427, 376.1350, and 376.1367, RSMo, and to enact in lieu thereof nine new section relating to reimbursement of health care services.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 575, Page 8, Section 376.690, Line 12, by deleting the word “**shall**” and inserting in lieu thereof the word “**may**”; and

Further amend said bill, page, and section, Line 13, by inserting immediately after the word “**carrier**” the following:

“**within one hundred and eighty days of the delivery of the unanticipated out-of-network care**”; and

Further amend said bill and section, Page 9, Line 39, by inserting immediately after the word “**professional**” the following:

“who sends a claim to a health carrier under subsection 2 of section 376.690”; and

Further amend said bill, page, and section, Line 43, by inserting immediately after the word “**professional**” the following:

“**who sends a claim to a health carrier under subsection 2 of section 376.690**”; and

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

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Rowden moved that **HCS** for **HB 1796**, 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 1796** was again taken up.

At the request of Senator Rowden, **SS** for **HCS** for **HB 1796** was withdrawn.

Senator Rowden offered **SS No. 2** for **HCS** for **HB 1796**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1796

An Act to amend chapters 143, 442, and 443, RSMo, by adding thereto eight new sections relating to the process for the conveyance of real estate, with a penalty provision.

Senator Rowden moved that **SS No. 2** for **HCS** for **HB 1796** be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 1796, Page 4, Section 442.055, Line 14, by inserting at the end of said line the following: **“As used in this section, the term “knowledge” shall require the receipt by the owner, seller, landlord, or other transferor of a report stating affirmatively that the premises is or was previously contaminated with radioactive material.”**.

Senator Hoskins moved that the above amendment be adopted.

Senator Chappelle-Nadal offered **SSA 1** for **SA 1**:

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

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 1796, Page 4, Section 442.055, Line 5, by inserting after the word “material” the following: **“or other hazardous material”**; and further amend line 9 by inserting after the word “material” the following: **“or other hazardous material”**; and further amend line 10 by inserting after “radioactive” the following: **“or other hazardous”**; and further amend line 13 by inserting after “radioactive” the following: **“or other hazardous”**; and further amend line 14 by inserting at the end of said line the following: **“As used in this section, the term “knowledge” shall require the receipt by the owner, seller, landlord, or other transferor of a report stating affirmatively that the premises is or was previously contaminated with radioactive material or other hazardous material.”**.

Senator Chappelle-Nadal moved that the above substitute amendment be adopted, which motion prevailed.

Senator Rowden moved that **SS No. 2** for **HCS** for **HB 1796**, as amended, be adopted, which motion prevailed.

On motion of Senator Rowden, **SS No. 2** for **HCS** for **HB 1796**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

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

Wieland—29

NAYS—Senators

Emery	Koenig	Libla	Schaaf—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 655**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 773**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 843**, 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 **SCS** for **SRBs 975 & 1024**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 655**, as amended. Representatives: Bahr, Corlew, Evans, Ellebracht, Washington.

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 773**, as amended. Representatives: Swan, Cornejo, Evans, Roberts, Lavender.

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 1719**, as amended. Representatives: Grier, Ross, Helms, Carpenter, McGee.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 49**.

Concurrent Resolution ordered enrolled.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 655**, as amended: Senators Sifton, Rizzo, Dixon, Emery and Koenig.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 773**, as amended: Senators Hoskins, Cunningham, Schaaf, Sifton and Rizzo.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 808**, as amended: Senators Brown, Munzlinger, Wasson, Rizzo and Sifton.

### HOUSE BILLS ON THIRD READING

**HB 1809**, introduced by Representative Tate, entitled:

An Act to repeal section 70.370, RSMo, and to enact in lieu thereof one new section relating to the bi-state metropolitan development district.

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

Senator Schatz offered **SS** for **HB 1809**, entitled:

#### SENATE SUBSTITUTE FOR HOUSE BILL NO. 1809

An Act to repeal section 70.370, RSMo, and to enact in lieu thereof two new sections relating to infrastructure projects.

Senator Schatz moved that **SS** for **HB 1809** be adopted.

Senator Sifton offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1809, Page 8, Section 226.145, Line 2, by inserting immediately after said line the following:

**“227.601. 1. Notwithstanding any provision of sections 227.600 to 227.669 to the contrary, the process and approval for concession agreements to build, maintain, operate, or finance projects owned by a political subdivision shall be approved by the governing body of such political subdivision and shall not be subject to approval by the commission. Notwithstanding the provisions of subsection 5 of this section, the sale or conveyance of any project owned by a political subdivision shall be subject to voter approval if required by law.**

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

**(1) “Competitive bidding process”, a request for proposal for the financing, development, or operation of the project, including any deadline for submission of such proposals, and notice of the request, which shall be published once a week for two consecutive weeks in:**

**(a) A newspaper of general circulation in the city where the proposed project is located;**

(b) At least one construction industry trade publication that is nationally distributed; and

(c) Such other publications or manner as the governing body of the political subdivision may determine;

(2) “Concession agreement”, a license or lease between a private partner and a political subdivision for the development, finance, operation, or maintenance of a project, as such term is defined in section 227.600.

3. Notwithstanding any provision of law to the contrary, political subdivisions may enter into concession agreements, provided that:

(1) The term of the concession agreement shall be for a term not exceeding thirty years;

(2) The political subdivision shall retain oversight of operations of any such project;

(3) The political subdivision shall retain oversight of rate setting methodology;

(4) The political subdivision shall have the right to terminate the agreement if the private partner does not comply with the concession agreement; and

(5) The concession agreement is supported by a preliminary engineering and financial feasibility study, including an estimate of the costs of the project and the rate impact on customers during the life of the agreement.

4. The commission shall not be required to oversee, or issue an annual report under section 227.669 for, projects approved by political subdivisions, provided that any political subdivision entering into a concession agreement shall use a public-private partnership framework that shall include a competitive bidding process.

5. Except as provided in subsection 1 of this section, the provisions of sections 71.530, 71.550, 78.190, 78.630, 81.190, 88.251, 88.633, 88.770, 88.773, 91.550, and 91.600 shall not apply to concession agreements that are approved as provided in this section.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Schatz, **HB 1809**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**HCS** for **HB 1713**, with **SCS**, entitled:

An Act to repeal section 193.128, RSMo, and to enact in lieu thereof one new section relating to the Missouri adoptee rights act.

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

**SCS** for **HCS** for **HB 1713**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1713

An Act to repeal section 193.128, RSMo, and to enact in lieu thereof one new section relating to birth certificates.

Was called from the Informal Calendar and taken up.

Senator Sater moved that **SCS** for **HCS** for **HB 1713** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **HCS** for **HB 1713** 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	Wallingford
Wasson	Wieland—30					

NAYS—Senators

Schupp	Sifton	Walsh—3
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Absent—Senators—None

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.

### PRIVILEGED MOTIONS

Senator Eigel moved that the Senate refuse to concur in **HCS** for **SS** for **SB 881**, 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 Schatz moved that the Senate refuse to concur in **HAs 1, 3, 4, 5, 6, 8 and 9** for **SB 757**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 843**, as amended: Senators Riddle, Munzlinger, Rowden, Sifton and Holsman.

### 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 **SS** for **SCS** for **SBs 627 & 925**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 843**, as amended. Representatives: Ross, Bernskoetter, Walker (3), Carpenter, Conway (10).

### 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 **HB 1300**, with **SCS**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

### RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 2168, regarding Hannah M. Ankenbauer, Massena, Iowa, which was adopted.

Senator Schupp offered Senate Resolution No. 2169, regarding the death of Ron Olshwanger, which was adopted.

Senators Nasheed and Rowden offered Senate Resolution No. 2170, regarding Elder Melvin Stapleton Sr., which was adopted.

Senator Sater offered Senate Resolution No. 2171, regarding Donell Kleiboeker, Stutts City, which was adopted.

Senator Sater offered Senate Resolution No. 2172, regarding Laura Hazelton, which was adopted.

Senator Sater offered Senate Resolution No. 2173, regarding Diane Shiveley, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 2174, regarding the Fiftieth Wedding Anniversary of John and Adell Bremer, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 2175, regarding Payton Varner, Cassville, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 2:45 p.m.

### RECESS

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

Senator Kehoe announced photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

### PRIVILEGED MOTIONS

Senator Sifton, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 655**, 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. 655

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 655, with House Amendment Nos. 1, 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 655, as amended;
2. That the Senate recede from its position on Senate Bill No. 655;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 655 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Scott Sifton

/s/ John Rizzo

/s/ Bob Dixon

/s/ Ed Emery

/s/ Andrew Koenig

FOR THE HOUSE:

/s/ Kurt Bahr

/s/ Jean Evans

/s/ Kevin Corlew

/s/ Mark Ellebracht

Barbara Washington

Senator Sifton 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	Kehoe	Koenig
Libla	Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Hummel—1

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sifton, **CCS** for **HCS** for **SB 655**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 655

An Act to repeal sections 43.650, 451.090, 556.037, 589.400, 589.402, 589.403, 589.405, 589.407, 589.414, RSMo, and to enact in lieu thereof eleven new sections relating to the protection of children.

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

NAYS—Senator Hummel—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

### HOUSE BILLS ON THIRD READING

**HB 1460**, introduced by Representative Evans, entitled:

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a tax deduction for certain Olympic athletes.

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

Senator Schatz offered **SS** for **HB 1460**, entitled:

#### SENATE SUBSTITUTE FOR HOUSE BILL NO. 1460

An Act to repeal sections 142.803 and 143.121, RSMo, and to enact in lieu thereof two new sections relating to taxation, with a referendum clause.

Senator Schatz moved that **SS** for **HB 1460** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1460, Page 12, Section B, Line 28 of said page, by striking “November” and inserting in lieu thereof “August”.

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

President Pro Tem Richard assumed the Chair.

At the request of Senator Rowden, **HB 1460**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

**MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 884**.

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

**HOUSE AMENDMENT NO. 1**

Amend Senate Bill No. 884, Page 1, In the Title, Line 3, by deleting the words “bonding requirements of retail sales licensees” and inserting in lieu thereof the word “taxation”; and

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

**HOUSE AMENDMENT NO. 2 TO  
HOUSE AMENDMENT NO. 2**

Amend House Amendment No. 2 to Senate Bill No. 884, Page 10 Line 27 by deleting the year “**2020**” and inserting in lieu thereof the year “**2019**”; and

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

**HOUSE AMENDMENT NO. 2**

Amend Senate Bill No. 884, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“32.200. The “Multistate Tax Compact” is hereby enacted into law and entered into with all jurisdictions legally joining therein, in the form substantially as follows:

**MULTISTATE TAX COMPACT****Article I**

The purposes of this compact are to:

1. Facilitate proper determination of state and local tax liability of multistate taxpayers, including the equitable apportionment of tax bases and settlement of apportionment disputes.
2. Promote uniformity or compatibility in significant components of tax systems.
3. Facilitate taxpayer convenience and compliance in the filing of tax returns and in other phases of tax administration.
4. Avoid duplicative taxation.

**Article II**

As used in this compact:

1. “State” means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.
2. “Subdivision” means any governmental unit or special district of a state.
3. “Taxpayer” means any corporation, partnership, firm, association, governmental unit or agency or

person acting as a business entity in more than one state.

4. “Income tax” means a tax imposed on or measured by net income including any tax imposed on or measured by an amount arrived at by deducting expenses from gross income, one or more forms of which expenses are not specifically and directly related to particular transactions.

5. “Capital stock tax” means a tax measured in any way by the capital of a corporation considered in its entirety.

6. “Gross receipts tax” means a tax, other than a sales tax, which is imposed on or measured by the gross volume of business, in terms of gross receipts or in other terms, and in the determination of which no deduction is allowed which would constitute the tax an income tax.

7. “Sales tax” means a tax imposed with respect to the transfer for a consideration of ownership, possession or custody of tangible personal property or the rendering of services measured by the price of the tangible personal property transferred or services rendered and which is required by state or local law to be separately stated from the sales price by the seller, or which is customarily separately stated from the sales price, but does not include a tax imposed exclusively on the sale of a specifically identified commodity or article or class of commodities or articles.

8. “Use tax” means a nonrecurring tax, other than a sales tax, which

(a) is imposed on or with respect to the exercise or enjoyment of any right or power over tangible personal property incident to the ownership, possession or custody of that property or the leasing of that property from another including any consumption, keeping, retention, or other use of tangible personal property; and

(b) is complementary to a sales tax.

9. “Tax” means an income tax, capital stock tax, gross receipts tax, sales tax, use tax, and any other tax which has a multistate impact, except that the provisions of articles III, IV and V of this compact shall apply only to the taxes specifically designated therein and the provisions of article IX of this compact shall apply only in respect to determinations pursuant to article IV.

### Article III

1. Any taxpayer subject to an income tax whose income is subject to apportionment and allocation for tax purposes pursuant to the laws of a party state or pursuant to the laws of subdivisions in two or more party states may elect to apportion and allocate his income in the manner provided by the laws of such state or by the laws of such states and subdivisions without reference to this compact, or may elect to apportion and allocate in accordance with article IV; **except that for tax years beginning on or after January 1, 2020, any taxpayer subject to the tax imposed by section 143.071 shall apportion and allocate in accordance with the provisions of Chapter 143 and shall not apportion or allocate in accordance with article IV.** This election for any tax year may be made in all party states or subdivisions thereof or in any one or more of the party states or subdivisions thereof without reference to the election made in the others. For the purposes of this paragraph, taxes imposed by subdivisions shall be considered separately from state taxes and the apportionment and allocation also may be applied to the entire tax base. In no instance wherein article IV is employed for all subdivisions of a state may the sum of all apportionments and allocations to subdivisions within a state be greater than the apportionment and allocation that would be assignable to that state if the apportionment or allocation were being made with respect to a state income tax.

2. Each party state or any subdivision thereof which imposes an income tax shall provide by law that any taxpayer required to file a return, whose only activities within the taxing jurisdiction consist of sales and do not include owning or renting real estate or tangible personal property, and whose dollar volume of gross sales made during the tax year within the state or subdivision, as the case may be, is not in excess of \$100,000 may elect to report and pay any tax due on the basis of a percentage of such volume, and shall adopt rates which shall produce a tax which reasonably approximates the tax otherwise due. The multistate tax commission, not more than once in five years, may adjust the \$100,000 figure in order to reflect such changes as may occur in the real value of the dollar, and such adjusted figure, upon adoption by the commission, shall replace the \$100,000 figure specifically provided herein. Each party state and subdivision thereof may make the same election available to taxpayers additional to those specified in this paragraph.

3. Nothing in this article relates to the reporting or payment of any tax other than an income tax.

#### Article IV

1. As used in this article, unless the context otherwise requires:

(1) "Business income" means income arising from transactions and activity in the regular course of the taxpayer's trade or business and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations.

(2) "Commercial domicile" means the principal place from which the trade or business of the taxpayer is directed or managed.

(3) "Compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services.

(4) "Financial organization" means any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company, or any type of insurance company.

(5) "Nonbusiness income" means all income other than business income.

(6) "Public utility" means any business entity

(a) which owns or operates any plant, equipment, property, franchise, or license for the transmission of communications, transportation of goods or persons, except by pipeline, or the production, transmission, sale, delivery, or furnishing of electricity, water or steam; and

(b) whose rates of charges for goods or services have been established or approved by a federal, state or local government or governmental agency.

(7) "Sales" means all gross receipts of the taxpayer not allocated under paragraphs of this article.

(8) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country or political subdivision thereof.

(9) "This state" means the state in which the relevant tax return is filed or, in the case of application of this article, to the apportionment and allocation of income for local tax purposes, the subdivision or local taxing district in which the relevant tax return is filed.

2. Any taxpayer having income from business activity which is taxable both within and without this state, other than activity as a financial organization or public utility or the rendering of purely personal services by an individual, shall allocate and apportion his net income as provided in this article. If a taxpayer has income from business activity as a public utility but derives the greater percentage of his income from activities subject to this article, the taxpayer may elect to allocate and apportion his entire net income as provided in this article.

3. For purposes of allocation and apportionment of income under this article, a taxpayer is taxable in another state if

(1) in that state he is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax; or

(2) that state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

4. Rents and royalties from real or tangible personal property, capital gains, interest, dividends or patent or copyright royalties, to the extent that they constitute nonbusiness income, shall be allocated as provided in paragraphs 5 through 8 of this article.

5. (1) Net rents and royalties from real property located in this state are allocable to this state.

(2) Net rents and royalties from tangible personal property are allocable to this state:

(a) if and to the extent that the property is utilized in this state; or

(b) in their entirety if the taxpayer's commercial domicile is in this state and the taxpayer is not organized under the laws of or taxable in the state in which the property is utilized.

(3) The extent of utilization of tangible personal property in a state is determined by multiplying the rents and royalties by a fraction, the numerator of which is the number of days of physical location of the property in the state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the taxpayer, tangible personal property is utilized in the state in which the property was located at the time the rental or royalty payer obtained possession.

6. (1) Capital gains and losses from sales of real property located in this state are allocable to this state.

(2) Capital gains and losses from sales of tangible personal property are allocable to this state if

(a) the property had a situs in this state at the time of the sale; or

(b) the taxpayer's commercial domicile is in this state and the taxpayer is not taxable in the state in which the property had a situs.

(3) Capital gains and losses from sales of intangible personal property are allocable to this state if the taxpayer's commercial domicile is in this state.

7. Interest and dividends are allocable to this state if the taxpayer's commercial domicile is in this state.

8. (1) Patent and copyright royalties are allocable to this state:

(a) if and to the extent that the patent or copyright is utilized by the payer in this state; or

(b) if and to the extent that the patent copyright is utilized by the payer in a state in which the taxpayer is not taxable and the taxpayer's commercial domicile is in this state.

(2) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If the basis of receipts from patent royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the patent is utilized in the state in which the taxpayer's commercial domicile is located.

(3) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If the basis of receipts from copyright royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the copyright is utilized in the state in which the taxpayer's commercial domicile is located.

9. All business income shall be apportioned to this state by multiplying the income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, and the denominator of which is three.

10. The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in this state during the tax period and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used during the tax period.

11. Property owned by the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at eight times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals.

12. The average value of property shall be determined by averaging the values at the beginning and ending of the tax period but the tax administrator may require the averaging of monthly values during the tax period if reasonably required to reflect properly the average value of the taxpayer's property.

13. The payroll factor is a fraction, the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period.

14. Compensation is paid in this state if:

(1) the individual's service is performed entirely within the state;

(2) the individual's service is performed both within and without the state, but the service performed without the state is incidental to the individual's service within the state; or

(3) some of the service is performed in the state; and

(a) the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in the state; or

(b) the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

15. The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this state during the tax period, and the denominator of which is the total sales of the taxpayer everywhere during the tax period.

16. Sales of tangible personal property are in this state if:

(1) the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of the f.o.b. point or other conditions of the sale; or

(2) the property is shipped from an office, store, warehouse, factory, or other place of storage in this state; and

(a) the purchaser is the United States government; or

(b) the taxpayer is not taxable in the state of the purchaser.

17. Sales, other than sales of tangible personal property, are in this state if:

(1) the income-producing activity is performed in this state; or

(2) the income-producing activity is performed both in and outside this state and a greater proportion of the income-producing activity is performed in this state than in any other state, based on costs of performance.

18. If the allocation and apportionment provisions of this article do not fairly represent the extent of the taxpayer's business activity in this state, the taxpayer may petition for or the tax administrator may require, in respect to all or any part of the taxpayer's business activity, if reasonable:

(1) separate accounting;

(2) the exclusion of any one or more of the factors;

(3) the inclusion of one or more additional factors which will fairly represent the taxpayer's business activity in this state; or

(4) the employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

#### Article V

1. Each purchaser liable for a use tax on tangible personal property shall be entitled to full credit for the combined amount or amounts of legally imposed sales or use taxes paid by him with respect to the same property to another state and any subdivision thereof. The credit shall be applied first against the amount of any use tax due the state, and any unused portion of the credit shall then be applied against the amount of any use tax due a subdivision.

2. Whenever a vendor receives and accepts in good faith from a purchaser a resale or other exemption certificate or other written evidence of exemption authorized by the appropriate state or subdivision taxing authority, the vendor shall be relieved of liability for a sales or use tax with respect to the transaction.

#### Article VI

1. (a) The multistate tax commission is hereby established. It shall be composed of one "member" from each party state who shall be the head of the state agency charged with the administration of the types of taxes to which this compact applies. If there is more than one such agency the state shall provide by law for the selection of the commission member from the heads of the relevant agencies. State law may provide that a member of the commission be represented by an alternate but only if there is on file with the commission written notification of the designation and identity of the alternate. The attorney general of each party state or his designee, or other counsel if the laws of the party state specifically provide, shall be entitled to attend

the meetings of the commission, but shall not vote. Such attorneys general, designees, or other counsel shall receive all notices of meetings required under paragraph 1 (e) of this article.

(b) Each party state shall provide by law for the selection of representatives from its subdivisions affected by this compact to consult with the commission member from that state.

(c) Each member shall be entitled to one vote. The commission shall not act unless a majority of the members are present, and no action shall be binding unless approved by a majority of the total number of members.

(d) The commission shall adopt an official seal to be used as it may provide.

(e) The commission shall hold an annual meeting and such other regular meetings as its bylaws may provide and such special meetings as its executive committee may determine. The commission bylaws shall specify the dates of the annual and any other regular meetings, and shall provide for the giving of notice of annual, regular and special meetings. Notices of special meetings shall include the reasons therefor and an agenda of the items to be considered.

(f) The commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The commission shall appoint an executive director who shall serve at its pleasure, and it shall fix his duties and compensation. The executive director shall be secretary of the commission. The commission shall make provision for the bonding of such of its officers and employees as it may deem appropriate.

(g) Irrespective of the civil service, personnel or other merit system laws of any party state, the executive director shall appoint or discharge such personnel as may be necessary for the performance of the functions of the commission and shall fix their duties and compensation. The commission bylaws shall provide for personnel policies and programs.

(h) The commission may borrow, accept or contract for the services of personnel from any state, the United States, or any other governmental entity.

(i) The commission may accept for any of its purposes and functions any and all donations and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any governmental entity, and may utilize and dispose of the same.

(j) The commission may establish one or more offices for the transacting of its business.

(k) The commission shall adopt bylaws for the conduct of its business. The commission shall publish its bylaws in convenient form, and shall file a copy of the bylaws and any amendments thereto with the appropriate agency or officer in each of the party states.

(l) The commission annually shall make to the governor and legislature of each party state a report covering its activities for the preceding year. Any donation or grant accepted by the commission or services borrowed shall be reported in the annual report of the commission, and shall include the nature, amount and conditions, if any, of the donation, gift, grant or services borrowed and the identity of the donor or lender. The commission may make additional reports as it may deem desirable.

2. (a) To assist in the conduct of its business when the full commission is not meeting, the commission shall have an executive committee of seven members, including the chairman, vice chairman, treasurer and four other members elected annually by the commission. The executive committee, subject to the provisions of this compact and consistent with the policies of the commission, shall function as provided in the bylaws

of the commission.

(b) The commission may establish advisory and technical committees, membership on which may include private persons and public officials, in furthering any of its activities. Such committees may consider any matter of concern to the commission, including problems of special interest to any party state and problems dealing with particular types of taxes.

(c) The commission may establish such additional committees as its bylaws may provide.

3. In addition to powers conferred elsewhere in this compact, the commission shall have power to:

(a) Study state and local tax systems and particular types of state and local taxes.

(b) Develop and recommend proposals for an increase in uniformity or compatibility of state and local tax laws with a view toward encouraging the simplification and improvement of state and local tax law and administration.

(c) Compile and publish information as in its judgment would assist the party states in implementation of the compact and taxpayers in complying with state and local tax laws.

(d) Do all things necessary and incidental to the administration of its functions pursuant to this compact.

4. (a) The commission shall submit to the governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

(b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amounts to be appropriated by each of the party states. The total amount of appropriations requested under any such budget shall be apportioned among the party states as follows: one-tenth in equal shares; and the remainder in proportion to the amount of revenue collected by each party state and its subdivisions from income taxes, capital stock taxes, gross receipts taxes, sales and use taxes. In determining such amounts, the commission shall employ such available public sources of information as, in its judgment, present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the sources used in obtaining information employed in applying the formula contained in this paragraph.

(c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under paragraph 1 (i) of this article; provided that the commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under paragraph 1 (i), the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

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

(e) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(f) Nothing contained in this article shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

#### Article VII

1. Whenever any two or more party states, or subdivisions of party states, have uniform or similar provisions of law relating to an income tax, capital stock tax, gross receipts tax, sales or use tax, the commission may adopt uniform regulations for any phase of the administration of such law, including assertion of jurisdiction to tax, or prescribing uniform tax forms. The commission may also act with respect to the provisions of article IV of this compact.

2. Prior to the adoption of any regulation, the commission shall:

(a) As provided in its bylaws, hold at least one public hearing on due notice to all affected party states and subdivisions thereof and to all taxpayers and other persons who have made timely request of the commission for advance notice of its regulation-making proceedings.

(b) Afford all affected party states and subdivisions and interested persons an opportunity to submit relevant written data and views, which shall be considered fully by the commission.

3. The commission shall submit any regulations adopted by it to the appropriate officials of all party states and subdivisions to which they might apply. Each such state and subdivision shall consider any such regulation for adoption in accordance with its own laws and procedures.

#### Article VIII

1. This article shall be in force only in those party states that specifically provide therefor by statute.

2. Any party state or subdivision thereof desiring to make or participate in an audit of any accounts, books, papers, records or other documents may request the commission to perform the audit on its behalf. In responding to the request, the commission shall have access to and may examine, at any reasonable time, such accounts, books, papers, records, and other documents and any relevant property or stock of merchandise. The commission may enter into agreements with party states or their subdivisions for assistance in performance of the audit. The commission shall make charges, to be paid by the state or local government or governments for which it performs the service, for any audits performed by it in order to reimburse itself for the actual costs incurred in making the audit.

3. The commission may require the attendance of any person within the state where it is conducting an audit or part thereof at a time and place fixed by it within such state for the purpose of giving testimony with respect to any account, book, paper, document, other record, property or stock of merchandise being examined in connection with the audit. If the person is not within the jurisdiction, he may be required to attend for such purpose at any time and place fixed by the commission within the state of which he is a resident; provided that such state has adopted this article.

4. The commission may apply to any court having power to issue compulsory process for orders in aid of its powers and responsibilities pursuant to this article and any and all such courts shall have jurisdiction to issue such orders. Failure of any person to obey any such order shall be punishable as contempt of the issuing court. If the party or subject matter on account of which the commission seeks an order is within the jurisdiction of the court to which application is made, such application may be to a court in the state or subdivision on behalf of which the audit is being made or a court in the state in which the object of the order

being sought is situated. The provisions of this paragraph apply only to courts in a state that has adopted this article.

5. The commission may decline to perform any audit requested if it finds that its available personnel or other resources are insufficient for the purpose or that, in the terms requested, the audit is impracticable of satisfactory performance. If the commission, on the basis of its experience, has reason to believe that an audit of a particular taxpayer, either at a particular time or on a particular schedule, would be of interest to a number of party states or their subdivisions, it may offer to make the audit or audits, the offer to be contingent on sufficient participation therein as determined by the commission.

6. Information obtained by any audit pursuant to this article shall be confidential and available only for tax purposes to party states, their subdivisions or the United States. Availability of information shall be in accordance with the laws of the states or subdivisions on whose account the commission performs the audit, and only through the appropriate agencies or officers of such states or subdivisions. Nothing in this article shall be construed to require any taxpayer to keep records for any period not otherwise required by law.

7. Other arrangements made or authorized pursuant to law for cooperative audit by or on behalf of the party states or any of their subdivisions are not superseded or invalidated by this article.

8. In no event shall the commission make any charge against a taxpayer for an audit.

9. As used in this article, “tax” in addition to the meaning ascribed to it in article II, means any tax or license fee imposed in whole or in part for revenue purposes.

#### Article IX

1. Whenever the commission finds a need for settling disputes concerning apportionments and allocations by arbitration, it may adopt a regulation placing this article in effect, notwithstanding the provisions of article VII.

2. The commission shall select and maintain an arbitration panel composed of officers and employees of state and local governments and private persons who shall be knowledgeable and experienced in matters of tax law and administration.

3. Whenever a taxpayer who has elected to employ article IV, or whenever the laws of the party state or subdivision thereof are substantially identical with the relevant provisions of article IV, the taxpayer, by written notice to the commission and to each party state or subdivision thereof that would be affected, may secure arbitration of an apportionment or allocation, if he is dissatisfied with the final administrative determination of the tax agency of the state or subdivision with respect thereto on the ground that it would subject him to double or multiple taxation by two or more party states or subdivisions thereof. Each party state and subdivision thereof hereby consents to the arbitration as provided herein, and agrees to be bound thereby.

4. The arbitration board shall be composed of one person selected by the taxpayer, one by the agency or agencies involved, and one member of the commission’s arbitration panel. If the agencies involved are unable to agree on the person to be selected by them, such person shall be selected by lot from the total membership of the arbitration panel. The two persons selected for the board in the manner provided by the foregoing provisions of this paragraph shall jointly select the third member of the board. If they are unable to agree on the selection, the third member shall be selected by lot from among the total membership of the arbitration panel. No member of a board selected by lot shall be qualified to serve if he is an officer or

employee or is otherwise affiliated with any party to the arbitration proceeding. Residence within the jurisdiction of a party to the arbitration proceeding shall not constitute affiliation within the meaning of this paragraph.

5. The board may sit in any state or subdivision party to the proceeding, in the state of the taxpayer's incorporation, residence or domicile, in any state where the taxpayer does business, or in any place that it finds most appropriate for gaining access to evidence relevant to the matter before it.

6. The board shall give due notice of the times and places of its hearings. The parties shall be entitled to be heard, to present evidence, and to examine and cross-examine witnesses. The board shall act by majority vote.

7. The board shall have power to administer oaths, take testimony, subpoena and require the attendance of witnesses and the production of accounts, books, papers, records, and other documents, and issue commissions to take testimony. Subpoenas may be signed by any member of the board. In case of failure to obey a subpoena, and upon application by the board, any judge of a court of competent jurisdiction of the state in which the board is sitting or in which the person to whom the subpoena is directed may be found may make an order requiring compliance with the subpoena, and the court may punish failure to obey the order as a contempt. The provisions of this paragraph apply only in states that have adopted this article.

8. Unless the parties otherwise agree the expenses and other costs of the arbitration shall be assessed and allocated among the parties by the board in such manner as it may determine. The commission shall fix a schedule of compensation for members of arbitration boards and of other allowable expenses and costs. No officer or employee of a state or local government who serves as a member of a board shall be entitled to compensation therefor unless he is required on account of his service to forego the regular compensation attaching to his public employment, but any such board member shall be entitled to expenses.

9. The board shall determine the disputed apportionment or allocation and any matters necessary thereto. The determinations of the board shall be final for purposes of making the apportionment or allocation, but for no other purpose.

10. The board shall file with the commission and with each tax agency represented in the proceeding: the determination of the board; the board's written statement of its reasons therefor; the record of the board's proceedings; and any other documents required by the arbitration rules of the commission to be filed.

11. The commission shall publish the determinations of boards together with the statements of the reasons therefor.

12. The commission shall adopt and publish rules of procedure and practice and shall file a copy of such rules and of any amendment thereto with the appropriate agency or officer in each of the party states.

13. Nothing contained herein shall prevent at any time a written compromise of any matter or matters in dispute, if otherwise lawful, by the parties to the arbitration proceeding.

#### Article X

1. This compact shall enter into force when enacted into law by any seven states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof. The commission shall arrange for notification of all party states whenever there is a new enactment of the compact.

2. Any party state may withdraw from this compact by enacting a statute repealing the same. No

withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

3. No proceeding commenced before an arbitration board prior to the withdrawal of a state and to which the withdrawing state or any subdivision thereof is a party shall be discontinued or terminated by the withdrawal, nor shall the board thereby lose jurisdiction over any of the parties to the proceeding necessary to make a binding determination therein.

Article XI

Nothing in this compact shall be construed to:

(a) Affect the power of any state or subdivision thereof to fix rates of taxation, except that a party state shall be obligated to implement article III 2 of this compact.

(b) Apply to any tax or fixed fee imposed for the registration of a motor vehicle or any tax on motor fuel, other than a sales tax; provided that the definition of “tax” in article VIII 9 may apply for the purposes of that article and the commission’s powers of study and recommendation pursuant to article VI 3 may apply.

(c) Withdraw or limit the jurisdiction of any state or local court or administrative officer or body with respect to any person, corporation or other entity or subject matter, except to the extent that such jurisdiction is expressly conferred by or pursuant to this compact upon another agency or body.

(d) Supersede or limit the jurisdiction of any court of the United States.

Article XII

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00	1 ½% of the Missouri taxable income
Over \$1,000 but not over \$2,000	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$165 plus 4 1/2% of excess over \$6,000

Over \$7,000 but not over \$8,000 \$210 plus 5% of excess over \$7,000

Over \$8,000 but not over \$9,000 \$260 plus 5 ½% of excess over \$8,000

Over \$9,000 \$315 plus 6% of excess over \$9,000

2. (1) Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. The top rate of tax shall not be reduced below five and one-half percent. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half [of a] percent, **and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.**

3. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.

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

(1) "CPI", the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;

(2) "CPI for the preceding calendar year", the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;

(3) "**Net general revenue collected**", **all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;**

(4) "Percent increase in inflation", the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.

143.071. 1. For all tax years beginning before September 1, 1993, a tax is hereby imposed upon the Missouri taxable income of corporations in an amount equal to five percent of Missouri taxable income.

2. For all tax years beginning on or after September 1, 1993, **and ending on or before December 31, 2020**, a tax is hereby imposed upon the Missouri taxable income of corporations in an amount equal to six and one-fourth percent of Missouri taxable income.

3. **For all tax years beginning on or after January 1, 2020, a tax is hereby imposed upon the Missouri taxable income of corporations in an amount equal to three and nine-tenths percent of Missouri taxable income.**

4. The provisions of this section shall not apply to out-of-state businesses operating under sections 190.270 to 190.285.

143.431. 1. The Missouri taxable income of a corporation taxable under sections 143.011 to 143.996 shall be so much of its federal taxable income for the taxable year, with the modifications specified in subsections 2 to 4 of this section, as is derived from sources within Missouri as provided in section 143.451. The tax of a corporation shall be computed on its Missouri taxable income at the rates provided in section 143.071.

2. There shall be added to or subtracted from federal taxable income the modifications to adjusted gross income provided in section 143.121, with the exception of subdivision (5) of subsection 2 of section 143.121, and the applicable modifications to itemized deductions provided in section 143.141. There shall be subtracted the federal income tax deduction provided in section 143.171. There shall be subtracted, to the extent included in federal taxable income, corporate dividends from sources within Missouri.

3. (1) If an affiliated group of corporations files a consolidated income tax return for the taxable year for federal income tax purposes [and fifty percent or more of its income is derived from sources within this state as determined in accordance with section 143.451], then it may elect to file a Missouri consolidated income tax return. The federal consolidated taxable income of the electing affiliated group for the taxable year shall be its federal taxable income. **All transactions between affiliated members of the affiliated group shall be eliminated on the Missouri consolidated income tax return.**

(2) So long as a federal consolidated income tax return is filed, an election made by an affiliated group of corporations to file a Missouri consolidated income tax return may be withdrawn or revoked only upon substantial change in the law or regulations adversely changing tax liability under this chapter, or with permission of the director of revenue upon the showing of good cause for such action. After such a withdrawal or revocation with respect to an affiliated group, it may not file a Missouri consolidated income tax return for five years thereafter, except with the approval of the director of revenue, and subject to such terms and conditions as he may prescribe.

(3) No corporation which is part of an affiliated group of corporations filing a Missouri consolidated income tax return shall be required to file a separate Missouri corporate income tax return for the taxable year.

(4) For each taxable year an affiliated group of corporations filing a federal consolidated income tax return does not file a Missouri consolidated income tax return, for purposes of computing the Missouri income tax, the federal taxable income of each member of the affiliated group shall be determined as if a separate federal income tax return had been filed by each such member.

(5) The director of revenue may prescribe such regulations not inconsistent with the provisions of this chapter as he may deem necessary in order that the tax liability of any affiliated group of corporations making a Missouri consolidated income tax return, and of each corporation in the group, before, during, and after the period of affiliation, may be returned, determined, computed, assessed, collected, and adjusted, in such manner as clearly to reflect the Missouri taxable income derived from sources within this state and in order to prevent avoidance of such tax liability.

4. If a net operating loss deduction is allowed for the taxable year, there shall be added to federal taxable income the amount of the net operating loss modification for each loss year as to which a portion of the net operating loss deduction is attributable. As used in this subsection, the following terms mean:

(1) "Loss year", the taxable year in which there occurs a federal net operating loss that is carried back or carried forward in whole or in part to another taxable year;

(2) "Net addition modification", for any taxable year, the amount by which the sum of all required additions to federal taxable income provided in this chapter, except for the net operating loss modification, exceeds the combined sum of the amount of all required subtractions from federal taxable income provided in this chapter;

(3) "Net operating loss deduction", a net operating loss deduction allowed for federal income tax purposes under Section 172 of the Internal Revenue Code of 1986, as amended, or a net operating loss deduction allowed for Missouri income tax purposes under paragraph (d) of subsection 2 of section 143.121, but not including any net operating loss deduction that is allowed for federal income tax purposes but disallowed for Missouri income tax purposes under paragraph (d) of subsection 2 of section 143.121;

(4) "Net operating loss modification", an amount equal to the lesser of the amount of the net operating loss deduction attributable to that loss year or the amount by which the total net operating loss in the loss year is less than the sum of:

(a) The net addition modification for that loss year; and

(b) The cumulative net operating loss deductions attributable to that loss year allowed for the taxable year and all prior taxable years.

5. For all tax years ending on or after July 1, 2002, federal taxable income may be a positive or negative amount. Subsection 4 of this section shall be effective for all tax years with a net operating loss deduction attributable to a loss year ending on or after July 1, 2002, and the net operating loss modification shall only apply to loss years ending on or after July 1, 2002.

143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. **For all tax years ending on or before December 31, 2019**, a corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the

amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state;

(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible

property is “in this state” if the taxpayer’s market for the sales is in this state. The taxpayer’s market for sales is in this state:

a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;

b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;

c. In the case of sale of a service, if and to the extent the ultimate beneficiary of the service is located in this state and shall not be in this state if the ultimate beneficiary of the service rendered by the taxpayer or the taxpayer’s designee is located outside this state; and

d. In the case of intangible property:

(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is “used in this state” if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are “used in this state” to the extent the franchise location is in this state; and

(ii) That is sold, if and to the extent the property is used in this state, provided that:

i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is “used in this state” if the geographic area includes all or part of this state;

ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and

iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;

(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;

(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;

(h) The director may prescribe such rules and regulations as necessary or appropriate to carry out the purposes of this section.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from

time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, “gross income” is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds

service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December

thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any

shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.

10. The provisions of this section do not impact any other apportionment election available to a taxpayer under Missouri statutes.

**143.455. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.**

**2. For all tax years beginning on or after January 1, 2020, a corporation described in subdivision (1) of subsection 1 of section 143.441 shall determine its income derived from sources within this state by allocating and apportioning its net income as provided in this section.**

**3. As used in this section, unless the context otherwise requires, the following terms mean:**

**(1) “Apportionable income”:**

**(a) All income that is apportionable under the Constitution of the United States and is not allocated under the laws of this state, including:**

**a. Income arising from transactions and activity in the regular course of the corporation’s trade or business; and**

**b. Income arising from tangible and intangible property if the acquisition, management, employment, development, or disposition of the property is or was related to the operation of the corporation’s trade or business; and**

**(b) Any income that would be allocable to this state under the Constitution of the United States, but that is apportioned rather than allocated pursuant to the laws of this state;**

**(2) “Commercial domicile”, the principal place from which the trade or business of the corporation is directed or managed;**

**(3) “Financial organization”, any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company, or any type of insurance company;**

**(4) “Non-apportionable income”, all income other than apportionable income;**

**(5) “Public utility”, any business entity:**

**(a) Which owns or operates any plant, equipment, property, franchise, or license for the transmission of communications, transportation of goods or persons, except by pipeline, or the production, transmission, sale, delivery, or furnishing of electricity, water or steam; and**

**(b) Whose rates of charges for goods or services have been established or approved by a federal, state, or local government or governmental agency;**

**(6) “Receipts”, all gross receipts of the corporation that are not allocated under the provisions of this section, and that are received from transactions and activity in the regular course of the corporation’s trade or business; except that receipts of a corporation from hedging transactions and from the maturity, redemption, sale, exchange, loan or other disposition of cash or securities, shall be excluded.**

**4. For purposes of allocation and apportionment of income under this section, a corporation is taxable in another state if:**

**(1) In that state it is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax; or**

**(2) That state has jurisdiction to subject the corporation to a net income tax regardless of whether, in fact, the state does or does not do so.**

**5. Rents and royalties from real or tangible personal property, capital gains, interest, dividends or patent or copyright royalties, to the extent that they constitute nonapportionable income, shall be allocated as provided in subsections 6 to 9 of this section.**

**6. (1) Net rents and royalties from real property located in this state are allocable to this state.**

**(2) Net rents and royalties from tangible personal property are allocable to this state:**

**(a) If and to the extent the property is utilized in this state; or**

**(b) In their entirety if the corporation's commercial domicile is in this state and the corporation is not organized under the laws of or taxable in the state in which the property is utilized.**

**(3) The extent of utilization of tangible personal property in a state is determined by multiplying the rents and royalties by a fraction, the numerator of which is the number of days of physical location of the property in the state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the corporation, tangible personal property is utilized in the state in which the property was located at the time the rental or royalty payer obtained possession.**

**7. (1) Capital gains and losses from sales of real property located in this state are allocable to this state.**

**(2) Capital gains and losses from sales of tangible personal property are allocable to this state if:**

**(a) The property had a situs in this state at the time of the sale; or**

**(b) The corporation's commercial domicile is in this state and the corporation is not taxable in the state in which the property had a situs.**

**(3) Capital gains and losses from sales of intangible personal property are allocable to this state if the corporation's commercial domicile is in this state.**

**8. Interest and dividends are allocable to this state if the corporation's commercial domicile is in this state.**

**9. (1) Patent and copyright royalties are allocable to this state:**

**(a) If and to the extent that the patent or copyright is utilized by the payer in this state; or**

**(b) If and to the extent that the patent or copyright is utilized by the payer in a state in which the corporation is not taxable and the corporation's commercial domicile is in this state.**

**(2) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If the basis of receipts from patent royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the patent is utilized in the state in which**

the corporation's commercial domicile is located.

(3) A copyright is utilized in a state to the extent that printing or other publication originates in the state. If the basis of receipts from copyright royalties does not permit allocation to states or if the accounting procedures do not reflect states of utilization, the copyright is utilized in the state in which the corporation's commercial domicile is located.

10. All apportionable income shall be apportioned to this state by multiplying the net income by a fraction, the numerator of which is the total receipts of the corporation in this state during the tax period and the denominator of which is the total receipts of the corporation everywhere during the tax period.

11. Receipts from the sale of tangible personal property are in this state if the property is received in this state by the purchaser. In the case of the delivery of goods by common carrier or by other means of transportation, including transportation by the purchaser, the place at which the goods are ultimately received after all transportation has been completed shall be considered as the place at which the goods are received by the purchaser. Direct delivery into this state by the taxpayer to a person or firm designated by a purchaser from within or without the state shall constitute delivery to the purchaser in this state.

12. (1) Receipts, other than receipts described in subsection 11 of this section, are in this state if the corporation's market for the sales is in this state. The corporation's market for sales is in this state:

(a) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;

(b) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;

(c) In the case of sale of a service, if and to the extent the ultimate beneficiary of the service is located in this state and shall not be in this state if the ultimate beneficiary of the service rendered by the corporation or the corporation's designee is located outside this state; and

(d) In the case of intangible property:

a. That is rented, leased, or licensed, if and to the extent the property is used in this state, provided that intangible property utilized in marketing a good or service to a consumer is "used in this state" if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area "are used in this state" to the extent the franchise is located in this state; and

b. That is sold, if and to the extent the property is used in this state, provided that:

(i) A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is "used in this state" if the geographic area includes all or part of this state;

(ii) Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under subparagraph a. of this paragraph; and

**(iii) All other receipts from a sale of intangible property shall be excluded from the numerator and denominator of the receipts factor.**

**(2) If the state or states of assignment under subdivision (1) of this subsection cannot be determined, the state or states of assignment shall be reasonably approximated.**

**(3) The director may prescribe regulations as necessary or appropriate to carry out the purposes of this section.**

**13. (1) In the case of certain industries where unusual factual situations produce inequitable results under the apportionment and allocation provisions of this section, the director shall promulgate rules for determining the apportionment and allocation factors for each such industry, but such rules shall be applied uniformly.**

**(2) If the allocation and apportionment provisions of this section do not fairly represent the extent of the corporation's income applicable to this state, the corporation may petition for or the director may require:**

**(a) Separate accounting;**

**(b) The inclusion of one or more additional factors which will fairly represent the corporation's income applicable to this state; or**

**(c) The employment of any other method to effectuate an equitable allocation and apportionment of the corporation's income.**

**(3) The party petitioning for, or the director requiring, the use of any method to effectuate an equitable allocation and apportionment of the corporation's income pursuant to subdivision (2) of this subsection shall prove by a preponderance of evidence:**

**(a) That the allocation and apportionment provisions of this section do not fairly represent the extent of the corporation's income applicable to this state; and**

**(b) That the alternative to such provisions is reasonable.**

**The same burden of proof shall apply whether the corporation is petitioning for, or the director is requiring, the use of any reasonable method to effectuate an equitable allocation and apportionment of the corporation's income. Notwithstanding the previous sentence, if the director can show that in any two of the prior five tax years, the corporation had used an allocation or apportionment method at variance with its allocation or apportionment method or methods used for such other tax years, then the director shall not bear the burden of proof in imposing a different method pursuant to subdivision (2) of this subsection.**

**(4) If the director requires any method to effectuate an equitable allocation and apportionment of the corporation's income, the director cannot impose any civil or criminal penalty with reference to the tax due that is attributable to the corporation's reasonable reliance solely on the allocation and apportionment provisions of this section.**

**(5) A corporation that has received written permission from the director to use a reasonable method to effectuate an equitable allocation and apportionment of the corporation's income shall not have that permission revoked with respect to transactions and activities that have already occurred unless there has been a material change in, or a material misrepresentation of, the facts provided by**

the corporation upon which the director reasonably relied.

14. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state. Such report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. This subsection shall not apply to a railroad.

15. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only rails and lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the rails and lines of such corporation in the state shall bear to the total mileage used over the rails and lines of such corporation. The corporation may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

16. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting the same to or from another net income or loss shown by the return.

17. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The corporation may elect to compute the portion

of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the corporation shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

18. From the income determined in this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

19. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the deduction.

20. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.

143.461. 1. A corporation shall elect to determine income applicable to this state by multiplying the total income from all sources by the fraction determined in the manner in section 143.451 **for all tax years ending on or before December 31, 2019, and for all tax years beginning on or before January 1, 2020, in the manner set forth in section 143.455**; first, by filing written notice with the director of revenue on or before the due date of the return (including extensions of time) of the taxpayer's election, or, second, by failing to keep its books and records in such manner as to show the income applicable to this state, including gross income and deductions applicable thereto.

2. If the corporation shall keep its books and records so as to show **the income applicable to this state** by any other method of allocation between this state and other states [involved of income from transactions partially within and partially without this state], including gross income and deductions applicable thereto, and such method shows the income applicable to this state, including gross income and deductions applicable thereto, then it may, on or before sixty days before the end of any taxable year, petition the director of revenue, in writing, to be permitted in its return required to be filed to apportion to this state according to the method shown by such books or records. If the director of revenue finds that such method does show the income applicable to this state including gross income and the deductions applicable thereto, he **or she** shall notify the corporation, at least thirty days prior to the last day on which such corporation's return for that taxable year is to be filed, that it may use that method **for the shorter of five years or** as long as such method shows the income applicable to this state, including gross income and deductions applicable thereto.

3. The corporation shall cease using such method **after the shorter of five years or** whenever the director of revenue finds and notifies such corporation on or before ninety days before the end of the taxable year, that such method does not so show. Upon and after such **expiration or** revocation the corporation shall be permitted to petition to use **the same or** another method of allocation that will show such income including gross income and deductions applicable thereto as though no petition had ever been filed.

4. Failure, after a method has **expired or** been revoked by the director of revenue, to submit a method which the director of revenue finds will show such income applicable to this state including gross income and deductions applicable thereto, on or before sixty days before the end of any taxable year, or failure to make a return on the basis, which has been approved by the director of revenue on petition of the corporation and which stands unrevoked **or unexpired**, shall constitute an election to accept the determination of income applicable to this state by multiplying the total income from all sources by the fraction determined in the manner set forth in section 143.451 **for all tax years ending on or before December 31, 2019, and for all tax years beginning on or before January 1, 2020, in the manner set forth in section 143.455.**

143.471. 1. An S corporation, as defined by Section 1361 (a)(1) of the Internal Revenue Code, shall not be subject to the taxes imposed by section 143.071, or other sections imposing income tax on corporations.

2. A shareholder of an S corporation shall determine such shareholder's S corporation modification and pro rata share, including its character, by applying the following:

(1) Any modification described in sections 143.121 and 143.141 which relates to an item of S corporation income, gain, loss, or deduction shall be made in accordance with the shareholder's pro rata share, for federal income tax purposes, of the item to which the modification relates. Where a shareholder's pro rata share of any such item is not required to be taken into account separately for federal income tax purposes, the shareholder's pro rata share of such item shall be determined in accordance with his pro rata share, for federal income tax purposes, of S corporation taxable income or loss generally;

(2) Each item of S corporation income, gain, loss, or deduction shall have the same character for a shareholder pursuant to sections 143.005 to 143.998 as it has for federal income tax purposes. Where an item is not characterized for federal income tax purposes, it shall have the same character for a shareholder as if realized directly from the source from which realized by the S corporation or incurred in the same manner as incurred by the S corporation.

3. A nonresident shareholder of an S corporation shall determine such shareholder's Missouri nonresident adjusted gross income and his or her nonresident shareholder modification by applying the provisions of this subsection. Items shall be determined to be from sources within this state pursuant to regulations of the director of revenue in a manner consistent with the division of income provisions of section 143.451, section 143.461, or section 32.200 (Multistate Tax Compact). In determining the adjusted gross income of a nonresident shareholder of any S corporation, there shall be included only that part derived from or connected with sources in this state of the shareholder's pro rata share of items of S corporation income, gain, loss or deduction entering into shareholder's federal adjusted gross income, as such part is determined pursuant to regulations prescribed by the director of revenue in accordance with the general rules in section 143.181. Any modification described in subsections 2 and 3 of section 143.121 and in section 143.141, which relates to an item of S corporation income, gain, loss, or deduction shall be made in accordance with the shareholder's pro rata share, for federal income tax purposes, of the item to which the modification relates, but limited to the portion of such item derived from or connected with sources in

this state.

**4. Notwithstanding subsection 3 of this section to the contrary, for all tax years beginning on or after January 1, 2020, the items referred to in that subsection shall be determined to be from sources within this state pursuant to regulations of the director of revenue in a manner consistent with the division of income provisions of section 143.455 and section 143.461.**

5. The director of revenue shall permit S corporations to file composite returns and to make composite payments of tax on behalf of its nonresident shareholders not otherwise required to file a return. If the nonresident shareholder's filing requirements result solely from one or more interests in any other partnerships or subchapter S corporations, that nonresident shareholder may be included in the composite return.

[5.] **6.** If an S corporation pays or credits amounts to any of its nonresident individual shareholders as dividends or as their share of the S corporation's undistributed taxable income for the taxable year, the S corporation shall either timely file with the department of revenue an agreement as provided in subsection [6] **7** of this section or withhold Missouri income tax as provided in subsection [7] **8** of this section. An S corporation that timely files an agreement as provided in subsection [6] **7** of this section with respect to a nonresident shareholder for a taxable year shall be considered to have timely filed such an agreement for each subsequent taxable year. An S corporation that does not timely file such an agreement for a taxable year shall not be precluded from timely filing such an agreement for subsequent taxable years. An S corporation is not required to deduct and withhold Missouri income tax for a nonresident shareholder if:

(1) The nonresident shareholder not otherwise required to file a return agrees to have the Missouri income tax due paid as part of the S corporation's composite return;

(2) The nonresident shareholder not otherwise required to file a return had Missouri assignable federal adjusted gross income from the S corporation of less than twelve hundred dollars;

(3) The S corporation is liquidated or terminated;

(4) Income was generated by a transaction related to termination or liquidation; or

(5) No cash or other property was distributed in the current and prior taxable year.

[6.] **7.** The agreement referred to in subdivision (1) of subsection [5] **6** of this section is an agreement of a nonresident shareholder of the S corporation to:

(1) File a return in accordance with the provisions of section 143.481 and to make timely payment of all taxes imposed on the shareholder by this state with respect to income of the S corporation; and

(2) Be subject to personal jurisdiction in this state for purposes of the collection of income taxes, together with related interest and penalties, imposed on the shareholder by this state with respect to the income of the S corporation.

The agreement will be considered timely filed for a taxable year, and for all subsequent taxable years, if it is filed at or before the time the annual return for such taxable year is required to be filed pursuant to section 143.511.

[7.] **8.** The amount of Missouri income tax to be withheld is determined by multiplying the amount of dividends or undistributed income allocable to Missouri that is paid or credited to a nonresident shareholder during the taxable year by the highest rate used to determine a Missouri income tax liability for an

individual, except that the amount of the tax withheld may be determined based on withholding tables provided by the director of revenue if the shareholder submits a Missouri withholding allowance certificate.

[8.] **9.** An S corporation shall be entitled to recover for a shareholder on whose behalf a tax payment was made pursuant to this section, if such shareholder has no tax liability.

[9.] **10.** With respect to S corporations that are banks or bank holding companies, a pro rata share of the tax credit for the tax payable pursuant to chapter 148 shall be allowed against each S corporation shareholders' state income tax as follows, provided the bank otherwise complies with section 148.112:

(1) The credit allowed by this subsection shall be equal to the bank tax calculated pursuant to chapter 148 based on bank income in 1999 and after, on a bank that makes an election pursuant to 26 U.S.C. Section 1362, and such credit shall be allocated to the qualifying shareholder according to stock ownership, determined by multiplying a fraction, where the numerator is the shareholder's stock, and the denominator is the total stock issued by such bank or bank holding company;

(2) The tax credit authorized in this subsection shall be permitted only to the shareholders that qualify as S corporation shareholders, provided the stock at all times during the taxable period qualifies as S corporation stock as defined in 26 U.S.C. Section 1361, and such stock is held by the shareholder during the taxable period. The credit created by this section on a yearly basis is available to each qualifying shareholder, including shareholders filing joint returns. A bank holding company is not allowed this credit, except that, such credit shall flow through to such bank holding company's qualified shareholders, and be allocated to such shareholders under the same conditions; and

(3) In the event such shareholder cannot use all or part of the tax credit in the taxable period of receipt, such shareholder may carry forward such tax credit for a period of the lesser of five years or until used, provided such credits are used as soon as the taxpayer has Missouri taxable income.

[10.] **11.** With respect to S corporations that are associations, a pro rata share of the tax credit for the tax payable under chapter 148 shall be allowed against each S corporation shareholders' state income tax as follows, provided the association otherwise complies with section 148.655:

(1) The credit allowed by this subsection shall be equal to the savings and loan association tax calculated under chapter 148 based on the computations provided in section 148.630 on an association that makes an election under 26 U.S.C. Section 1362, and such credit shall be allocated to the qualifying shareholder according to stock ownership, determined by multiplying a fraction, where the numerator is the shareholder's stock, and the denominator is the total stock issued by the association;

(2) The tax credit authorized in this subsection shall be permitted only to the shareholders that qualify as S corporation shareholders, provided the stock at all times during the taxable period qualifies as S corporation stock as defined in 26 U.S.C. Section 1361, and such stock is held by the shareholder during the taxable period. The credit created by this section on a yearly basis is available to each qualifying shareholder, including shareholders filing joint returns. A savings and loan association holding company is not allowed this credit, except that, such credit shall flow through to such savings and loan association holding company's qualified shareholders, and be allocated to such shareholders under the same conditions; and

(3) In the event such shareholder cannot use all or part of the tax credit in the taxable period of receipt, such shareholder may carry forward such tax credit for a period of the lesser of five years or until used, provided such credits are used as soon as the taxpayer has Missouri taxable income.

[11.] **12.** With respect to S corporations that are credit institutions, a pro rata share of the tax credit for the tax payable under chapter 148 shall be allowed against each S corporation shareholders' state income tax as follows, provided the credit institution otherwise complies with section 148.657:

(1) The credit allowed by this subsection shall be equal to the credit institution tax calculated under chapter 148 based on the computations provided in section 148.150 on a credit institution that makes an election under 26 U.S.C. Section 1362, and such credit shall be allocated to the qualifying shareholder according to stock ownership, determined by multiplying a fraction, where the numerator is the shareholder's stock, and the denominator is the total stock issued by such credit institution;

(2) The tax credit authorized in this subsection shall be permitted only to the shareholders that qualify as S corporation shareholders, provided the stock at all times during the taxable period qualifies as S corporation stock as defined in 26 U.S.C. Section 1361, and such stock is held by the shareholder during the taxable period. The credit created by this section on a yearly basis is available to each qualifying shareholder, including shareholders filing joint returns. A credit institution holding company is not allowed this credit, except that, such credit shall flow through to such credit institution holding company's qualified shareholders, and be allocated to such shareholders under the same conditions; and

(3) In the event such shareholder cannot use all or part of the tax credit in the taxable period of receipt, such shareholder may carry forward such tax credit for a period of the lesser of five years or until used, provided such credits are used as soon as the taxpayer has Missouri taxable income.”; and

Further amend said bill, Page 2, Section 144.087, Line 38, by inserting after all of said section and line the following:

“620.1350. 1. The words used in this section and sections 620.1355 and 620.1360 shall, unless the context otherwise requires, have the meaning provided in subdivision (4) of subsection 2 of section 143.451, and in addition, the following words shall have the following meanings:

- (1) “Department”, the department of economic development;
- (2) “Director”, the director of the department of economic development.

2. An investment funds service corporation or S corporation, certified pursuant to this section and sections 620.1355 and 620.1360, may make an annual election to compute the portion of income derived from sources within this state either pursuant to section 143.451 or pursuant to section 32.200 relating to the multistate tax compact. The annual election shall be made by the filing of a corporate income tax return reflecting the use of such election and by filing a copy of the certificate issued by the director pursuant to the provisions of this section and sections 620.1355 and 620.1360. The annual election may be made regardless of whether the corporation filed its income tax return on a single entity basis or was included in a consolidated income tax return in any year.

**3. Notwithstanding the provisions of subsection 2 of this section to the contrary, for all tax years beginning on or after January 1, 2020, an investment funds service corporation or S corporation, certified pursuant to this section and sections 620.1355 and 620.1360, shall compute the portion of income derived from sources within this state pursuant to section 143.455.”; 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 refuses to recede from its position on **HA 1, HA 3, HA 4, HA 5, HA 6, HA 8 and HA 9** to **SB 757** 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 adopted the Conference Committee Report on **HCS** for **SS** for **SB 608**, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 608**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 1633**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 1633**.

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 **SB 881**, 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 adopted the Conference Committee Report on **HCS** for **SS** for **SB 870**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 870**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 806**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 806**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 2**, as amended for **SCS** for **HB 1413** and has taken up and passed **SS No. 2** for **SCS** for **HB 1413**, as amended.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 881**, as amended. Representatives: Davis, Korman, Reiboldt, McCreery, Razer.

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 **SB 757**, as amended. Representatives: Tate, Eggleston, Reiboldt, Adams, Franks Jr.

**HOUSE BILLS ON THIRD READING**

**HB 1250**, introduced by Representative Plocher, with **SCS**, entitled:

An Act to repeal sections 456.4-414 and 456.4-420, RSMo, and to enact in lieu thereof twenty-two new sections relating to trust and estates.

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

**SCS** for **HB 1250**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1250

An Act to repeal sections 456.985, 456.1035, 456.1080, 456.4-414, 474.150, 515.575, and 515.635, RSMo, and to enact in lieu thereof twenty-seven new sections relating to trusts and estates.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1250** be adopted.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1250, Page 1, Section 456.006, Lines 2-3, by striking “in the Internal Revenue Code of 1986, as amended” and inserting in lieu thereof the following: “**under 26 U.S.C. Section 223(d)(1)**”; and

Further amend said bill and section, Page 2, Lines 14-15, by striking “in the Internal Revenue Code of 1986, as amended” and inserting in lieu thereof the following: “**under 26 U.S.C. Section 223(c)(1)**”; and

Further amend said bill, Page 3, Section 456.1080, Line 4, by inserting after all of said line the following:

“456.1-103. In sections 456.1-101 to 456.11-1106, **the following terms shall mean:**

(1) “Action[.]”, with respect to an act of a trustee, includes a failure to act;

(2) “Ascertainable standard” [means], a standard relating to an individual’s health, education, support, or maintenance within the meaning of Section 2041(b)(1)(A) or Section 2541(c)(1) of the Internal Revenue Code;

(3) “Beneficiary” [means], a person that:

(a) Has a present or future beneficial interest in a trust, vested or contingent; or

(b) In a capacity other than that of trustee, holds a power of appointment over trust property;

(4) “Charitable trust” [means], a trust, or portion of a trust, created for a charitable purpose described in subsection 1 of section 456.4-405;

(5) “Conservator” [means], a person described in subdivision (3) of section 475.010. This term does not include a conservator ad litem;

(6) “Conservator ad litem” [means], a person appointed by the court pursuant to the provisions of section 475.097;

(7) **“Directed trust”, any trust, including a split interest trust, in which the trust instrument:**

**(a) Authorizes a trust protector to instruct or direct the trustee;**

**(b) Charges a trust protector with any responsibilities regarding the trust;**

**(c) Grants the trust protector one or more powers over the trust; or**

**(d) Directs one or more powers over the trust to a person, who is not serving as a trustee, and is not a settlor or a beneficiary;**

(8) **“Environmental law”** [means], a federal, state, or local law, rule, regulation, or ordinance relating to protection of the environment;

[(8)] (9) **“Financial institution”** [means], a non-foreign bank, savings and loan or trust company chartered, regulated and supervised by the Missouri division of finance, the office of the comptroller of the currency, the office of thrift supervision, the National Credit Union Administration, or the Missouri division of credit union supervision. The term **“non-foreign bank”** shall mean a bank that is not a foreign bank within the meaning of subdivision (1) of section 361.005;

[(9)] (10) **“Guardian”** [means], a person described in subdivision (7) of section 475.010. The term does not include a guardian ad litem;

[(10)] (11) **“Interested persons”**, include beneficiaries and any others having a property right in or claim against a trust estate which may be affected by a judicial proceeding. It also includes fiduciaries and other persons representing interested persons. The meaning as it relates to particular persons may vary from time to time and must be determined according to the particular purposes of, and matter involved in, any proceeding;

[(11)] (12) **“Interests of the beneficiaries”** [means], the beneficial interests provided in the terms of the trust;

[(12)] (13) **“Internal Revenue Code”** [means], the United States Internal Revenue Code of 1986, as in effect on January 1, 2005, or as later amended;

[(13)] (14) **“Jurisdiction[,],”** with respect to a geographic area, includes a state or country;

[(14)] (15) **“Person”** [means], an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation, or any other legal or commercial entity;

[(15)] (16) **“Permissible distributee”** [means], a beneficiary who is currently eligible to receive distributions of trust income or principal, whether mandatory or discretionary;

[(16)] (17) **“Power of withdrawal”** [means], a presently exercisable power of a beneficiary to withdraw assets from the trust without the consent of the trustee or any other person;

[(17)] (18) **“Principal place of administration”**, of a trust is the trustee’s usual place of business where the records pertaining to the trust are kept, or the trustee’s residence if the trustee has no such place of business, unless otherwise designated by the terms of the trust as provided in section 456.1-108. In the case of cotrustees, the principal place of administration is, in the following order of priority:

(a) The usual place of business of the corporate trustee if there is but one corporate cotrustee;

(b) The usual place of business or residence of the trustee who is a professional fiduciary if there is but

one such trustee and no corporate cotrustee; or

(c) The usual place of business or residence of any of the cotrustees;

[(18)] (19) “Professional fiduciary” [means], an individual who represents himself or herself to the public as having specialized training, experience or skills in the administration of trusts;

[(19)] (20) “Property” [means], anything that may be the subject of ownership, whether real or personal, legal or equitable, or any interest therein;

[(20)] (21) “Qualified beneficiary” [means], a beneficiary who, on the date the beneficiary’s qualification is determined:

(a) Is a permissible distributee;

(b) Would be a permissible distributee if the interests of the permissible distributees described in paragraph (a) of this subdivision terminated on that date; or

(c) Would be a permissible distributee if the trust terminated on that date;

[(21)] (22) “Record” [means], information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

[(22)] (23) “Revocable[,]”, as applied to a trust, means that the settlor has the legal power to revoke the trust without the consent of the trustee or a person holding an adverse interest, regardless of whether the settlor has the mental capacity to do so in fact;

[(23)] (24) “Settlor” [means], a person, including a testator, who creates, or contributes property to, a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person’s contribution except to the extent another person has the power to revoke or withdraw that portion pursuant to the terms of the trust;

[(24)] (25) “Sign” [means], with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic sound, symbol, or process;

[(25)] (26) “Spendthrift provision” [means], a term of a trust which restrains either the voluntary or involuntary transfer or both the voluntary and involuntary transfer of a beneficiary’s interest;

[(26)] (27) “State” [means], a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state;

[(27)] (28) “Terms of a trust” [means], the manifestation of the settlor’s intent regarding a trust’s provisions as expressed in the trust instrument or as may be established by other evidence that would be admissible in a judicial proceeding;

[(28)] (29) “Trust instrument” [means], an instrument executed by the settlor that contains terms of the trust, including any amendments thereto;

**(30) “Trust protector”, any person, group of persons, or entity not serving as a trustee and not the settlor or a beneficiary, designated in a trust instrument to instruct or direct the trustee or charged**

**in the trust instrument with any responsibilities regarding the trust or expressly granted in the trust instrument one or more powers over the trust. The term “trust protector” includes, but is not limited to, persons or entities identified in the trust instrument as trust advisors, trust directors, distribution advisors, or investment advisors;**

[(29)] (31) “Trustee”, includes an original, additional, and successor trustee, and a cotrustee.”; and

Further amend said bill and page, Section 456.4-414, Line 13, by inserting after all of said line the following:

“456.8-808. 1. While a trust is revocable, the trustee may follow a direction of the settlor that is contrary to the terms of the trust.

2. A trust instrument may provide for [the appointment of a trust protector. For purposes of this section, a “trust protector”, whether referred to in the trust instrument by that name or by some other name, is a person, other than the settlor, a trustee, or a beneficiary, who is expressly granted in the trust instrument one or more powers over the trust] **one or more persons, not then serving as a trustee and not the settlor or a beneficiary, to be given any powers over the trust as expressly granted in the trust instrument. Any such person may be identified and appointed as a trust protector or similar term. Whenever a trust instrument names, appoints, authorizes, or otherwise designates a trust protector, the trust shall be deemed a directed trust.**

3. A trust protector appointed in the trust instrument shall have only the powers granted to the trust protector by the express terms of the trust instrument, and a trust protector is only authorized to act within the scope of the authority expressly granted in the trust instrument. Without limiting the authority of the settlor to grant powers to a trust protector, the express powers that may be granted include, but are not limited to, the following:

(1) Remove and appoint a trustee **or a trust protector** or name a successor trustee or trust protector;

(2) Modify or amend the trust instrument to:

(a) Achieve favorable tax status or respond to changes in the Internal Revenue Code or state law, or the rulings and regulations under such code or law;

(b) Reflect legal changes that affect trust administration;

(c) Correct errors or ambiguities that might otherwise require court construction; or

(d) Correct a drafting error that defeats a grantor’s intent;

(3) Increase, decrease, modify, or restrict the interests of the beneficiary or beneficiaries of the trust;

(4) Terminate the trust in favor of the beneficiary or beneficiaries of the trust;

(5) Change the applicable law governing the trust and the trust situs; or

(6) Such other powers as are expressly granted to the trust protector in the trust instrument.

4. Notwithstanding any provision in the trust instrument to the contrary, a trust protector shall have no power to modify a trust to:

(1) Remove a requirement from a trust created to meet the requirements of 42 U.S.C. Section 1396p(d)(4) to pay back a governmental entity for benefits provided to the permissible beneficiary of the trust at the death of that beneficiary; or

(2) Reduce or eliminate an income interest of the income beneficiary of any of the following types of trusts:

(a) A trust for which a marital deduction has been taken for federal tax purposes under Section 2056 or 2523 of the Internal Revenue Code or for state tax purposes under any comparable provision of applicable state law, during the life of the settlor's spouse;

(b) A charitable remainder trust under Section 664 of the Internal Revenue Code, during the life of the noncharitable beneficiary;

(c) A grantor retained annuity trust under Section 2702 of the Internal Revenue Code, during any period in which the settlor is a beneficiary; or

(d) A trust for which an election as a qualified Sub-Chapter S Trust under Section 1361(d) of the Internal Revenue Code is currently in place.

5. Except to the extent otherwise provided in a trust instrument specifically referring to this subsection, the trust protector shall not exercise a power in a way that would result in a taxable gift for federal gift tax purposes or cause the inclusion of any assets of the trust in the trust protector's gross estate for federal estate tax purposes.

6. Except to the extent otherwise provided in the trust instrument and in subsection 7 of this section, and notwithstanding any provision of sections 456.1-101 to 456.11-1106 to the contrary:

(1) A trust protector shall act in a fiduciary capacity in carrying out the powers granted to the trust protector in the trust instrument, and shall have such duties to the beneficiaries, the settlor, or the trust as set forth in the trust instrument, **provided that the trust instrument may provide that the trust protector shall act in a nonfiduciary capacity.** A trust protector is not a trustee, and is not liable or accountable as a trustee when performing or declining to perform the express powers given to the trust protector in the trust instrument. A trust protector is not liable for the acts or omissions of any fiduciary or beneficiary under the trust instrument;

(2) A trust protector is exonerated from any and all liability for the trust protector's acts or omissions, or arising from any exercise or nonexercise of the powers expressly conferred on the trust protector in the trust instrument, unless it is established by a preponderance of the evidence that the acts or omissions of the trust protector were done or omitted in breach of the trust protector's duty, in bad faith or with reckless indifference;

(3) A trust protector is authorized to exercise the express powers granted in the trust instrument at any time and from time to time after the trust protector acquires knowledge of their appointment as trust protector and of the powers granted. **The trust protector may take any action, judicial or otherwise, necessary to carry out the duties given to the trust protector in the trust instrument;**

(4) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reasonable compensation, and reimbursement of the reasonable costs and expenses incurred, in determining whether to carry out, and in carrying out, the express powers given to the trust protector in the trust instrument;

(5) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reimbursement of the reasonable costs and expenses, including attorney's fees, of defending any claim made against the trust protector arising from the acts or omissions of the trust protector acting in that

capacity unless it is established by clear and convincing evidence that the trust protector was acting in bad faith or with reckless indifference; and

(6) The express powers granted in the trust instrument shall not be exercised by the trust protector for the trust protector's own personal benefit.

7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee's actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument **unless the trust instrument expressly provides otherwise. In carrying out any written directions given to the trustee by the trust protector concerning actual or proposed investment decisions, the trustee shall not be subject to the provisions of sections 469.900 to 469.913. For purposes of this subsection, "investment decisions" means, with respect to any investment, decisions to retain, purchase, sell, exchange, tender, or otherwise engage in transactions affecting the ownership of investments or rights therein and, with respect to nonpublicly traded investments, the valuation thereof.**

8. **Any trustee of a directed trust shall not be accountable under the law or equity for any act or omission of a trust protector and shall stand absolved from liability for executing the decisions or instructions from a trust protector or for monitoring the actions or inactions of a trust protector. A trustee shall take reasonable steps to facilitate the activity of a trust protector in a directed trust. A trustee shall carry out the written directions given to the trustee by a trust protector acting within the scope of the powers expressly granted to the trust protector in the trust instrument. Except [in cases of bad faith or reckless indifference on the part of the trustee, or] as otherwise provided in the trust instrument, the trustee shall not be liable for any loss resulting directly or indirectly from any act taken or omitted as a result of the written direction of the trust protector or the failure of the trust protector to provide consent. Except as otherwise provided in the trust instrument, the trustee shall have no duty to monitor the conduct of the trust protector, provide advice to or consult with the trust protector, or communicate with or warn or apprise any beneficiary concerning instances in which the trustee would or might have exercised the trustee's own discretion in a manner different from the manner directed by the trust protector. Except as otherwise provided in the trust instrument, any actions taken by the trustee at the trust protector's direction shall be deemed to be administrative actions taken by the trustee solely to allow the trustee to carry out the instructions of the trust protector and shall not be deemed to constitute an act by the trustee to monitor the trust protector or otherwise participate in actions within the scope of the trust protector's authority. Whenever a directed trust reserves to a person or vests in an advisory or investment committee authority to direct the making or retention of any investment, to the exclusion of the trustee or trustees, the excluded trustee or trustees shall not be liable, individually or as a trustee, for any loss resulting from the making or retention of any investment pursuant to such direction.**

9. Except to the extent otherwise expressly provided in the trust instrument, the trust protector shall be entitled to receive information regarding the administration of the trust as follows:

(1) Upon the request of the trust protector, unless unreasonable under the circumstances, the trustee shall promptly provide to the trust protector any and all information related to the trust that may relate to the

exercise or nonexercise of a power expressly granted to the trust protector in the trust instrument. The trustee has no obligation to provide any information to the trust protector except to the extent a trust protector requests information under this section;

(2) The request of the trust protector for information under this section shall be with respect to a single trust that is sufficiently identified to enable the trustee to locate the records of the trust; and

(3) If the trustee is bound by any confidentiality restrictions with respect to an asset of a trust, a trust protector who requests information under this section about such asset shall agree to be bound by the confidentiality restrictions that bind the trustee before receiving such information from the trustee.

10. A trust protector may resign by giving thirty days' written notice to the trustee and any successor trust protector. A successor trust protector, if any, shall have all the powers expressly granted in the trust instrument to the resigning trust protector unless such powers are expressly modified for the successor trust protector.

11. A trust protector of a trust having its principal place of administration in this state submits personally to the jurisdiction of the courts of this state during any period that the principal place of administration of the trust is located in this state and the trust protector is serving in such capacity. **The trust instrument may also provide that a trust protector is subject to the personal jurisdiction of the courts of this state as a condition of appointment.**"; and

Further amend the title and enacting clause accordingly.

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

Senator Dixon moved that **SCS for HB 1250**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS for HB 1250**, 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	Holsman	Hoskins	Hummel	Kehoe
Koenig	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senator Sater—1

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.

President Parson assumed the Chair.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 881**, as amended: Senators Eigel, Schatz, Libla, Hummel and Curls.

### PRIVILEGED MOTIONS

Senator Koenig moved that the Senate refuse to concur in **HA 1**, **HA 2** to **HA 2** and **HA 2**, as amended, to **SB 884** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

### HOUSE BILLS ON THIRD READING

**HCS** for **HB 1456**, with **SCS**, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.325, 190.327, 190.328, 190.329, 190.334, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, and 650.330, RSMo, and to enact in lieu thereof nineteen new sections relating to emergency communication services, with penalty provisions.

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

**SCS** for **HCS** for **HB 1456**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1456

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.325, 190.327, 190.328, 190.329, 190.334, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, and 650.330, RSMo, and to enact in lieu thereof nineteen new sections relating to emergency communication services, with penalty provisions.

Was taken up.

Senator Wallingford moved that **SCS** for **HCS** for **HB 1456** be adopted.

Senator Wallingford offered **SS** for **SCS** for **HCS** for **HB 1456**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1456

An Act to repeal sections 43.401, 70.210, 190.300, 190.308, 190.325, 190.327, 190.328, 190.329, 190.334, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty new sections relating to emergency communication services, with penalty provisions.

Senator Wallingford moved that **SS** for **SCS** for **HCS** for **HB 1456** be adopted.

Senator Curls offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1456, Page 32, Section 190.455, Lines 11-12 of said page, by striking all of said lines and inserting in lieu thereof the following: **“inhabitants and located in more than one county and any county in which it is located shall establish an agreement regarding”**.

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

Senator Hegeman offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1456, Page 1, In the Title, Line 6 by striking the word “emergency”; and

Further amend said bill, page 43, section 190.475, line 21, by inserting after all of said line the following:

**“620.2450. 1. A grant program is hereby established under sections 620.2450 to 620.2458 to award grants to applicants who seek to expand access to broadband internet service in unserved and underserved areas of the state. The department of economic development shall administer and act as the fiscal agent for the grant program and shall be responsible for receiving and reviewing grant applications and awarding grants under sections 620.2450 to 620.2458. Funding for the grant program established under this section shall be subject to appropriation by the general assembly.**

**2. As used in sections 620.2450 to 620.2458, the following terms shall mean:**

**(1) “Underserved area”, a project area without access to wireline or fixed wireless broadband internet service of speeds of at least twenty-five megabits per second download and three megabits per second upload;**

**(2) “Unserved area”, a project area without access to wireline or fixed wireless broadband internet service of speeds of at least ten megabits per second download and one megabit per second upload.**

**620.2451. Grants awarded under sections 620.2450 to 620.2458 shall fund the acquisition and installation of retail broadband internet service at speeds of at least twenty-five megabits per second download and three megabits per second upload, but that is scalable to higher speeds.**

**620.2452. Applicants eligible for grants awarded shall include:**

**(1) Corporations, or their affiliates, registered in this state;**

**(2) Incorporated businesses or partnerships;**

**(3) Limited liability companies registered in this state;**

**(4) Nonprofit organizations registered in this state;**

**(5) Political subdivisions; and**

**(6) Rural electric cooperatives organized under chapter 394 and their broadband affiliates.**

**620.2453. An eligible applicant shall submit an application to the department of economic development on a form prescribed by the department. An application for a grant under sections 620.2450 to 620.2458 shall include the following information:**

- (1) A description of the project area;**
- (2) A description of the kind and amount of broadband internet infrastructure that is proposed to be deployed;**
- (3) Evidence demonstrating the unserved or underserved nature of the project area;**
- (4) The number of households that would have new access to broadband internet service, or whose broadband internet service would be upgraded, as a result of the grant;**
- (5) A list of significant community institutions that would benefit from the proposed grant;**
- (6) The total cost of the proposal and the timeframe in which it will be completed;**
- (7) A list identifying sources of funding or in-kind contributions, including government funding, that would supplement any awarded grant; and**
- (8) Any other information required by the department of economic development.**

**620.2454. 1. At least thirty days prior to the first day applications may be submitted each fiscal year, the department of economic development shall publish on its website the specific criteria and any quantitative weighting scheme or scoring system the department will use to evaluate or rank applications and award grants under section 620.2455. Such criteria and quantitative scoring system shall include the criteria set forth in section 620.2455.**

**2. Within three business days of the close of the grant application process, the department of economic development shall publish on its website the proposed unserved and underserved areas, and the proposed broadband internet speeds for each application submitted. Upon request, the department shall provide a copy of any application to an interested party.**

**3. A broadband internet service provider that provides existing service in or adjacent to the proposed project area may submit to the department of economic development, within forty-five days of publication of the information under subsection 2 of this section, a written challenge to an application. Such challenge shall contain information demonstrating that:**

**(1) The provider currently provides broadband internet service to retail customers within the proposed unserved or underserved area;**

**(2) The provider has begun construction to provide broadband internet service to retail customers within the proposed unserved or underserved area; or**

**(3) The provider commits to providing broadband internet service to retail customers within the proposed unserved or underserved areas within the timeframe proposed by the applicant.**

**4. Within three business days of the submission of a written challenge, the department of economic development shall notify the applicant of such challenge.**

**5. The department of economic development shall evaluate each challenge submitted under this section. If the department determines that the provider currently provides, has begun construction to provide, or commits to provide broadband internet service at speeds of at least twenty-five megabits per second download and three megabits per second upload, but scalable to higher speeds, in the proposed project area, the department shall not fund the challenged project.**

**6. If the department of economic development denies funding to an applicant as a result of a**

**broadband internet service provider challenge under this section and such broadband internet service provider does not fulfill its commitment to provide broadband internet service in the unserved or underserved area, the department of economic development shall not consider another challenge from such broadband internet service provider for the next two grant cycles, unless the department determines the failure to fulfill the commitment was due to circumstances beyond the broadband internet service provider's control.**

**620.2455. 1. The department of economic development shall give first priority to grant applications that serve unserved areas.**

**2. The department of economic development shall give secondary priority to grant applications that demonstrate the ability to receive matching funds that serve unserved areas, whether such matching funds are government funds or other funds.**

**3. The department shall give third priority to grant applications that serve underserved areas.**

**4. The department of economic development shall use a quantitative weighing scheme or scoring system including, at a minimum, the following elements to rank the applications:**

**(1) Financial, technical, and legal capability of the applicant to deploy and operate broadband internet service;**

**(2) The number of locations served in the most cost-efficient manner possible considering the project area density;**

**(3) Available minimum broadband speeds;**

**(4) Ability of the infrastructure to be scalable to higher broadband internet speeds;**

**(5) Commitment of the applicant to fund at least fifty percent of the project from private sources;**

**(6) Length of time the provider has been operating broadband internet services in the state;**

**(7) The offering of new or substantially upgraded broadband internet service to important community institutions including, but not limited to, libraries, educational institutions, public safety facilities, and health care facilities;**

**(8) The offering of service to economically distressed areas of the state, as measured by indices of unemployment, poverty, or population loss that are significantly greater than the statewide average;**

**(9) The ability to provide technical support and training to residents, businesses, and institutions in the community of the proposed project to utilize broadband internet service;**

**(10) Plans to actively promote the adoption of the newly available broadband internet service in the community; and**

**(11) Strong support for the proposed project from citizens, businesses, and institutions in the community.**

**620.2456. 1. The department of economic development shall not award any grant to an otherwise eligible grant applicant where funding from the Connect America Fund has been awarded, where high cost support from the federal Universal Service Fund has been received by rate of return carriers, or where any other federal funding has been awarded which did not require any matching fund component, for any portion of the proposed project area, nor shall any grant money be used to**

serve any retail end user that already has access to wireline or fixed wireless broadband internet service of speeds of at least twenty-five megabits per second download and three megabits per second upload.

2. No grant awarded under sections 620.2450 to 620.2458, when combined with any federal, state, or local funds, shall fund more than fifty percent of the total cost of a project.

3. No single project shall be awarded grants under sections 620.2450 to 620.2458 whose cumulative total exceeds five million dollars.

4. The department of economic development shall endeavor to award grants under sections 620.2450 to 620.2458 to qualified applicants in all regions of the state.

5. An award granted under sections 620.2450 to 620.2458 shall not:

(1) Require an open access network;

(2) Impose rates, terms, and conditions that differ from what a provider offers in other areas of its service area;

(3) Impose any rate, service, or any other type of regulation beyond speed requirements set forth in section 620.2451; or

(4) Impose an unreasonable time constraint on the time to build the service.

620.2457. By June thirtieth of each year, the department of economic development shall publish on its website and provide to the general assembly:

(1) A list of all applications for grants under sections 620.2450 to 620.2458 received during the previous year and, for each application:

(a) The results of any quantitative weighting scheme or scoring system the department of economic development used to award grants or rank the applications;

(b) The grant amount requested;

(c) The grant amount awarded, if any;

(2) All written challenges.

620.2458. The department of economic development shall develop administrative rules governing the eligibility, application and grant award process, and to implement the provisions of sections 620.2450 to 620.2458. 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, page 57, section 190.440, line 50 of said page, by inserting immediately after said line the following:

“Section B. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset automatically three years after the effective date of sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall sunset automatically six years after the effective date of the reauthorization of sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458; and

(3) Sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2450, 620.2451, 620.2452, 620.2453, 620.2454, 620.2455, 620.2456, 620.2457, and 620.2458 is sunset.”; and

Further amend the title and enacting clause accordingly.

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

Senator Nasheed offered **SA 3**:

**SENATE AMENDMENT NO. 3**

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1456, Page 24, Section 190.455, Lines 14-15, by striking the words “, city not within a county,”; and

Further amend said bill and section, page 33, line 3, by inserting after all of said line the following:

**“17. The provisions of this section shall not apply to any city not within a county.”; and**

Further amend said bill, page 37, section 190.460, line 1, by striking the words “and any city not within a county”; and further amend lines 3-4, by striking the words “or city not within a county”; and further amend line 5, by striking the words “or city not within a county”; and further amend line 7, by striking the words “and any city not within a county”; and further amend lines 12-13, by striking the words “and any city not within a county”; and further amend line 14, by striking the words “or city”; and

Further amend said bill and section, page 38, line 14, by inserting after all of said line the following:

**“6. The provisions of this section shall not apply to a city not within a county.”; and further renumber the remaining subsection accordingly.**

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

At the request of Senator Wallingford, **HCS** for **HB 1456**, with **SCS**, and **SS** for **SCS** (pending), was placed on the Informal Calendar.

**HCS** for **HB 1388**, with **SCS**, entitled:

An Act to repeal sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof six new sections relating to certain sports contests.

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

**SCS** for **HCS** for **HB 1388**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1388

An Act to repeal sections 67.3000, 67.3005, 313.940, 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof nine new sections relating to sports contests.

Was taken up.

Senator Riddle moved that **SCS** for **HCS** for **HB 1388** be adopted.

Senator Riddle offered **SS** for **SCS** for **HCS** for **HB 1388**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1388

An Act to repeal sections 67.3000, 67.3005, 313.940, 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof nine new sections relating to sports contests.

Senator Riddle moved that **SS** for **SCS** for **HCS** for **HB 1388** be adopted, which motion prevailed.

Senator Rowden assumed the Chair.

On motion of Senator Riddle, **SS** for **SCS** for **HCS** for **HB 1388** 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—Senator Schaaf—1

Absent—Senators—None

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.

**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 850**, entitled:

An Act to repeal sections 193.265, 210.145, 210.150, 210.152, 210.498, 453.015, 453.030, 453.080, 453.121, and 610.021, RSMo, and to enact in lieu thereof eleven new sections relating to records involving children, with penalty provisions.

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

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 850, Page 13, Section 210.150, Lines 135-142, by deleting all of said lines and inserting in lieu thereof the following:

**“necessary for another agency to have access to in order to protect a child. Documents other than substantiated reports and materials from files regarding substantiated reports shall only be shared under this subsection if the department of social services receives a written, signed certification that the receiving agency is prohibited by law from sharing such documents or materials with anyone other than the receiving agency, law enforcement, or court personnel; or in accordance with a court order. In the event that the laws of the receiving state do not provide a basis for such certification, the department may share the information with an agency of another state under a memorandum of understanding between the department and the receiving agency, which limits dissemination of the shared material by the receiving agency to employees of that agency, law enforcement, or court personnel; or as ordered by a court.”; and**

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 850, Page 1, Section 193.265, Line 6, by deleting said lines and inserting in lieu thereof the following:

**“for certification is made by the children’s division, division of youth services, guardian ad litem, or juvenile officer on behalf”; and**

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 850, Page 21, Section 453.080, Lines 2 to 3, by deleting such lines and inserting in lieu thereof the following:

**“be finalized. If their attorney appears in person, out-of-state adoptive petitioners may appear by video conference. During such hearing, the court shall ascertain”; and**

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 850, Page 20, Section 453.030, Lines 32 to 53, by deleting said lines and inserting in lieu thereof the following:

**“a notary public. If consent is executed in front of a judge, it shall be the duty of the judge to advise the consenting birth parent of the consequences of the consent. In lieu of such acknowledgment, the signature of the person giving such written consent shall be witnessed by the signatures of at least two adult persons**

whose signatures and addresses shall be plainly written thereon. The two adult witnesses shall not be the prospective adoptive parents or any attorney representing a party to the adoption proceeding **other than the attorney representing the party signing the consent**. The notary public or witnesses shall verify the identity of the party signing the consent. **Notwithstanding any other provision of law to the contrary, a properly executed written consent under this subsection shall be considered irrevocable.**

5. The written consent required in subdivision (1) of subsection 3 of this section by the birth [parent] **mother** shall not be executed anytime before the child is forty-eight hours old. Such written consent shall be executed in front of a judge or acknowledged before a notary public. If consent is executed in front of a judge, it shall be the duty of the judge to advise the consenting party of the consequences of the consent. In lieu of [such] acknowledgment **before a notary public**, the signature of the person giving such written consent shall be witnessed by the signatures of at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective adoptive parents or any attorney representing a party to the adoption proceeding **other than the attorney representing the party signing the consent**. The notary public or witnesses shall verify the identity of the party signing the consent.”; and

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

In which the concurrence of the Senate is respectfully requested.

### REPORTS OF STANDING COMMITTEES

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

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

### HOUSE BILLS ON THIRD READING

Senator Sater moved that **SS for SCS for HCS for HBs 2280, 2120, 1468 and 1616** be taken up for 3rd reading and final passage, which motion prevailed.

**SS for SCS for HCS for HBs 2280, 2120, 1468 and 1616**, 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
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Koenig—1

Absent—Senators—None

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.

President Parson assumed the Chair.

**HCS for HB 1872**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto nine new sections relating to broadband internet service.

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

Senator Hegeman offered **SS for HCS for HB 1872**, entitled:

SENATE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1872

An Act to amend chapter 620, RSMo, by adding thereto nine new sections relating to broadband internet service.

Senator Hegeman moved that **SS for HCS for HB 1872** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS for HCS for HB 1872** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senator Eigel—1

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

**PRIVILEGED MOTIONS**

Senator Onder, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SBs 603, 576 and 898**, 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 BILLS NOS. 603, 576 & 898

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898, with House Amendment Nos. 1, 3 and 4, 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 Bills Nos. 603, 576, & 898, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898, be Third Read and Finally Passed.

## FOR THE SENATE:

/s/ Bob Onder  
/s/ Gary Romine  
/s/ Denny Hoskins  
/s/ Jill Schupp  
/s/ Scott Sifton

## FOR THE HOUSE:

/s/ Bryan Spencer  
Rebecca Roeber  
/s/ Kathryn Swan  
/s/ Judy Morgan  
/s/ Courtney Allen Curtis

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

## YEAS—Senators

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

## NAYS—Senators—None

## Absent—Senators

Chappelle-Nadal      Eigel                      Holsman—3

## Absent with leave—Senators—None

## Vacancies—1

On motion of Senator Onder, **CCS** for **HCS** for **SS** for **SCS** for **SBs 603, 576 and 898**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 603, 576 & 898

An Act to repeal sections 161.670, 167.121, 173.234, 173.616, 173.1101, 173.1102, 173.1104, 173.1105, 173.1107, 173.1150, and 173.1153, RSMo, and to enact in lieu thereof eleven new sections relating to virtual education.

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

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal	Holsman—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

**CONCURRENT RESOLUTIONS**

**HCR 63**, introduced by Representative Haefner, entitled:

An Act relating to DeMolay Day.

Was taken up by Senator Wieland.

On motion of Senator Wieland, **HCR 63** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Curls	Dixon	Eigel
Emery	Hegeman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford



Absent—Senators

Chappelle-Nadal      Nasheed      Richard—3

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

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

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

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

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2140**, 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 **HA 1**, **HA 2** to **HA 2**, **HA 2** as amended to **SB 884**, and grants the Senate a conference thereon.

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 **SB 884**, as amended. Representatives: Wiemann, Haahr, Fitzpatrick, Carpenter, Kendrick.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 582**.

With House Amendment Nos. 1, 2 and 3.

#### HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 582, Page 1, In the Title, Line 3, by deleting the words “of students”; and

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

#### HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 582, Page 1, Section 162.1475, Line 9, by inserting immediately after 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. 3

Amend Senate Bill No. 582, Page 1, Section 162.1475, Line 1, by inserting after the numeral “1.” the numeral “**(1)**”; and

Further amend said bill, page, and section, Line 2, by deleting said line and inserting in lieu thereof the following:

**“as defined in section 407.1500;**

**(2) “Education records” shall have the same meaning as defined in 20 U.S.C Section 1232g (a)(4).**”; and

Further amend said bill, page, and section, Line 4, by inserting immediately after the word “**information**” the phrase “**or education records**”; 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.

#### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 884**, as amended: Senators Koenig, Eigel, Onder, Rizzo and Holsman.

**PRIVILEGED MOTIONS**

Senator Crawford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 951**, 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. 951**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 951, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 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. 951, as amended;
2. That the Senate recede from its position on Senate Bill No. 951;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 951, be Third Read and Finally Passed.

**FOR THE SENATE:**

- /s/ Sandy Crawford
- /s/ David Sater
- /s/ Paul Wieland
- /s/ Jason Holsman
- /s/ Jill Schupp

**FOR THE HOUSE:**

- /s/ Jack Bondon
- /s/ Donna Pfautsch
- /s/ Robert Ross
- /s/ Cora Faith Walker
- /s/ Kip Kendrick

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

**YEAS—Senators**

Brown	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—32			

**NAYS—Senators—None**

**Absent—Senators**

Chappelle-Nadal—1

**Absent with leave—Senators—None**

**Vacancies—1**

On motion of Senator Crawford, **CCS** for **HCS** for **SB 951**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 951

An Act to repeal sections 191.227, 191.1145, 195.070, 197.052, 197.305, 208.217, 208.670, 208.671, 208.673, 208.675, 208.677, 210.070, 334.036, 334.037, 334.104, 334.735, 334.747, 337.025, 337.029, 337.033, 374.426, 376.811, 376.1550, 536.031, 577.029, and 632.005, RSMo, and to enact in lieu thereof twenty-seven new sections relating to health care, with an existing penalty provision.

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

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal—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.

**HOUSE BILLS ON THIRD READING**

**HB 1832**, introduced by Representative Cornejo, with **SCS**, entitled:

An Act to repeal sections 407.300, 407.432, 407.433, 407.436, and 407.1500, RSMo, and to enact in lieu thereof seven new sections relating to merchandising practices, with penalty provisions.

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

**SCS** for **HB 1832**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1832

An Act to repeal sections 407.300, 407.432, 407.433, and 407.436, RSMo, and to enact in lieu thereof six new section relating to merchandising practices, with penalty provisions.

Was taken up.

Senator Riddle moved that **SCS** for **HB 1832** be adopted.

Senator Riddle offered **SS** for **SCS** for **HB 1832**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1832

An Act to repeal sections 407.300, 407.432, 407.433, and 407.436, RSMo, and to enact in lieu thereof seven new sections relating to merchandising practices, with penalty provisions.

Senator Riddle moved that **SS** for **SCS** for **HB 1832** be adopted, which motion prevailed.

On motion of Senator Riddle, **SS** for **SCS** for **HB 1832** 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	Koenig
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—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.

On motion of Senator Kehoe, the Senate recessed until 8:50 p.m.

**RECESS**

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

**RESOLUTIONS**

Senator Wieland offered Senate Resolution No. 2176, regarding Justin Tanner Young, Fulton, which was adopted.

Senator Hummel offered Senate Resolution No. 2127, regarding Nicholas Eberle, Saint Louis, which was adopted.

**PRIVILEGED MOTIONS**

Senator Nasheed moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 2140**, as amended, and grant the House a conference thereon, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTMENTS**

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2140**, as amended: Senators Nasheed, Rowden, Brown, Munzlinger and Hummel.

**PRIVILEGED MOTIONS**

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **SB 819**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 819**

The Conference Committee appointed on Senate Bill No. 819, with House Amendment Nos. 1 and 2 to House Amendment No. 1, House Amendment No. 1 as amended, and House Amendment Nos. 2 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 819, as amended;
2. That the Senate recede from its position on Senate Bill No. 819;
3. That the attached Conference Committee Substitute for Senate Bill No. 819 be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Mike Cunningham  
/s/ David Sater  
/s/ Jeanie Riddle  
/s/ Gina Walsh  
/s/ Jill Schupp

**FOR THE HOUSE:**

/s/ Jim Neely  
/s/ Robert Cornejo  
/s/ Cody Smith  
/s/ Lauren Arthur  
/s/ Ingrid Burnett

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

## YEAS—Senators

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

## NAYS—Senators—None

## Absent—Senators

Chappelle-Nadal Libla Wieland—3

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Cunningham, CCS for **SB 819**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 819

An Act to repeal sections 191.737, 191.739, 193.265, 210.003, 210.101, 210.102, 210.103, 210.110, 210.112, 210.115, 210.145, 210.152, 210.487, 210.498, 211.447, 431.056, 453.015, 453.030, 453.080, 453.121, 475.024, 556.036, 556.037, and 610.021, RSMo, and to enact in lieu thereof twenty-six new sections relating to the protection of children.

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	Koenig
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson—30					

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Libla Wieland—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.

**HOUSE BILLS ON THIRD READING**

Senator Wallingford moved that **HCS** for **HB 1456**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SS** for **SCS** for **HCS** for **HB 1456** was again taken up.

Senator Wallingford offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 1456, Page 38, Section 190.460, Line 14, by inserting after all of said line the following:

**“6. The provisions of this section shall become effective unless the governing body of a county or city adopts an ordinance, order, rule, resolution, or regulation by at least a two-thirds vote prohibiting the charge established under this section from becoming effective in the county or city at least forty-five days prior to the effective date of this section. If the governing body does adopt such ordinance, order, rule, resolution, or regulation by at least a two-thirds vote, the charge shall not be collected and the county or city shall not be allowed to obtain funds from the Missouri 911 service trust fund that are remitted to the fund under the charge established under this section.”**; and further renumber the remaining subsection accordingly.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Wallingford, **HCS for HB 1456**, with **SCS, SS for SCS and SA 4** (pending), was placed on the Informal Calendar.

Senator Rowden moved that **HB 1460**, with **SS and SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Schatz, **SS for HB 1460** was withdrawn, rendering **SA 1** moot.

Senator Schatz offered **SS No. 2** for **HB 1460**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
HOUSE BILL NO. 1460

An Act to repeal sections 142.803 and 143.121, RSMo, and to enact in lieu thereof three new sections relating to state revenues, with a referendum clause.

Senator Schatz moved that **SS No. 2** for **HB 1460** be adopted, which motion prevailed.

On motion of Senator Rowden, **SS No. 2** for **HB 1460** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crawford	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senators

Cierpiot	Eigel	Emery	Koenig	Nasheed	Onder	Schaaf
Sifton—8						

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

Senator Rowden 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 Hoskins, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 773**, 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. 773**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 773, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8, 9, 10, 11, 12, and 13, 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. 773, as amended;
2. That the Senate recede from its position on Senate Bill No. 773;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 773, be Third Read and Finally Passed.

**FOR THE SENATE:**

- /s/ Denny Hoskins
- /s/ Mike Cunningham
- /s/ Rob Schaaf
- /s/ Scott Sifton
- /s/ John Rizzo

**FOR THE HOUSE:**

- /s/ Kathryn Swan
- /s/ Robert Cornejo
- /s/ Jean Evans
- /s/ Steven Roberts
- /s/ Deb Lavender

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

**YEAS—Senators**

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

Wasson—29

**NAYS—Senators**

Koenig                      Nasheed—2

Absent—Senators

Chappelle-Nadal      Wieland—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Hoskins, **CCS** for **HCS** for **SB 773**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 773

An Act to repeal sections 32.087, 67.3000, 67.3005, 143.183, 143.451, 253.545, 253.550, 253.559, and 620.1900, RSMo, and to enact in lieu thereof ten new sections relating to taxation.

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

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Dixon	Eigel	Emery
Hegeman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Curls	Holsman	Koenig	Nasheed	Schupp	Sifton—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

**HOUSE BILLS ON THIRD READING**

Senator Wallingford moved that **HCS** for **HB 1456**, with **SCS**, **SS** for **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage.

**SA 4** was again taken up.

At the request of Senator Wallingford, the above amendment was withdrawn.

Senator Wallingford offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1456, Page 38, Section 190.460, Line 14, by inserting after all of said line the following:

**“6. The provisions of this section shall become effective unless the governing body of a county or city adopts an ordinance, order, rule, resolution, or regulation by at least a two-thirds vote prohibiting the charge established under this section from becoming effective in the county or city at least forty-five days prior to the effective date of this section. If the governing body does adopt such ordinance, order, rule, resolution, or regulation by at least a two-thirds vote, the charge shall not be collected and the county or city shall not be allowed to obtain funds from the Missouri 911 service trust fund that are remitted to the fund under the charge established under this section. The Missouri 911 service board shall, by September 1, 2018, notify all counties and cities of the implementation of the charge established under this section, and the procedures set forth under this subsection for prohibiting the charge from becoming effective.”;** and further renumber the remaining subsection accordingly.

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

Senator Wallingford moved that **SS** for **SCS** for **HCS** for **HB 1456**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SCS** for **HCS** for **HB 1456**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crawford	Cunningham	Dixon	Hegeman	Holsman	Hoskins
Hummel	Kehoe	Libla	Munzlinger	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Cierpiot	Curls	Eigel	Emery	Koenig	Nasheed—6
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Absent—Senator Chappelle-Nadal—1

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 Rowden assumed the Chair.

**PRIVILEGED MOTIONS**

Senator Koenig, on behalf of the conference committee appointed to act with a like committee from the House on **SB 884**, as amended, moved that the following conference committee report be taken up, which

motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
SENATE BILL NO. 884

The Conference Committee appointed on Senate Bill No. 884, with House Amendment No. 1, House Amendment No. 2 to House Amendment No. 2, and House Amendment No. 2 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 884, as amended;
2. That the Senate recede from its position on Senate Bill No. 884;
3. That the attached Conference Committee Substitute for Senate Bill No. 884, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Andrew Koenig  
/s/ Bill Eigel  
/s/ Bob Onder  
/s/ John Rizzo  
/s/ Jason Holsman

FOR THE HOUSE:

/s/ John Wiemann  
/s/ Elijah Haahr  
/s/ Scott Fitzpatrick  
Jon Carpenter  
Kip Kendrick

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

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Eigel	Emery	Hegeman
Holsman	Hoskins	Kehoe	Koenig	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson

Wieland—22

NAYS—Senators

Curls	Dixon	Hummel	Libla	Nasheed	Rizzo	Romine
Schupp	Sifton	Walsh—10				

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Koenig, **CCS** for **SB 884**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 884

An Act to repeal sections 32.200, 143.011, 143.071, 143.431, 143.451, 143.461, 143.471, 144.087, and 620.1350, RSMo, and to enact in lieu thereof ten new section relating to taxation.

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

YEAS—Senators

Brown	Cierpiot	Crawford	Cunningham	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Munzlinger	Onder
Richard	Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Hummel	Libla	Nasheed	Rizzo	Romine	Schupp
Sifton	Walsh—9					

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

Senator Koenig 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 the Senate request the House grant further conference on **HB 1633**, with **SS** for **SCS**, as amended, which motion prevailed.

Senator Eigel, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 718**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 718

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 10, and 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment Nos. 13 and 14, House Amendment No. 1 to House Amendment No. 15, House Amendment No. 15 as amended, and House Amendment No. 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 718;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718 be Third Read and Finally Passed.

## FOR THE SENATE:

/s/ Bill Eigel  
 /s/ Bob Onder  
 /s/ David Sater  
 /s/ Jason Holsman  
 /s/ Jamilah Nasheed

## FOR THE HOUSE:

/s/ Shawn Rhoads  
 /s/ Jay Barnes  
 /s/ Holly Rehder  
 /s/ Martha Stevens  
 /s/ Cora Faith Walker

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

## YEAS—Senators

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

NAYS—Senator Nasheed—1

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Eigel, **CCS for HCS for SCS for SB 718**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR  
 HOUSE COMMITTEE SUBSTITUTE FOR  
 SENATE COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 718

An Act to repeal sections 191.227, 192.947, 195.070, 210.070, 334.036, 334.037, 334.104, 334.735, 334.747, 337.025, 337.029, 337.033, 338.202, 374.426, 376.811, 376.1237, 376.1550, and 632.005, RSMo, and to enact in lieu thereof twenty-four 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	Cierpiot	Crawford	Cunningham	Curls	Dixon	Eigel
Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Nasheed—1

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	Eigel
Emery	Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Nasheed—1

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

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

President Pro Tem Richard assumed the Chair.

### HOUSE BILLS ON THIRD READING

**HCS for HBs 1729, 1621 and 1436**, entitled:

An Act to repeal sections 8.675, 8.683, 34.217, 89.410, 285.500, 290.095, 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, 290.340, 290.550, 292.630, 393.715, 516.130, and 630.546, RSMo, and to enact in lieu thereof eleven new sections relating to the prevailing wage on public works.

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

Senator Schatz offered **SS** for **HCS for HBs 1729, 1621 and 1436**, entitled:

### SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 1729, 1621 and 1436

An Act to repeal sections 290.095, 290.210, 290.220, 290.230, 290.240, 290.250, 290.262, 290.263, 290.265, 290.270, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, and 630.546, RSMo, and to enact in lieu thereof twenty new sections relating to public contracts.

Senator Schatz moved that **SS** for **HCS** for **HBs 1729, 1621 and 1436** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **HCS** for **HBs 1729, 1621 and 1436** 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	Schatz	Wallingford
Wasson—22						

## NAYS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
Walsh	Wieland—9					

## Absent—Senators

Chappelle-Nadal	Schaaf—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

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

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

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

### MESSAGES FROM THE HOUSE

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended for **HCS** for **HB 2540** and has taken up and passed **SCS** for **HCS** for **HB 2540**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 1007**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 826**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 826**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 775**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 775**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 708**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 3** for **SCS** for **HCS** for **HB 1617**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 660**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 660**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 743**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 743**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 687**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 687**.

Bill ordered enrolled.

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 **HA 1** to **SS No. 2** for **SCS** for **SB 590**, 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 adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SBs 603, 576 and 898**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SBs 603, 576 and 898**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS No. 2** for **SCS** for **SB 590**, as amended. Representatives: Rehder, Engler, Taylor, Roberts, Washington.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HB 1428**, as amended, and request the Senate recede from their position and take up and pass **HB 1428**.

### CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS No. 2** for **SCS** for **SB 590**, as amended: Senators Hegeman, Koenig, Cunningham, Rizzo and Hummel.

On motion of Senator Kehoe, the Senate adjourned until 11:00 a.m., Friday, May 18, 2018.

### SENATE CALENDAR

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SEVENTY-FOURTH DAY—FRIDAY, MAY 18, 2018

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### FORMAL CALENDAR

#### 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-Hoskin
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

HCS for HB 1300, with SCS (Schatz)

### 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 813-Riddle, with SCS & SA 1 (pending)
SB 550-Wasson, with SCS	SB 822-Hegeman, with SCS & SS for SCS (pending)
SBs 555 & 609-Brown, with SCS	SB 832-Rowden, with SCS, SS#2 for SCS & point of order (pending)
SB 556-Brown, with SA 1 (pending)	SB 837-Rowden
SB 561-Sater, with SA 1 (pending)	SB 848-Riddle
SB 567-Cunningham, with SCS, SS for SCS, SA 1 & SA 1 to SA 1 (pending)	SB 849-Kehoe and Schupp, with SCS, SA 1 & SA 1 to SA 1 (pending)
SB 578-Romine	SB 859-Koenig, with SCS & SS for SCS (pending)
SB 591-Hegeman, with SCS	SB 860-Koenig, with SCS, SS for SCS & SA 1 (pending)
SB 596-Riddle, with SCS	SB 861-Hegeman, with SCS
SB 599-Schatz	SB 865-Kehoe
SB 602-Onder, with SCS	SB 893-Sater, with SCS, SS for SCS & SA 1 (pending)
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 912-Rowden, with SCS & SS#3 for SCS (pending)
SB 663-Schatz, with SCS, SS for SCS & SA 1 (pending)	SB 920-Riddle, with SS & SA 2 (pending)
SB 730-Wallingford, with SCS & SA 1 (pending)	SB 928-Onder, with SCS
SB 751-Schatz	SB 1003-Wasson, with SS & SA 1 (pending)
SB 767-Hoskins, with SCS, SS for SCS & SA 2 (pending)	SB 1021-Dixon and Wallingford, with SCS
SB 774-Munzlinger	

HOUSE BILLS ON THIRD READING

HB 1247-Pike (Onder)	HB 1442-Alferman, with SCS, SS for SCS & SA 1 (pending) (Schatz)
HB 1249-Plocher, with SCS (Dixon)	HCS for HB 1443, with SCS (Sater)
HCS for HB 1251, with SCS (Crawford)	HB 1446-Eggleston, with SCS (Koenig)
HCS for HB 1264 (Hegeman)	HB 1469-Davis (Wallingford)
HB 1265-Schroer (Onder)	HB 1578-Kolkmeyer (Munzlinger)
HB 1267-Lichtenegger (Munzlinger)	HCS for HB 1597, with SCS (Dixon)
HB 1303-Alferman, with SCS (Rowden)	HCS for HB 1605, with SCS (Kehoe)
HB 1329-Remole, with SCS, SS for SCS & SA 5 (pending) (Munzlinger)	HCS for HB 1611 (Riddle)
HB 1349-Black (Hoskins)	HCS for HB 1614 (Hegeman)
HB 1389-Fitzpatrick, with SCS (Schatz)	HB 1625-Morris (Curls)
HB 1409-Fitzpatrick (Kehoe)	HB 1630-Evans (Rowden)
HB 1421 & HB 1371-Pfautsch, with SCS (Romine)	HCS for HB 1645 (Rowden)
	HCS for HB 1667, with SCS (Wallingford)

HB 1675-Redmon (Emery)  
 HB 1691-Miller, with SCS & SS for SCS  
 (pending) (Emery)  
 HCS for HB 1710, with SCS (Eigel)  
 HB 1800-Miller, with SCS (Emery)  
 HB 1809-Tate, with SS & SA 1 (pending) (Schatz)  
 HB 1831-Ruth, with SA 1 & SA 1 to SA 1  
 (pending) (Wieland)  
 HCS for HB 1868, with SCS (Riddle)  
 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)  
 HB 2117-Pfautsch (Emery)  
 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  
 SB 575-Wallingford, with HCS, as amended  
 SB 582-Walsh, with HA 1, HA 2 & HA 3

SS for SB 597-Riddle, with HCS, as amended  
 SB 850-Wallingford, with HCS, as amended  
 SS for SB 882-Hoskins, with HA 1  
 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#2 for SCS for SB 590-Hegeman, with HA 1  
 SB 655-Sifton, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SCS for SB 718-Eigel, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SB 757-Schatz, with HA 1, HA 3, HA 4,  
 HA 5, HA 6, HA 8 & HA 9  
 SB 773-Hoskins, with HCS, as amended  
 (Senate adopted CCR and passed CCS)  
 SCS for SBs 807 & 577-Wasson, with HCS,  
 as amended

SB 808-Brown, with HCS, as amended  
 SB 819-Cunningham, with HA 1, as amended,  
 HA 2 & HA 4  
 (Senate adopted CCR and passed CCS)  
 SS for SCS for SB 843-Riddle, with HCS,  
 as amended  
 SS for SB 881-Eigel, with HCS, as amended  
 SB 884-Koenig, with HA 1 & HA 2,  
 as amended  
 (Senate adopted CCR and passed CCS)  
 SB 951-Crawford, with HCS, as amended  
 (Senate adopted CCR and passed CCS)

HB 1350-Smith (163), with SS for SCS,  
as amended (Rowden)

HB 1633-Corlew, with SS for SCS,  
as amended (Dixon)  
(Senate requests House grant further  
conference)

HB 1719-Grier, with SS for SCS, as  
amended (Riddle)

HCS for HB 2140, with SS for SCS, as amended  
(Nasheed)

Requests to Recede or Grant Conference

HB 1428-Muntzel, with SS, as amended  
(Munzlinger)  
(House requests Senate recede & take up  
and pass bill)

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

SR 2130-Sifton  
SR 2131-Sifton  
SR 2132-Sifton  
SR 2133-Sifton  
SR 2134-Sifton  
SR 2135-Sifton  
SR 2136-Sifton  
SR 2137-Sifton  
SR 2138-Sifton  
SR 2139-Sifton  
SR 2140-Sifton  
SR 2141-Sifton  
SR 2142-Sifton  
SR 2143-Sifton  
SR 2144-Sifton  
SR 2145-Sifton  
SR 2146-Sifton

Reported from Committee

SCR 28-Schupp and Nasheed  
SCR 30-Wallingford, with SA 1 (pending)

HCR 69-Davis (Hoskins)  
HCR 96-Conway (Eigel)

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