

SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 831

AN ACT

To repeal sections 88.770, 327.401, 537.340, and 610.021, RSMo, and to enact in lieu thereof six new sections relating to non-investor-owned utilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 88.770, 327.401, 537.340, and 610.021,
2 RSMo, are repealed and six new sections enacted in lieu thereof,
3 to be known as sections 88.770, 301.3066, 301.3067, 327.401,
4 537.340, and 610.021, to read as follows:

5 88.770. 1. The board of aldermen may provide for and
6 regulate the lighting of streets and the erection of lamp posts,
7 poles and lights therefor, and may make contracts with any
8 person, association or corporation, either private or municipal,
9 for the lighting of the streets and other public places of the
10 city with gas, electricity or otherwise, except that each initial
11 contract shall be ratified by a majority of the voters of the
12 city voting on the question and any renewal contract or extension
13 shall be subject to voter approval of the majority of the voters
14 voting on the question, pursuant to the provisions of section
15 88.251. The board of aldermen may erect, maintain and operate
16 gas works, electric light works, or light works of any other kind
17 or name, and to erect lamp posts, electric light poles, or any
18 other apparatus or appliances necessary to light the streets,

1 avenues, alleys or other public places, and to supply private
2 lights for the use of the inhabitants of the city and its
3 suburbs, and may regulate the same, and may prescribe and
4 regulate the rates to be paid by the consumers thereof, and may
5 acquire by purchase, donation or condemnation suitable grounds
6 within or without the city upon which to erect such works and the
7 right-of-way to and from such works, and also the right-of-way
8 for laying gas pipes, electric wires under or above the grounds,
9 and erecting posts and poles and such other apparatus and
10 appliances as may be necessary for the efficient operation of
11 such works. The board of aldermen may, in its discretion, grant
12 the right to any person, persons or corporation, to erect such
13 works and lay the pipe, wires, and erect the posts, poles and
14 other necessary apparatus and appliances therefor, upon such
15 terms as may be prescribed by ordinance. Such rights shall not
16 extend for a longer time than twenty years, but may be renewed
17 for another period or periods not to exceed twenty years per
18 period. Every initial grant shall be approved by a majority of
19 the voters of the municipality voting on the question, and each
20 renewal or extension of such rights shall be subject to voter
21 approval of the majority of the voters voting on the question,
22 pursuant to the provisions of section 88.251. Nothing herein
23 contained shall be so construed as to prevent the board of
24 aldermen from contracting with any person, persons or corporation
25 for furnishing the city with gas or electric lights in cities
26 where franchises have already been granted, and where gas or
27 electric light plants already exist, without a vote of the
28 people, except that the board of aldermen may sell, convey,

1 encumber, lease, abolish or otherwise dispose of any public
2 utilities owned by the city including electric light systems,
3 electric distribution systems or transmission lines, or any part
4 of the electric light systems, electric or other heat systems,
5 electric or other power systems, electric or other railways, gas
6 plants, telephone systems, telegraph systems, transportation
7 systems of any kind, waterworks, equipments and all public
8 utilities not herein enumerated and everything acquired therefor,
9 after first having passed an ordinance setting forth the terms of
10 the sale, conveyance or encumbrance and when ratified by
11 two-thirds of the voters voting on the question, except for the
12 sale of a water or wastewater system, or the sale of a gas plant,
13 which shall be authorized by a simple majority vote of the voters
14 voting on the question. In the event of the proposed sale of a
15 water or wastewater system, or a gas plant, the board of alderman
16 shall hold a public meeting on such proposed sale at least thirty
17 days prior to the vote. The municipality in question shall
18 notify its customers of the informational meeting through radio,
19 television, newspaper, regular mail, electronic mail, or any
20 combination of notification methods to most effectively notify
21 customers at least fifteen days prior to the informational
22 meeting. In advance of putting a proposed sale of a water or
23 wastewater system, or a gas plant before the voters, the board of
24 aldermen may seek an appraisal as set forth in subsections 3 and
25 4 of section 393.320. The board may also seek and provide
26 additional reasonable analyses to inform voters of such sale,
27 including but not limited to, the impact of such sale on all city
28 funds and revenues, other city services, and annexation. Nothing

1 in this section shall be so construed as to discourage the board
2 of aldermen from seeking multiple bids when considering the
3 disposal of a water or wastewater system or a gas plant by sale.

4 2. The board of aldermen's determination of the fair market
5 value of a water or wastewater system or a gas plant for the
6 purposes of this section shall not be dispositive of the price of
7 a water or wastewater system, or a gas plant, which may be
8 subject to negotiation by the board of aldermen.

9 3. The board of aldermen may consider alternatives to
10 disposing of a water or wastewater system, or a gas plant by
11 sale, including entering into a finance agreement, purchase
12 agreement, management agreement, or lease agreement with another
13 entity.

14 4. The board of aldermen may make available on its internet
15 site, if such internet site exists, at least forty-five days
16 prior to submitting a proposal for election pursuant to this
17 section, a copy of the appraisal under subsection 1 of this
18 section and the fair market value of a water or wastewater system
19 or a gas plant. Such information may also be posted in the
20 building where the board of aldermen has its monthly meetings.

21 5. The board of aldermen may make a good-faith effort to
22 notify each property owner of the city and each ratepayer of a
23 water or wastewater system or a gas plant of the proposal to
24 dispose of the water or wastewater system, or a gas plant, by
25 sale through radio, television, newspaper, regular mail,
26 electronic mail, or any combination of such notification methods.
27 Such notice may also include instructions for locating a summary
28 of the proposal and a summary of any appraisal and analyses as

1 under subsection 1 of this section on the board of aldermen's
2 internet site, if such internet site exists. In the event the
3 board of aldermen does not have an internet site, the notice may
4 inform the recipient that written copies of such information may
5 be made available at the building where the board of aldermen has
6 its monthly meetings.

7 6. Nothing in this section shall be construed as a
8 violation of section 115.646, relating to the use of public funds
9 to advocate, support, or oppose the ballot measure prescribed in
10 subsection 8.

11 7. The ballots shall be substantially in the following form
12 and shall indicate the property, or portion thereof, and whether
13 the same is to be sold, leased or encumbered:

14 Shall _____ (Indicate the property by stating whether
15 electric distribution system, electric transmission lines or
16 waterworks, etc.) be _____ (Indicate whether sold, leased or
17 encumbered.)?

18 301.3066. 1. Any Missouri resident may receive special
19 license plates as prescribed in this section after an annual
20 payment of an emblem-use authorization fee to the Association of
21 Missouri Electric Cooperatives. The Association of Missouri
22 Electric Cooperatives hereby authorizes the use of its official
23 lineman emblem to be fixed on multi-year personalized license
24 plates as provided in this section. Any contribution to such
25 association derived from this section shall be used solely for
26 financial assistance for lineman training programs. Any Missouri
27 resident may annually apply to the association for the use of the
28 emblem.

1 2. Upon annual application and payment of a twenty-five
2 dollar emblem-use contribution to the Association of Missouri
3 Electric Cooperatives, the association shall issue to the vehicle
4 owner, without further charge, an emblem-use authorization
5 statement, which shall be presented by the vehicle owner to the
6 department of revenue at the time of registration of a motor
7 vehicle. Upon presentation of the annual statement and payment
8 of the fee required for personalized license plates in section
9 301.144, and other fees and documents which may be required by
10 law, the department of revenue shall issue personalized license
11 plates, which shall bear the emblem of the Association of
12 Missouri Electric Cooperatives' lineman, to the vehicle owner.

13 3. The license plates authorized by this section shall be
14 made with fully reflective material with a common color scheme
15 and design, shall be clearly visible at night, and shall be
16 aesthetically attractive, as prescribed by section 301.130. The
17 bidding process used to select a vendor for the material to
18 manufacture the license plates authorized by this section shall
19 consider the aesthetic appearance of the plates.

20 4. A vehicle owner, who was previously issued plates with
21 the Association of Missouri Electric Cooperatives' lineman emblem
22 authorized by this section but who does not provide an emblem-use
23 authorization statement at a subsequent time of registration,
24 shall be issued new plates which do not bear the Association of
25 Missouri Electric Cooperatives' lineman emblem, as otherwise
26 provided by law. The director of revenue shall make necessary
27 rules and regulations for the enforcement of this section, and
28 shall design all necessary forms required by this section.

1 301.3067. 1. Any Missouri resident may receive special
2 license plates as prescribed in this section after an annual
3 payment of an emblem-use authorization fee to the Missouri
4 Association of Municipal Utilities. The Missouri Association of
5 Municipal Utilities hereby authorizes the use of its official
6 utility worker emblem to be fixed on multi-year personalized
7 license plates as provided in this section. Any contribution to
8 such association derived from this section shall be used solely
9 for financial assistance for utility worker training programs.
10 Any Missouri resident may annually apply to the association for
11 the use of the emblem.

12 2. Upon annual application and payment of a twenty-five
13 dollar emblem-use contribution to the Missouri Association of
14 Municipal Utilities, the association shall issue to the vehicle
15 owner, without further charge, an emblem-use authorization
16 statement, which shall be presented by the vehicle owner to the
17 department of revenue at the time of registration of a motor
18 vehicle. Upon presentation of the annual statement and payment
19 of the fee required for personalized license plates in section
20 301.144, and other fees and documents which may be required by
21 law, the department of revenue shall issue personalized license
22 plates, which shall bear the emblem of the Missouri Association
23 of Municipal Utilities' utility worker, to the vehicle owner.

24 3. The license plates authorized by this section shall be
25 made with fully reflective material with a common color scheme
26 and design, shall be clearly visible at night, and shall be
27 aesthetically attractive, as prescribed by section 301.130. The
28 bidding process used to select a vendor for the material to

1 manufacture the license plates authorized by this section shall
2 consider the aesthetic appearance of the plates.

3 4. A vehicle owner, who was previously issued plates with
4 the Missouri Association of Municipal Utilities' utility worker
5 emblem authorized by this section but who does not provide an
6 emblem-use authorization statement at a subsequent time of
7 registration, shall be issued new plates which do not bear the
8 Missouri Association of Municipal Utilities' utility worker
9 emblem, as otherwise provided by law. The director of revenue
10 shall make necessary rules and regulations for the enforcement of
11 this section, and shall design all necessary forms required by
12 this section.

13 327.401. 1. The right to practice as an architect or to
14 practice as a professional engineer or to practice as a
15 professional land surveyor or to practice as a professional
16 landscape architect shall be deemed a personal right, based upon
17 the qualifications of the individual, evidenced by such
18 individual's professional license and shall not be transferable;
19 but any architect or any professional engineer or any
20 professional land surveyor or any professional landscape
21 architect may practice his or her profession through the medium
22 of, or as a member or as an employee of, a partnership or
23 corporation if the plans, specifications, estimates, plats,
24 reports, surveys or other like documents or instruments of the
25 partnership or corporation are signed and stamped with the
26 personal seal of the architect, professional engineer,
27 professional land surveyor, or professional landscape architect
28 by whom or under whose immediate personal supervision the same

1 were prepared and provided that the architect or professional
2 engineer or professional land surveyor or professional landscape
3 architect who affixes his or her signature and personal seal to
4 any such plans, specifications, estimates, plats, reports or
5 other documents or instruments shall be personally and
6 professionally responsible therefor.

7 2. Any domestic corporation formed under the corporation
8 law of this state, or any foreign corporation, now or hereafter
9 organized and having as one of its purposes the practicing of
10 architecture or professional engineering or professional land
11 surveying or professional landscape architecture and any existing
12 corporation which amends its charter to propose to practice
13 architecture or professional engineering or professional land
14 surveying or professional landscape architecture shall obtain a
15 certificate of authority for each profession named in the
16 articles of incorporation or articles of organization from the
17 board which shall be renewed in accordance with the provisions of
18 section 327.171 or 327.261 or 327.351, as the case may be, and
19 from and after the date of such certificate of authority and
20 while the authority or a renewal thereof is in effect, may offer
21 and render architectural or professional engineering or
22 professional land surveying or professional landscape
23 architectural services in this state if:

24 (1) At all times during the authorization or any renewal
25 thereof the directors of the corporation shall have assigned
26 responsibility for the proper conduct of all its architectural or
27 professional engineering or professional land surveying or
28 professional landscape architectural activities in this state to

1 an architect licensed and authorized to practice architecture in
2 this state or to a professional engineer licensed and authorized
3 to practice engineering in this state or to a professional land
4 surveyor licensed and authorized to practice professional land
5 surveying in this state, or to a professional landscape architect
6 licensed and authorized to practice professional landscape
7 architecture in this state, as the case may be; and

8 (2) The person or persons who is or are personally in
9 charge and supervises or supervise the architectural or
10 professional engineering or professional land surveying or
11 professional landscape architectural activities, as the case may
12 be, of any such corporation in this state shall be licensed and
13 authorized to practice architecture or professional engineering
14 or professional land surveying or professional landscape
15 architecture, as the case may be, as provided in this chapter;
16 and

17 (3) The corporation pays such fees for the certificate of
18 authority, renewals or reinstatements thereof as are required.

19
20 The provisions of this subsection requiring corporations to
21 obtain a certificate of authority shall not apply to any rural
22 electrical cooperative organized under the provisions of chapter
23 394 or to any corporation organized on a nonprofit or a
24 cooperative basis as described in subsection 1 of section
25 394.200, or to any electrical corporation operating under
26 cooperative business plan, as described in subsection 2 of
27 section 393.110.

28 537.340. 1. If any person shall cut down, injure or

1 destroy or carry away any tree placed or growing for use, shade
2 or ornament, or any timber, rails or wood standing, being or
3 growing on the land of any other person, including any
4 governmental entity, or shall dig up, quarry or carry away any
5 stones, ore or mineral, gravel, clay or mold, or any ice or other
6 substance or material being a part of the realty, or any roots,
7 fruits or plants, or cut down or carry away grass, grain, corn,
8 flax or hemp in which such person has no interest or right,
9 standing, lying or being on land not such person's own, or shall
10 knowingly break the glass or any part of it in any building not
11 such person's own, the person so offending shall pay to the party
12 injured treble the value of the things so injured, broken,
13 destroyed or carried away, with costs. Any person filing a claim
14 for damages pursuant to this section need not prove negligence or
15 intent.

16 2. Notwithstanding the provisions of subsection 1 of this
17 section, the following rules shall apply to the trimming,
18 removing, and controlling of trees and other vegetation by any
19 electric supplier:

20 (1) Every electric supplier that operates electric
21 transmission or distribution lines shall have the authority to
22 maintain the same by trimming, removing, and controlling trees
23 and other vegetation posing a hazard to the continued safe and
24 reliable operation thereof;

25 (2) An electric supplier may exercise its authority under
26 subdivision (1) of this subsection if the trees and other
27 vegetation are within the legal description of any recorded
28 easement or, in the absence of a recorded easement, the

1 following:

2 (a) Within ten feet, plus one-half the length of any
3 attached cross arm, of either side of the centerline of
4 electricity lines potentially energized at or below 34.5
5 kilovolts measured line to line and located within the limits of
6 any city; or

7 (b) Within thirty feet of either side of the centerline of
8 electricity lines potentially energized at or below 34.5
9 kilovolts measured line to line and located outside the limits of
10 any city; or

11 (c) Within fifty feet of either side of the centerline of
12 electricity lines potentially energized between 34.5 and one
13 hundred kilovolts measured line to line; or

14 (d) Within the greater of the following for any electricity
15 lines potentially energized at one hundred kilovolts or more
16 measured line to line:

17 a. Seventy-five feet to either side of the centerline; or

18 b. Any required clearance distance adopted by either the
19 Federal Energy Regulatory Commission or an Electric Reliability
20 Organization authorized by the Energy Policy Act of 2005, 16
21 U.S.C. Section 824o. Such exercise shall be considered
22 reasonable and necessary for the proper and reliable operation of
23 electric service and shall create a rebuttable presumption, in
24 claims for property damage, that the electric supplier acted with
25 reasonable care, operated within its rights regarding the
26 operation and maintenance of its electricity lines, and has not
27 committed a trespass;

28 (3) An electric supplier may trim, remove, and control

1 trees and other vegetation outside the provisions in subdivision
2 (2) of this subsection if such actions are necessary to maintain
3 the continued safe and reliable operation of its electric lines;

4 (4) An electric supplier may secure from the owner or
5 occupier of land greater authority to trim, remove, and control
6 trees and other vegetation than the provisions set forth in
7 subdivision (2) of this subsection and may exercise any and all
8 rights regarding the trimming, removing, and controlling of trees
9 and other vegetation granted in any easement held by the electric
10 supplier;

11 (5) An electric supplier may trim or remove any tree of
12 sufficient height outside the provisions of subdivision (2) of
13 this subsection when such tree, if it were to fall, would
14 threaten the integrity and safety of any electric transmission or
15 distribution line and would pose a hazard to the continued safe
16 and reliable operation thereof;

17 (6) Prior to the removal of any tree under the provisions
18 of subdivision (5) of this subsection, an electric supplier shall
19 notify the owner or occupier of land, if available, at least
20 fourteen days prior to such removal unless either the electric
21 supplier deems the removal to be immediately necessary to
22 continue the safe and reliable operation of its electricity
23 lines, or the electric supplier is trimming or removing trees and
24 other vegetation following a major weather event or other
25 emergency situation;

26 (7) If any tree which is partially trimmed by an electric
27 supplier dies within three months as a result of said trimming,
28 the owner or occupier of land upon which the tree was trimmed may

1 request in writing that the electric supplier remove said tree at
2 the electric supplier's expense. The electric supplier shall
3 respond to such request within ninety days;

4 (8) Nothing in this subsection shall be interpreted as
5 requiring any electric supplier to fully exercise the authorities
6 granted in this subsection.

7 3. For purposes of this section, the term "electric
8 supplier" means any rural electric cooperative that is subject to
9 the provisions of chapter 394[, and]; any electrical corporation
10 which is required by its bylaws to operate on the not-for-profit
11 cooperative business plan, with its consumers who receive service
12 as the stockholders of such corporation, and which holds a
13 certificate of public convenience and necessity to serve a
14 majority of its customer-owners in counties of the third
15 classification as of August 28, 2003; any municipally owned or
16 operated electric power system that is subject to the provisions
17 of chapter 91; and any municipally owned utility whose service
18 area is set by state statute, service agreement, or other
19 authority to include areas which are not incorporated into city
20 limits.

21 610.021. Except to the extent disclosure is otherwise
22 required by law, a public governmental body is authorized to
23 close meetings, records and votes, to the extent they relate to
24 the following:

25 (1) Legal actions, causes of action or litigation involving
26 a public governmental body and any confidential or privileged
27 communications between a public governmental body or its
28 representatives and its attorneys. However, any minutes, vote or

1 settlement agreement relating to legal actions, causes of action
2 or litigation involving a public governmental body or any agent
3 or entity representing its interests or acting on its behalf or
4 with its authority, including any insurance company acting on
5 behalf of a public government body as its insured, shall be made
6 public upon final disposition of the matter voted upon or upon
7 the signing by the parties of the settlement agreement, unless,
8 prior to final disposition, the settlement agreement is ordered
9 closed by a court after a written finding that the adverse impact
10 to a plaintiff or plaintiffs to the action clearly outweighs the
11 public policy considerations of section 610.011, however, the
12 amount of any moneys paid by, or on behalf of, the public
13 governmental body shall be disclosed; provided, however, in
14 matters involving the exercise of the power of eminent domain,
15 the vote shall be announced or become public immediately
16 following the action on the motion to authorize institution of
17 such a legal action. Legal work product shall be considered a
18 closed record;

19 (2) Leasing, purchase or sale of real estate by a public
20 governmental body where public knowledge of the transaction might
21 adversely affect the legal consideration therefor. However, any
22 minutes, vote or public record approving a contract relating to
23 the leasing, purchase or sale of real estate by a public
24 governmental body shall be made public upon execution of the
25 lease, purchase or sale of the real estate;

26 (3) Hiring, firing, disciplining or promoting of particular
27 employees by a public governmental body when personal information
28 about the employee is discussed or recorded. However, any vote

1 on a final decision, when taken by a public governmental body, to
2 hire, fire, promote or discipline an employee of a public
3 governmental body shall be made available with a record of how
4 each member voted to the public within seventy-two hours of the
5 close of the meeting where such action occurs; provided, however,
6 that any employee so affected shall be entitled to prompt notice
7 of such decision during the seventy-two-hour period before such
8 decision is made available to the public. As used in this
9 subdivision, the term "personal information" means information
10 relating to the performance or merit of individual employees;

11 (4) The state militia or national guard or any part
12 thereof;

13 (5) Nonjudicial mental or physical health proceedings
14 involving identifiable persons, including medical, psychiatric,
15 psychological, or alcoholism or drug dependency diagnosis or
16 treatment;

17 (6) Scholastic probation, expulsion, or graduation of
18 identifiable individuals, including records of individual test or
19 examination scores; however, personally identifiable student
20 records maintained by public educational institutions shall be
21 open for inspection by the parents, guardian or other custodian
22 of students under the age of eighteen years and by the parents,
23 guardian or other custodian and the student if the student is
24 over the age of eighteen years;

25 (7) Testing and examination materials, before the test or
26 examination is given or, if it is to be given again, before so
27 given again;

28 (8) Welfare cases of identifiable individuals;

1 (9) Preparation, including any discussions or work product,
2 on behalf of a public governmental body or its representatives
3 for negotiations with employee groups;

4 (10) Software codes for electronic data processing and
5 documentation thereof;

6 (11) Specifications for competitive bidding, until either
7 the specifications are officially approved by the public
8 governmental body or the specifications are published for bid;

9 (12) Sealed bids and related documents, until the bids are
10 opened; and sealed proposals and related documents or any
11 documents related to a negotiated contract until a contract is
12 executed, or all proposals are rejected;

13 (13) Individually identifiable personnel records,
14 performance ratings or records pertaining to employees or
15 applicants for employment, except that this exemption shall not
16 apply to the names, positions, salaries and lengths of service of
17 officers and employees of public agencies once they are employed
18 as such, and the names of private sources donating or
19 contributing money to the salary of a chancellor or president at
20 all public colleges and universities in the state of Missouri and
21 the amount of money contributed by the source;

22 (14) Records which are protected from disclosure by law;

23 (15) Meetings and public records relating to scientific and
24 technological innovations in which the owner has a proprietary
25 interest;

26 (16) Records relating to municipal hotlines established for
27 the reporting of abuse and wrongdoing;

28 (17) Confidential or privileged communications between a

1 public governmental body and its auditor, including all auditor
2 work product; however, all final audit reports issued by the
3 auditor are to be considered open records pursuant to this
4 chapter;

5 (18) Operational guidelines, policies and specific response
6 plans developed, adopted, or maintained by any public agency
7 responsible for law enforcement, public safety, first response,
8 or public health for use in responding to or preventing any
9 critical incident which is or appears to be terrorist in nature
10 and which has the potential to endanger individual or public
11 safety or health. Financial records related to the procurement
12 of or expenditures relating to operational guidelines, policies
13 or plans purchased with public funds shall be open. When seeking
14 to close information pursuant to this exception, the public
15 governmental body shall affirmatively state in writing that
16 disclosure would impair the public governmental body's ability to
17 protect the security or safety of persons or real property, and
18 shall in the same writing state that the public interest in
19 nondisclosure outweighs the public interest in disclosure of the
20 records;

21 (19) Existing or proposed security systems and structural
22 plans of real property owned or leased by a public governmental
23 body, and information that is voluntarily submitted by a
24 nonpublic entity owning or operating an infrastructure to any
25 public governmental body for use by that body to devise plans for
26 protection of that infrastructure, the public disclosure of which
27 would threaten public safety:

28 (a) Records related to the procurement of or expenditures

1 relating to security systems purchased with public funds shall be
2 open;

3 (b) When seeking to close information pursuant to this
4 exception, the public governmental body shall affirmatively state
5 in writing that disclosure would impair the public governmental
6 body's ability to protect the security or safety of persons or
7 real property, and shall in the same writing state that the
8 public interest in nondisclosure outweighs the public interest in
9 disclosure of the records;

10 (c) Records that are voluntarily submitted by a nonpublic
11 entity shall be reviewed by the receiving agency within ninety
12 days of submission to determine if retention of the document is
13 necessary in furtherance of a state security interest. If
14 retention is not necessary, the documents shall be returned to
15 the nonpublic governmental body or destroyed;

16 (20) The portion of a record that identifies security
17 systems or access codes or authorization codes for security
18 systems of real property;

19 (21) Records that identify the configuration of components
20 or the operation of a computer, computer system, computer
21 network, or telecommunications network, and would allow
22 unauthorized access to or unlawful disruption of a computer,
23 computer system, computer network, or telecommunications network
24 of a public governmental body. This exception shall not be used
25 to limit or deny access to otherwise public records in a file,
26 document, data file or database containing public records.
27 Records related to the procurement of or expenditures relating to
28 such computer, computer system, computer network, or

1 telecommunications network, including the amount of moneys paid
2 by, or on behalf of, a public governmental body for such
3 computer, computer system, computer network, or
4 telecommunications network shall be open;

5 (22) Credit card numbers, personal identification numbers,
6 digital certificates, physical and virtual keys, access codes or
7 authorization codes that are used to protect the security of
8 electronic transactions between a public governmental body and a
9 person or entity doing business with a public governmental body.
10 Nothing in this section shall be deemed to close the record of a
11 person or entity using a credit card held in the name of a public
12 governmental body or any record of a transaction made by a person
13 using a credit card or other method of payment for which
14 reimbursement is made by a public governmental body;

15 (23) Records submitted by an individual, corporation, or
16 other business entity to a public institution of higher education
17 in connection with a proposal to license intellectual property or
18 perform sponsored research and which contains sales projections
19 or other business plan information the disclosure of which may
20 endanger the competitiveness of a business; [and]

21 (24) Records relating to foster home or kinship placements
22 of children in foster care under section 210.498; and

23 (25) Individually identifiable customer usage and billing
24 records for customers of a municipally owned utility, unless the
25 records are requested by the customer or authorized for release
26 by the customer. Notwithstanding the foregoing, a municipally
27 owned utility shall make available to the public the customer's
28 name, billing address, location of service, and dates of service

1 provided for any commercial service account.