Journal of the Senate

FIRST REGULAR SESSION

SIXTY-THIRD DAY—TUESDAY, MAY 7, 2019

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

"The Lord has heard my supplications: the Lord accepts my prayer." (Psalm 6:9)

Heavenly Father, Help us to remember that You are more ready to listen to our prayers then we are to pray. Help us to remember that without regular prayer we are always in danger of giving into temptation when a crisis touches our lives. And help us to know that by daily prayer we are given the strength to face each new day and what it will bring. 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

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	May	Nasheed	Onder	Riddle
Rizzo	Romine	Rowden	Sater	Schatz	Schupp	Sifton
Wallingford	Walsh	White	Wieland	Williams—33		

Absent—Senators—None

Absent with leave—Senator O'Laughlin—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Crawford offered Senate Resolution No. 890, regarding Joyce Noakes, Lowry City, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 891, regarding Caelan Gander, which was adopted.

On behalf of Senator O'Laughlin, Senator Rowden offered Senate Resolution No. 892, regarding the Fiftieth Anniversary of Northeast Missouri Regional Planning Commission, which was adopted.

Senator Romine offered Senate Resolution No. 893, regarding Victoria Kennard, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 894, regarding Laura Kile, Farmington, which was adopted.

Senator Brown offered Senate Resolution No. 895, regarding Captain James W. Remillard, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 896, regarding Karen Hammond, Licking, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 897, regarding Beth Ash, California, which was adopted.

Senator Romine offered Senate Resolution No. 898, regarding Rebekah Lynn Noel Gonz, St. Genevieve, which was adopted.

Senator Schupp offered Senate Resolution No. 899, regarding Virginia "Gigi" Florek, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 900, regarding Hayley Marie Douthit, Frontenac, 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 **HB 535**, entitled:

An Act to repeal sections 347.179, 347.183, 347.740, 351.127, 355.023, 356.233, 358.460, 358.470, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof twelve new sections relating to the secretary of state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

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 **HCR 43**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, on February 7, 2019, Representative Alexandria Ocasio-Cortez introduced House Resolution 109 in the United States House of Representatives indicating that the federal government has a duty to create a Green New Deal to achieve net-zero greenhouse gas emissions

in ten years; and

WHEREAS, House Resolution 109 espouses a terrifying future based on arbitrary statistics and outcomes that can not truly be predicted. The solutions set out in the Green New Deal and House Resolution 109 will cost the United States trillions of dollars, with no clear path for paying to implement the plan; and

WHEREAS, Representative Ocasio-Cortez's staff released a document detailing what the Green New Deal would entail, including massive changes to the way millions of people in the country live, with these changes happening on a radically short timeline; and

WHEREAS, the document, which contained Frequently Asked Questions, indicated that the goal was for net zero rather than zero emissions in ten years because they were not sure "that we'll be able to fully get rid of farting cows and airplanes that fast"; and

WHEREAS, according to the University of Missouri Extension Service, Missouri is ranked number three in beef cow inventories with more than 2 million cows as of 2017 and is home to over 80,000 milk cows; and

WHEREAS, in 2012, Missouri ranked fourth in the country in the number of acres of soybeans planted and second in the number of acres of used for forage according to the U.S. Department of Agriculture; and

WHEREAS, eliminating or significantly reducing cattle and combustion engines would damage the agricultural industry in Missouri, which leads the way in feeding the world, by crippling the ability to engage in cattle ranching; cultivate the soil; produce and harvest rice, cotton, corn, soybeans, and other food products; and transport food products around the world; and

WHEREAS, the Boeing Corporation employs over 14,500 people in Missouri. Making air travel unnecessary would result in thousands of Boeing employees losing their jobs; and

WHEREAS, House Resolution 109 calls for "meeting 100 percent of the power demand in the United States through clean, renewable, and zero-emission energy sources" and the associated document called for phasing out fossil fuels and nuclear energy as soon as possible; and

WHEREAS, coal and nuclear power fuel the majority of Missouri's electricity generation. According to the U.S. Energy Information Administration, coal fueled 81 percent and the Callaway Nuclear Generating Station provided 10 percent of Missouri's electricity generation in 2017; and

WHEREAS, the nuclear power plant located in Callaway County, in the heart of the state, provides highly efficient, low-cost, carbon free electricity for Ameren Missouri's 1.2 million customers; and

WHEREAS, the proposed Green New Deal would significantly damage Missouri's electrical power industry by phasing out the use of fossil fuels and nuclear energy; and

WHEREAS, the proposed Green New Deal indicates that the federal government should ensure economic security for all people of the United States; and

WHEREAS, the document also indicated that the proposed Green New Deal sought "economic security for all who are unable or unwilling to work"; and

WHEREAS, the funds required to pay for a guaranteed income for all may increase as more people decide they are unwilling to work or are laid off as a result of the damage to various industries:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the One Hundredth General Assembly, First Regular Session, the Senate concurring therein, hereby urge President Donald J. Trump and members of Missouri's congressional delegation to oppose the resolution proposing a Green New Deal; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for President Donald J. Trump and each member of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended for **HB 260** and has taken up and passed **SCS** for **HB 260**, as amended.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SB 368**, as amended: Senators Hough, Libla, Romine, Curls and Williams.

HOUSE BILLS ON THIRD READING

HCS No. 2 for **HB 499**, entitled:

An Act to repeal sections 304.580, 304.585, and 304.894, RSMo, and to enact in lieu thereof three new sections relating to accidents occurring in work or emergency zones, with penalty provisions.

Was taken up by Senator Schatz.

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

SENATE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for House Bill No. 499, Page 1, In the Title, Line 3, by striking "accidents occurring in work or emergency zones" and inserting in lieu thereof the following: "penalties applied to motor vehicle operators"; and

Further amend said bill, page 4, section 304.585, line 104, by inserting immediately after said line the following:

"304.590. 1. As used in this section, the term "travel safe zone" means any area upon or around any highway, as defined in section 302.010, which is visibly marked by the department of transportation; and when a highway safety analysis demonstrates fatal or disabling motor vehicle crashes exceed a predicted safety performance level for comparable roadways as determined by the department of transportation.

2. Upon a conviction or a plea of guilty by any person for a moving violation as defined in section 302.010 or any offense listed in section 302.302, the court **[**shall**] may** double the amount of fine authorized to be imposed by law, if the moving violation or offense occurred within a travel safe zone.

3. Upon a conviction or plea of guilty by any person for a speeding violation under section 304.009 or 304.010, the court **[**shall**] may** double the amount of fine authorized by law, if the violation occurred within a travel safe zone.

4. The penalty authorized under subsections **[**1**] 2** and 3 of this section shall only be assessed by the court if the department of transportation has erected signs upon or around a travel safe zone which are clearly visible from the highway and which state substantially the following message: "Travel Safe Zone — Fines Doubled".

5. This section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302."; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Crawford assumed the Chair.

President Kehoe assumed the Chair.

Senator Crawford assumed the Chair.

At the request of Senator Schatz, **HCS No. 2** for **HB 499**, with **SA 1** (pending), was placed on the Informal Calendar.

HCS for **HB 192**, with **SCS**, entitled:

An Act to repeal sections 543.270 and 558.006, RSMo, and to enact in lieu thereof two new sections relating to the payment of fines, with penalty provisions.

Was taken up by Senator Emery.

SCS for **HCS** for **HB 192**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 192

An Act to repeal sections 479.011, 543.270, and 558.006, RSMo, and to enact in lieu thereof three new sections relating to court procedures, with penalty provisions.

Was taken up.

Senator Emery moved that **SCS** for **HCS** for **HB 192** be adopted.

Senator Emery offered **SS** for **SCS** for **HCS** for **HB 192**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 192

An Act to repeal sections 386.510, 386.515, 543.270, 558.006, and 558.019, RSMo, and to enact in lieu thereof five new sections relating to court procedures, with penalty provisions.

Senator Emery moved that **SS** for **SCS** for **HCS** for **HB 192** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 192, Page 12, Section 558.019, Line 3 of said page, by inserting after all of said line the following:

"**570.028. 1. A person commits the offense of vehicle hijacking when he or she knowingly uses or explicitly or implicitly threatens the use of physical force upon another person or persons to seize or attempt to seize possession or control of a vehicle from the immediate possession or control of another person or persons.**

2. The offense of vehicle hijacking is a class C felony unless it meets one of the criteria listed in subsection 3 of this section.

3. The following circumstances shall make the offense of vehicle hijacking punished as a class B felony:

(1) The person is armed with a deadly weapon; or

(2) The person uses or threatens the immediate use of a dangerous instrument against any person; or

(3) The person displays or threatens the use of what appears to be a deadly weapon or dangerous instrument; or

(4) The person causes serious physical injury to any person in immediate possession, control, or presence of the vehicle."; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Emery raised the point of order that **SA 1** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled well taken.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 192, Page 1, Section A, Line 4 of said page, by inserting immediately after said line the following:

"304.590. 1. As used in this section, the term "travel safe zone" means any area upon or around any highway, as defined in section 302.010, which is visibly marked by the department of transportation; and when a highway safety analysis demonstrates fatal or disabling motor vehicle crashes exceed a predicted safety performance level for comparable roadways as determined by the department of transportation.

2. Upon a conviction or a plea of guilty by any person for a moving violation as defined in section 302.010 or any offense listed in section 302.302, the court **[**shall**] may** double the amount of fine authorized to be imposed by law, if the moving violation or offense occurred within a travel safe zone.

3. Upon a conviction or plea of guilty by any person for a speeding violation under section 304.009 or 304.010, the court **[**shall**] may** double the amount of fine authorized by law, if the violation occurred within a travel safe zone.

4. The penalty authorized under subsections **[**1**] 2** and 3 of this section shall only be assessed by the court if the department of transportation has erected signs upon or around a travel safe zone which are clearly visible from the highway and which state substantially the following message: "Travel Safe Zone — Fines Doubled".

5. This section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302."; and

Further amend the title and enacting clause accordingly.

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

Senator Rizzo offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 192, Page 4, Section 386.515, Line 1 by inserting after all of said line the following:

"476.001. An efficient, well operating and productive judiciary is essential to the preservation of the people's liberty and prosperity. In order to achieve this goal, the general assembly and the supreme court must constantly be aware of the operations, needs, strengths and weaknesses of the judicial system. It is the purpose of sections 476.001, 476.055, 476.330 to 476.380, 476.412, 476.681, and 477.405 to provide the general assembly and the supreme court with the mechanisms to obtain on a continuing basis a comprehensive analysis of judicial resources and an efficient and organized method of identifying the problems and needs as they occur. It is the further purpose of sections 476.001, 476.055, 476.330 to 476.380, 476.412, 476.681, 477.405, 478.073, **and** 478.320**[**, and subdivision (12) of subsection 1 of section 600.042**]** to provide a system for the efficient allocation of available personnel, facilities and resources to achieve a uniform and effective operation of the judicial system."; and

Further amend said bill, Page 5, Section 558.006, Line 30, by inserting after all of said line the following:

"600.042. 1. The director shall:

(1) Direct and supervise the work of the deputy directors and other state public defender office personnel appointed pursuant to this chapter; and he or she and the deputy director or directors may participate in the trial and appeal of criminal actions at the request of the defender;

(2) Submit to the commission, between August fifteenth and September fifteenth of each year, a report which shall include all pertinent data on the operation of the state public defender system, the costs, projected needs, and recommendations for statutory changes. Prior to October fifteenth of each year, the commission shall submit such report along with such recommendations, comments, conclusions, or other pertinent information it chooses to make to the chief justice, the governor, and the general assembly. Such reports shall be a public record, shall be maintained in the office of the state public defender, and shall be otherwise distributed as the commission shall direct;

(3) With the approval of the commission, establish such divisions, facilities and offices and select such professional, technical and other personnel, including investigators, as he deems reasonably necessary for the efficient operation and discharge of the duties of the state public defender system under this chapter;

(4) Administer and coordinate the operations of defender services and be responsible for the overall supervision of all personnel, offices, divisions and facilities of the state public defender system, except that the director shall have no authority to direct or control the legal defense provided by a defender to any person served by the state public defender system;

(5) Develop programs and administer activities to achieve the purposes of this chapter;

(6) Keep and maintain proper financial records with respect to the provision of all public defender services for use in the calculating of direct and indirect costs of any or all aspects of the operation of the state public defender system;

(7) Supervise the training of all public defenders and other personnel and establish such training courses as shall be appropriate;

(8) With approval of the commission, promulgate necessary rules, regulations and instructions consistent with this chapter defining the organization of the state public defender system and the responsibilities of division directors, district defenders, deputy district defenders, assistant public defenders and other personnel;

(9) With the approval of the commission, apply for and accept on behalf of the public defender system any funds which may be offered or which may become available from government grants, private gifts, donations or bequests or from any other source. Such moneys shall be deposited in the state general revenue fund;

(10) Contract for legal services with private attorneys on a case-by-case basis and with assigned counsel as the commission deems necessary considering the needs of the area, for fees approved and established by the commission;

(11) With the approval and on behalf of the commission, contract with private attorneys for the collection and enforcement of liens and other judgments owed to the state for services rendered by the state public defender system**[**;

(12) Prepare a plan to establish district offices, the boundaries of which shall coincide with existing judicial circuits. Any district office may contain more than one judicial circuit within its boundaries, but in no event shall any district office boundary include any geographic region of a judicial circuit without including the entire judicial circuit. The director shall submit the plan to the chair of the house judiciary committee and the chair of the senate judiciary committee, with fiscal estimates, by December 31, 2014. The plan shall be implemented by December 31, 2021**]**.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

3. The director and defenders shall, within guidelines as established by the commission and as set forth in subsection 4 of this section, accept requests for legal services from eligible persons entitled to counsel under this chapter or otherwise so entitled under the constitution or laws of the United States or of the state of Missouri and provide such persons with legal services when, in the discretion of the director or the defenders, such provision of legal services is appropriate.

4. The director and defenders shall provide legal services to an eligible person:

(1) Who is detained or charged with a felony, including appeals from a conviction in such a case;

(2) Who is detained or charged with a misdemeanor which will probably result in confinement in the county jail upon conviction, including appeals from a conviction in such a case, unless the prosecuting or circuit attorney has waived a jail sentence;

(3) Who is charged with a violation of probation when it has been determined by a judge that the appointment of counsel is necessary to protect the person's due process rights under section 559.036;

(4) Who has been taken into custody pursuant to section 632.489, including appeals from a determination that the person is a sexually violent predator and petitions for release, notwithstanding any provisions of law to the contrary;

(5) For whom the federal constitution or the state constitution requires the appointment of counsel; and

(6) Who is charged in a case in which he or she faces a loss or deprivation of liberty, and in which the federal or the state constitution or any law of this state requires the appointment of counsel; however, the director and the defenders shall not be required to provide legal services to persons charged with violations of county or municipal ordinances, or misdemeanor offenses except as provided in this section.

5. The director may:

(1) Delegate the legal representation of an eligible person to any member of the state bar of Missouri;

(2) Designate persons as representatives of the director for the purpose of making indigency determinations and assigning counsel."; and

Further amend the title and enacting clause accordingly.

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

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 192, Page 1, Section A, Line 4, by inserting after all of said line the following:

"302.574. 1. If a person who was operating a vehicle refuses upon the request of the officer to submit to any chemical test under section 577.041, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person notice of his or her right to file a petition for review to contest the license revocation.

2. Such officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit, and the notice of the right to file a petition for review. The notices and permit may be combined in one document; and

(6) Any license, which the officer has taken into possession, to operate a motor vehicle.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take

the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. **Pursuant to local court rule promulgated pursuant to section 15 of article V of the Missouri Constitution, the case may also be assigned to a traffic judge pursuant to section 479.500.** The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation under this section. Upon the person's request, the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing, the court shall determine only:

(1) Whether the person was arrested or stopped;

(2) Whether the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked under the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form

provided by the state courts administrator, to have the court hear and determine such motion under the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a similar offense in the future, except that the court may modify but **[**may**]** **shall** not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001, or of a person determined to have operated a motor vehicle with a blood alcohol content of fifteen-hundredths of one percent or more by weight. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted under this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof, to be determined by the division of **[**alcohol and drug abuse**]** **behavioral health** of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010. The administrator of the program shall remit to the division of **[**alcohol and drug abuse**]** **behavioral health** of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due to the division of **[**alcohol and drug abuse**]** **behavioral health** under this section, and shall accrue at a rate not to exceed the annual rates established under the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health under this section shall be deposited in the mental health earnings fund, which is created in section 630.053.

9. Any administrator who fails to remit to the division of **[**alcohol and drug abuse**]** **behavioral health** of the department of mental health the supplemental fees and interest for all persons enrolled in the program under this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due to the division under this section. If the supplemental fees, interest, and penalties are not remitted to the division of **[**alcohol and drug abuse**]** **behavioral health** of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action for the collection of said fees and accrued interest. The court shall assess attorneys' fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device within the last three months of the six-month

period of required installation of the ignition interlock device, then the period for which the person **[**must**]** **shall** maintain the ignition interlock device following the date of reinstatement shall be extended until the person has completed three consecutive months with no violations as described in this section. If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked until proof as required by this section is filed with the director, and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked.

12. A person commits the offense of failure to maintain proof with the Missouri department of revenue if, when required to do so, he or she fails to file proof with the director of revenue that any vehicle operated by the person is equipped with a functioning, certified ignition interlock device or fails to file proof of financial responsibility with the department of revenue in accordance with chapter 303. The offense of failure to maintain proof with the Missouri department of revenue is a class A misdemeanor."; and

Further amend said bill, page 4, section 386.515, line 1 by inserting after all of said line the following:

"479.500. 1. In the twenty-first judicial circuit, a majority of the circuit judges, en banc, may establish a traffic court, which shall be a division of the circuit court, and may authorize the appointment of not more than three municipal judges who shall be known as traffic judges. The traffic judges shall be appointed by a traffic court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of St. Louis County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the traffic court judicial commission shall be established by circuit court rule.

2. Traffic judges may be authorized to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by circuit court rule. Traffic judges may also be authorized to hear in the first instance violations of county and municipal ordinances involving motor vehicles, and other county ordinance violations, as provided by circuit court rule.

3. In the event that a county municipal court is established pursuant to section 66.010 which takes jurisdiction of county ordinance violations the circuit court may then authorize the appointment of no more than two traffic judges authorized to hear municipal ordinance violations other than county ordinance violations, and to act as commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by rule. These traffic court judges also may be authorized to act as commissioners to hear in the first instance petitions to review decisions of the department of revenue or the director of revenue filed pursuant to sections 302.309 and 302.311 and, prior to January 1, 2002, pursuant to sections 302.535 and 302.750.

4. After January 1, 2002, traffic judges, in addition to the authority provided in subsection 3 of this section, may be authorized by local court rule adopted pursuant to Article V, Section 15 of the Missouri Constitution to conduct proceedings pursuant to sections 302.535**, 302.574,** and 302.750, subject to procedures that preserve a meaningful hearing before a judge of the circuit court, as follows:

(1) Conduct the initial call docket and accept uncontested dispositions of petitions to review;

(2) The petitioner shall have the right to the de novo hearing before a judge of the circuit court, except that, at the option of the petitioner, traffic judges may hear in the first instance such petitions for review.

5. In establishing a traffic court, the circuit may be divided into such sectors as may be established by a majority of the circuit and associate circuit judges, en banc. The traffic court in each sector shall hear those cases arising within the territorial limits of the sector unless a case arising within another sector is transferred as provided by operating procedures.

6. Traffic judges shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of St. Louis County, and shall receive from the state as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Each judge shall devote approximately one-third of his working time to the performance of his duties as a traffic judge. Traffic judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a traffic judge and shall not be a judge or prosecutor for any other court. Traffic judges shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

7. A majority of the judges, en banc, shall establish operating procedures for the traffic court which shall provide for regular sessions in the evenings after 6:00 p.m. and for Saturday or other sessions as efficient operation and convenience to the public may require. Proceedings in the traffic court, except when a judge is acting as a commissioner pursuant to this section, shall be conducted as provided in supreme court rule 37. The hearing shall be before a traffic judge without jury, and the judge shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. In the event a jury trial is requested, the cause shall be certified to the circuit court for trial by jury as otherwise provided by law. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

8. In establishing operating procedure, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

9. Operating procedures shall be provided for electronic recording of proceedings, except that if adequate recording equipment is not provided at county expense, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, except that the provisions of subsection 2 of section 512.180 shall not apply to such cases.

10. The circuit court shall only have the authority to appoint two commissioners with the jurisdiction provided in subsection 3 of this section.

11. All costs to establish and operate a county municipal court under section 66.010 and this section shall be borne by such county."; and

Further amend the title and enacting clause accordingly.

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

Senator Luetkemeyer offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 192, Page 4, Section 386.515, Line 1 by inserting after all of said line the following:

"479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges

prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

9. No municipal judge shall serve as a municipal judge in more than five municipalities at one time. **A court that serves more than one municipality shall be treated as a single municipality for the purposes of this subsection.**

479.190. 1. Any judge hearing violations of municipal ordinances may, when in his judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or who shall be convicted after a trial before such judge. When a person is placed on probation he shall be given a certificate explicitly stating the conditions on which he is being released.

2. In addition to such other authority as exists to order conditions of probation, the court may order conditions which the court believes will serve to compensate the victim of the crime, any dependent of the victim, or society in general. Such conditions may include, but need not be limited to:

(1) Restitution to the victim or any dependent of the victim, in an amount to be determined by the judge; and

(2) The performance of a designated amount of free work for a public or charitable purpose, or purposes, as determined by the judge.

3. A person may refuse probation conditioned on the performance of free work. If he does so, the court shall decide the extent or duration of sentence or other disposition to be imposed and render judgment accordingly. Any county, city, person, organization, or agency, or employee of a county, city, organization or agency charged with the supervision of such free work or who benefits from its performance shall be immune from any suit by the person placed on parole or probation or any person deriving a cause of action from him if such cause of action arises from such supervision of performance, except for intentional torts or gross negligence. The services performed by the probationer or parolee shall not be deemed employment within the meaning of the provisions of chapter 288.

4. The court may modify or enlarge the conditions of probation at any time prior to the expiration or termination of the probation term.

5. No municipal judge, municipal court personnel, or any prosecutor designated by the municipality or personnel assigned thereto shall supervise or have authority to hire, fire, or discipline any probation officer or probation personnel assigned by the municipality to perform the duties of probation or parole. This subsection shall not apply to any home rule city with more than ninety thousand but fewer than one hundred eight thousand inhabitants and partially located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, or a home rule city with more than four hundred thousand inhabitants and located in more than one county.

479.275. In any county with a population greater than two hundred fifty thousand inhabitants, no individual in a political subdivision shall concurrently serve as prosecuting attorney and city

attorney. This provision does not apply to an individual who serves as a county officer or employee of a county with a charter form of government.

479.353. **1.** Notwithstanding any provisions to the contrary, the following conditions shall apply to minor traffic violations and municipal ordinance violations:

(1) The court shall not assess a fine, if combined with the amount of court costs, totaling in excess of:

(a) Two hundred twenty-five dollars for minor traffic violations; and

(b) For municipal ordinance violations committed within a twelve-month period beginning with the first violation: two hundred dollars for the first municipal ordinance violation, two hundred seventy-five dollars for the second municipal ordinance violation, three hundred fifty dollars for the third municipal ordinance violation, and four hundred fifty dollars for the fourth and any subsequent municipal ordinance violations;

(2) The court shall not sentence a person to confinement, except the court may sentence a person to confinement for any violation involving alcohol or controlled substances, violations endangering the health or welfare of others, or eluding or giving false information to a law enforcement officer;

(3) A person shall not be placed in confinement for failure to pay a fine unless such nonpayment violates terms of probation or unless the due process procedures mandated by Missouri supreme court rule 37.65 or its successor rule are strictly followed by the court;

(4) Court costs that apply shall be assessed against the defendant unless the court finds that the defendant is indigent based on standards set forth in determining such by the presiding judge of the circuit. Such standards shall reflect model rules and requirements to be developed by the supreme court; and

(5) No court costs shall be assessed if the defendant is found to be indigent under subdivision (4) of this section or if the case is dismissed.

2. If an individual has been held in custody on a notice to show cause or an arrest warrant for an underlying minor traffic violation, the court, on its own motion or on the motion of any interested party, may review the original fine and sentence and waive or reduce such fine or sentence if the court finds it reasonable given the circumstances of the case.

479.354. For any notice to appear, citation, or summons on a minor traffic violation, the date and time the defendant is to appear in court shall be given when such notice to appear, citation, or summons is first provided to the defendant. If said notice is not properly given, the court shall reissue the notice, citation, or summons to the defendant and shall specifically set forth the date and time for the defendant to appear."; and

Further amend the title and enacting clause accordingly.

Senator Luetkemeyer moved that the above amendment be adopted.

At the request of Senator Emery, **HCS** for **HB 192**, with **SCS**, **SS** for **SCS** and **SA 5** (pending), was placed on the Informal Calendar.

President Kehoe assumed the Chair.

At the request of Senator Koenig, **HCS** for **HB 564**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Williams, **HCS** for **HB 678**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 399**, with **SCS**, entitled:

An Act to repeal section 376.1224, RSMo, and to enact in lieu thereof one new section relating to health care for persons with disabilities.

Was taken up by Senator Hoskins.

SCS for **HCS** for **HB 399**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 399

An Act to repeal section 376.1224, RSMo, and to enact in lieu thereof one new section relating to health care for persons with disabilities.

Was taken up.

Senator Hoskins moved that **SCS** for **HCS** for **HB 399** be adopted.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 399, Page 3, Section 376.1224, Line 82, by striking "and" as it appears the third time on said line and inserting in lieu thereof the following: "**or**".

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

Senator Walsh offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 399, Page 1, In the Title, Line 3, by inserting after "disabilities", ", with an emergency clause for a certain section"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"208.930. 1. As used in this section, the term "department" shall mean the department of health and senior services.

2. Subject to appropriations, the department may provide financial assistance for consumer-directed personal care assistance services through eligible vendors, as provided in sections 208.900 through 208.927, to each person who was participating as a non-MO HealthNet eligible client pursuant to sections 178.661 through 178.673 on June 30, 2005, and who:

(1) Makes application to the department;

(2) Demonstrates financial need and eligibility under subsection 3 of this section;

(3) Meets all the criteria set forth in sections 208.900 through 208.927, except for subdivision (5) of subsection 1 of section 208.903;

(4) Has been found by the department of social services not to be eligible to participate under guidelines established by the MO HealthNet plan; and

(5) Does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage for personal care assistance services as defined in section 208.900. For purposes of this section, "access to affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan.

Payments made by the department under the provisions of this section shall be made only after all other available sources of payment have been exhausted.

3. (1) In order to be eligible for financial assistance for consumer-directed personal care assistance services under this section, a person shall demonstrate financial need, which shall be based on the adjusted gross income and the assets of the person seeking financial assistance and such person's spouse.

(2) In order to demonstrate financial need, a person seeking financial assistance under this section and such person's spouse must have an adjusted gross income, less disability-related medical expenses, as approved by the department, that is equal to or less than three hundred percent of the federal poverty level. The adjusted gross income shall be based on the most recent income tax return.

(3) No person seeking financial assistance for personal care services under this section and such person's spouse shall have assets in excess of two hundred fifty thousand dollars.

4. The department shall require applicants and the applicant's spouse, and consumers and the consumer's spouse, to provide documentation for income, assets, and disability-related medical expenses for the purpose of determining financial need and eligibility for the program. In addition to the most recent income tax return, such documentation may include, but shall not be limited to:

(1) Current wage stubs for the applicant or consumer and the applicant's or consumer's spouse;

(2) A current W-2 form for the applicant or consumer and the applicant's or consumer's spouse;

(3) Statements from the applicant's or consumer's and the applicant's or consumer's spouse's employers;

(4) Wage matches with the division of employment security;

(5) Bank statements; and

(6) Evidence of disability-related medical expenses and proof of payment.

5. A personal care assistance services plan shall be developed by the department pursuant to section 208.906 for each person who is determined to be eligible and in financial need under the provisions of this section. The plan developed by the department shall include the maximum amount of financial assistance allowed by the department, subject to appropriation, for such services.

6. Each consumer who participates in the program is responsible for a monthly premium equal to the average premium required for the Missouri consolidated health care plan; provided that the total premium described in this section shall not exceed five percent of the consumer's and the consumer's spouse's adjusted gross income for the year involved.

7. (1) Nonpayment of the premium required in subsection 6 shall result in the denial or termination of assistance, unless the person demonstrates good cause for such nonpayment.

(2) No person denied services for nonpayment of a premium shall receive services unless such person shows good cause for nonpayment and makes payments for past-due premiums as well as current premiums.

(3) Any person who is denied services for nonpayment of a premium and who does not make any payments for past-due premiums for sixty consecutive days shall have their enrollment in the program terminated.

(4) No person whose enrollment in the program is terminated for nonpayment of a premium when such nonpayment exceeds sixty consecutive days shall be reenrolled unless such person pays any past-due premiums as well as current premiums prior to being reenrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument.

8. (1) Consumers determined eligible for personal care assistance services under the provisions of this section shall be reevaluated annually to verify their continued eligibility and financial need. The amount of financial assistance for consumer-directed personal care assistance services received by the consumer shall be adjusted or eliminated based on the outcome of the reevaluation. Any adjustments made shall be recorded in the consumer's personal care assistance services plan.

(2) In performing the annual reevaluation of financial need, the department shall annually send a reverification eligibility form letter to the consumer requiring the consumer to respond within ten days of receiving the letter and to provide income and disability-related medical expense verification documentation. If the department does not receive the consumer's response and documentation within the ten-day period, the department shall send a letter notifying the consumer that he or she has ten days to file an appeal or the case will be closed.

(3) The department shall require the consumer and the consumer's spouse to provide documentation for income and disability-related medical expense verification for purposes of the eligibility review. Such documentation may include but shall not be limited to the documentation listed in subsection 4 of this section.

9. (1) Applicants for personal care assistance services and consumers receiving such services pursuant to this section are entitled to a hearing with the department of social services if eligibility for personal care assistance services is denied, if the type or amount of services is set at a level less than the consumer believes is necessary, if disputes arise after preparation of the personal care assistance plan concerning the provision of such services, or if services are discontinued as provided in section 208.924. Services provided under the provisions of this section shall continue during the appeal process.

(2) A request for such hearing shall be made to the department of social services in writing in the form prescribed by the department of social services within ninety days after the mailing or delivery of the written decision of the department of health and senior services. The procedures for such requests and for the hearings shall be as set forth in section 208.080.

10. Unless otherwise provided in this section, all other provisions of sections 208.900 through 208.927 shall apply to individuals who are eligible for financial assistance for personal care assistance services under this section.

11. The department may promulgate rules and regulations, including emergency rules, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is

subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Any provisions of the existing rules regarding the personal care assistance program promulgated by the department of elementary and secondary education in title 5, code of state regulations, division 90, chapter 7, which are inconsistent with the provisions of this section are void and of no force and effect.

[12. The provisions of this section shall expire on June 30, 2019.**]**"; and

Further amend said bill, Page 8, Section 376.1224, Line 242, by inserting after all of said line the following:

"Section B. Because of the need to ensure continuity of care and stability of necessary services, the repeal and reenactment of section 208.930 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 208.930 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

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

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 399, Page 1, In the Title, Line 3 of the title, by striking "health care for persons with disabilities" and inserting in lieu thereof the following: "private health insurance"; and

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

"376.690. 1. As used in this section, the following terms shall mean:

(1) "Emergency medical condition", the same meaning given to such term in section 376.1350;

(2) "Facility", the same meaning given to such term in section 376.1350;

(3) "Health care professional", the same meaning given to such term in section 376.1350;

(4) "Health carrier", the same meaning given to such term in section 376.1350;

(5) "Unanticipated out-of-network care", health care services received by a patient in an in-network facility from an out-of-network health care professional from the time the patient presents with an emergency medical condition until the time the patient is discharged.

2. (1) Health care professionals **[**may**]** **shall** send any claim for charges incurred for unanticipated out-of-network care to the patient's health carrier within one hundred eighty days of the delivery of the unanticipated out-of-network care on a U.S. Centers of Medicare and Medicaid Services Form 1500, or its successor form, or electronically using the 837 HIPAA format, or its successor.

(2) Within forty-five processing days, as defined in section 376.383, of receiving the health care professional's claim, the health carrier shall offer to pay the health care professional a reasonable reimbursement for unanticipated out-of-network care based on the health care professional's services. If the health care professional participates in one or more of the carrier's commercial networks, the offer of

reimbursement for unanticipated out-of-network care shall be the amount from the network which has the highest reimbursement.

(3) If the health care professional declines the health carrier's initial offer of reimbursement, the health carrier and health care professional shall have sixty days from the date of the initial offer of reimbursement to negotiate in good faith to attempt to determine the reimbursement for the unanticipated out-of-network care.

(4) If the health carrier and health care professional do not agree to a reimbursement amount by the end of the sixty-day negotiation period, the dispute shall be resolved through an arbitration process as specified in subsection 4 of this section.

(5) To initiate arbitration proceedings, either the health carrier or health care professional must provide written notification to the director and the other party within one hundred twenty days of the end of the negotiation period, indicating their intent to arbitrate the matter and notifying the director of the billed amount and the date and amount of the final offer by each party. A claim for unanticipated out-of-network care may be resolved between the parties at any point prior to the commencement of the arbitration proceedings. Claims may be combined for purposes of arbitration, but only to the extent the claims represent similar circumstances and services provided by the same health care professional, and the parties attempted to resolve the dispute in accordance with subdivisions (3) to (5) of this subsection.

(6) No health care professional who sends a claim to a health carrier under subsection 2 of this section shall send a bill to the patient for any difference between the reimbursement rate as determined under this subsection and the health care professional's billed charge.

3. (1) When unanticipated out-of-network care is provided, the health care professional who sends a claim to a health carrier under subsection 2 of this section may bill a patient for no more than the cost-sharing requirements described under this section.

(2) Cost-sharing requirements shall be based on the reimbursement amount as determined under subsection 2 of this section.

(3) The patient's health carrier shall inform the health care professional of its enrollee's cost-sharing requirements within forty-five processing days of receiving a claim from the health care professional for services provided.

(4) The in-network deductible and out-of-pocket maximum cost-sharing requirements shall apply to the claim for the unanticipated out-of-network care.

4. The director shall ensure access to an external arbitration process when a health care professional and health carrier cannot agree to a reimbursement under subdivision (3) of subsection 2 of this section. In order to ensure access, when notified of a parties' intent to arbitrate, the director shall randomly select an arbitrator for each case from the department's approved list of arbitrators or entities that provide binding arbitration. The director shall specify the criteria for an approved arbitrator or entity by rule. The costs of arbitration shall be shared equally between and will be directly billed to the health care professional and health carrier. These costs will include, but are not limited to, reasonable time necessary for the arbitrator to review materials in preparation for the arbitration, travel expenses and reasonable time following the arbitration for drafting of the final decision.

5. At the conclusion of such arbitration process, the arbitrator shall issue a final decision, which shall

be binding on all parties. The arbitrator shall provide a copy of the final decision to the director. The initial request for arbitration, all correspondence and documents received by the department and the final arbitration decision shall be considered a closed record under section 374.071. However, the director may release aggregated summary data regarding the arbitration process. The decision of the arbitrator shall not be considered an agency decision nor shall it be considered a contested case within the meaning of section 536.010.

6. The arbitrator shall determine a dollar amount due under subsection 2 of this section between one hundred twenty percent of the Medicare-allowed amount and the seventieth percentile of the usual and customary rate for the unanticipated out-of-network care, as determined by benchmarks from independent nonprofit organizations that are not affiliated with insurance carriers or provider organizations.

7. When determining a reasonable reimbursement rate, the arbitrator shall consider the following factors if the health care professional believes the payment offered for the unanticipated out-of-network care does not properly recognize:

(1) The health care professional's training, education, or experience;

(2) The nature of the service provided;

(3) The health care professional's usual charge for comparable services provided;

(4) The circumstances and complexity of the particular case, including the time and place the services were provided; and

(5) The average contracted rate for comparable services provided in the same geographic area.

8. The enrollee shall not be required to participate in the arbitration process. The health care professional and health carrier shall execute a nondisclosure agreement prior to engaging in an arbitration under this section.

9. **[**This section shall take effect on January 1, 2019.

10.**]** The department of insurance, financial institutions and professional registration may promulgate rules and fees as necessary to implement the provisions of this section, including but not limited to procedural requirements for arbitration. 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 the title and enacting clause accordingly.

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

Senator Nasheed offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 399, Page 1,

In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "relating to required coverages for health benefit plans."; and

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

"**376.1211. 1. As used in this section, the following terms shall mean:**

(1) "Health benefit plan", the same meaning as defined in section 376.1350;

(2) "Infertility", the inability to conceive after one year of unprotected sexual intercourse or the inability to sustain a successful pregnancy.

2. No health benefit plan providing coverage for more than twenty-five employees that provides pregnancy related benefits shall be issued, amended, delivered, or renewed in this state after August 28, 2019, unless the plan contains coverage for the diagnosis and treatment of infertility, including but not limited to in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer, and low tubal ovum transfer.

3. The coverage required under subsection 2 of this section for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if:

(1) The covered individual has been unable to attain or sustain a successful pregnancy through reasonable, less costly medically appropriate infertility treatments for which coverage is available under the health benefit plan;

(2) The covered individual has not undergone four completed oocyte retrievals, except that if a live birth follows a completed oocyte retrieval, then two more completed oocyte retrievals shall be covered; and

(3) The procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecology guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

4. The procedures required to be covered under this section are not required to be contained in any health benefit plan issued to or by a religious institution or organization, or to or by an entity sponsored by a religious institution or organization, that finds the procedures required to be covered under this section to violate its religious and moral teachings and beliefs."; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Hoskins, **HCS** for **HB 399**, with **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

At the request of Senator Koenig, **HB 126**, with **SCS**, was placed on the Informal Calendar.

HB 138, introduced by Representative Kidd, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to life-sustaining treatment policies of health care facilities.

Was taken up by Senator Wallingford.

Senator Wallingford offered **SS** for **HB 138**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 138

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to life-sustaining treatment policies.

Senator Wallingford moved that **SS** for **HB 138** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **HB 138** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	Nasheed	Onder	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Wallingford
Walsh	White	Wieland	Williams—32			

NAYS—Senators—None

Absent—Senator May—1

Absent with leave—Senator O'Laughlin—1

Vacancies—None

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 Rowden moved that motion lay on the table, which motion prevailed.

At the request of Senator Wallingford, **HB 332**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Arthur, **HCS** for **HBs 243** and **544**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 220**, with **SCS**, entitled:

An Act to repeal section 153.034, RSMo, and to enact in lieu thereof one new section relating to taxation of the property of electric companies.

Was taken up by Senator Emery.

SCS for **HCS** for **HB 220**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 220

An Act to repeal sections 153.030 and 153.034, RSMo, and to enact in lieu thereof two new sections relating to taxation of the property of electric companies.

Was taken up.

Senator Emery moved that **SCS** for **HCS** for **HB 220** be adopted.

Senator Emery offered **SS** for **SCS** for **HCS** for **HB 220**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 220

An Act to repeal sections 153.030 and 153.034, RSMo, and to enact in lieu thereof three new sections relating to taxation of the property of electric companies.

Senator Emery moved that **SS** for **SCS** for **HCS** for **HB 220** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 220, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: "the taxation of companies regulated by the public service commission."; and

Further amend said bill and page, section A, line 3, by inserting immediately after said line the following:

"144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events, except amounts paid for any instructional class;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) **(a)** tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment

of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(b) If local and long distance telecommunications services subject to tax under this subdivision are aggregated with and not separately stated from charges for telecommunications service or other services not subject to tax under this subdivision, including, but not limited to, interstate or international telecommunications services, then the charges for nontaxable services may be subject to taxation unless the telecommunications provider can identify by reasonable and verifiable standards such portion of the charges not subject to such tax from its books and records that are kept in the regular course of business, including, but not limited to, financial statement, general ledgers, invoice and billing systems and reports, and reports for regulatory tariffs and other regulatory matters;

(c) A telecommunications provider shall notify the director of revenue of its intention to utilize the standards described in paragraph (b) of this subdivision to determine the charges that are subject to sales tax under this subdivision. Such notification shall be in writing and shall meet standardized criteria established by the department regarding the form and format of such notice;

(d) The director of revenue may promulgate and enforce reasonable rules and regulations for the administration and enforcement of the provisions of this subdivision. 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, 2019, shall be invalid and void;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of sale at retail or leased or rented the property and the tax was paid at the

time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."."; and

Further amend the title and enacting clause accordingly.

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

Senator Hough assumed the Chair.

Senator Emery moved that **SS** for **SCS** for **HCS** for **HB 220**, as amended, be adopted, which motion prevailed.

Senator Emery moved that **SS** for **SCS** for **HCS** for **HB 220**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Schatz referred **SS** for **SCS** for **HCS** for **HB 220** as amended, to the Committee on Fiscal Oversight.

HB 821, introduced by Representative Solon, entitled:

An Act to repeal section 140.190, RSMo, and to enact in lieu thereof eighteen new sections relating to land banks, with penalty provisions.

Was taken up by Senator Luetkemeyer.

Senator Luetkemeyer offered **SS** for **HB 821**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 821

An Act to repeal section 140.190, RSMo, and to enact in lieu thereof eighteen new sections relating to land banks, with penalty provisions.

Senator Luetkemeyer moved that **SS** for **HB 821** be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS** for **HB 821** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Brown	Burlison	Cierpiot	Crawford	Cunningham
Curls	Eigel	Emery	Hegeman	Holsman	Hoskins	Hough
Koenig	Libla	Luetkemeyer	Nasheed	Onder	Riddle	Rizzo
Romine	Rowden	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

NAYS—Senators—None

Absent—Senators

May Sater—2

Absent with leave—Senator O'Laughlin—1

Vacancies—None

The President declared the bill passed.

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

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

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

PRIVILEGED MOTIONS

Senator Cunningham moved that the conferees on **SB 133**, with **HCS**, be allowed to exceed the differences in Section 195.767 for the limited purpose of clarifying that research may only take place by higher education institutions as authorized by Sec. 7606 of the Federal Agricultural Act of 2014.

INTRODUCTIONS OF GUESTS

Senator Sifton introduced to the Senate, Allee Marshall, Kirksville; and Katie Vogel, Jefferson City.

Senator Koenig introduced to the Senate, Victoria Hooker, Waynesville.

Senator Rowden introduced to the Senate, Dayna Linneman, Columbia; and Mark Fiegenbaum, Odessa.

Senator Libla introduced to the Senate, Herman Styles, Poplar Bluff.

Senator Bernskoetter introduced to the Senate, the Physician of the Day. Dr. James D. Weiss, Jefferson City.

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

SENATE CALENDAR

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SIXTY-FOURTH DAY–WEDNESDAY, MAY 8, 2019

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 744

HB 535-Anderson

THIRD READING OF SENATE BILLS

SCS for SB 465-Burlison (In Fiscal Oversight)

SB 255-Bernskoetter (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 430-Libla
2. SB 186-Hegeman
3. SB 302-Wallingford
4. SB 347-Burlison
5. SB 439-Brown
6. SB 303-Riddle, with SCS
7. SB 376-Riddle
8. SB 82-Cunningham, with SCS
9. SB 161-Cunningham
10. SB 144-Burlison, with SCS
11. SJR 20-Koenig, with SCS
12. SB 208-Wallingford
13. SB 189-Crawford, with SCS
14. SB 385-Bernskoetter
15. SB 409-Wieland, et al
16. SB 437-Hoskins
17. SB 286-Hough
18. SB 325-Crawford, with SCS
19. SBs 8 & 74-Emery, with SCS
20. SB 386-O'Laughlin, with SCS
21. SB 272-Emery, with SCS
22. SB 265-Luetkemeyer, with SCS
23. SB 135-Sifton, with SCS
24. SB 342-Curls and Nasheed
25. SB 424-Luetkemeyer
26. SB 367-Burlison
27. SB 22-Nasheed, with SCS
28. SJR 25-Libla, with SCS
29. SB 140-Koenig, with SCS
30. SJR 21-May
31. SB 308-Onder

HOUSE BILLS ON THIRD READING

1. HB 485-Dogan, with SCS (Emery) (In Fiscal Oversight)
2. HB 565-Morse, with SCS (Wallingford)
3. HCS for HB 447, with SCS (Riddle)

4. HB 113-Smith, with SCS (Emery)
5. HCS for HB 604, with SCS (Hoskins)
6. HB 214-Trent (Hough)
7. HCS for HB 1088 (Hoskins)
8. HB 355-Plocher, with SCS (Wallingford)
9. HCS for HB 160, with SCS (White)
10. HB 584-Knight, with SCS (Wallingford)
11. HB 599-Bondon, with SCS (Cunningham)
12. HB 1029-Bondon (Brown)
13. HB 257-Stephens (Sater)
14. HB 563-Wiemann (Wallingford)
15. HCS for HB 266, with SCS (Hoskins)
16. HCS for HB 959, with SCS (Cierpiot)
17. HCS for HB 333, with SCS (Crawford)
18. HB 461-Pfautsch (Brown)
19. HCS for HB 824 (Hoskins)
20. HB 587-Rone (Crawford)
21. HCS for HB 346 (Wallingford)
22. HB 1061-Patterson (Hoskins)
23. HB 470-Grier, with SCS (O'Laughlin)
24. HB 186-Trent, with SCS (Burlison) (In Fiscal Oversight)
25. HCS for HB 466, with SCS (Riddle) (In Fiscal Oversight)
26. HCS for HB 229, with SCS (Wallingford)
27. HB 646-Rowland (Sater) (In Fiscal Oversight)
28. HCS for HBs 161 & 401, with SCS (Cunningham)
29. HB 321-Solon (Luetkemeyer)
30. HCS for HB 67, with SCS (Luetkemeyer) (In Fiscal Oversight)
31. HB 240-Schroer, with SCS (Luetkemeyer) (In Fiscal Oversight)
32. HB 337-Swan (Wallingford) (In Fiscal Oversight)
33. HB 267-Baker (Emery)
34. HB 757-Bondon (Wieland)
35. HB 942-Wiemann (Brown)
36. HB 815-Black (137) (Hough)
37. HB 705-Helms, with SCS (Riddle) (In Fiscal Oversight)
38. HCS for HB 301, with SCS (Burlison)
39. HB 600-Bondon (Cunningham) (In Fiscal Oversight)
40. HB 943-McGirl (Hoskins) (In Fiscal Oversight)
41. HB 372-Trent (Wallingford)
42. HCS for HB 438 (Brown)
43. HCS for HB 1127 (Riddle)
44. HCS for HB 400 (White) (In Fiscal Oversight)
45. HB 966-Gregory (Onder) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 4-Sater
SB 5-Sater, et al, with SCS
SB 10-Cunningham, with SCS & SA 1 (pending)
SB 14-Wallingford
SB 16-Romine, with SCS, SS for SCS, SA 3 & point of order (pending)
SB 19-Libla, with SA 1 (pending)
SB 31-Wieland
SB 39-Onder
SB 44-Hoskins, with SCS & SS#3 for SCS (pending)
SBs 46 & 50-Koenig, with SCS, SS for SCS & SA 6 (pending)
SB 49-Rowden, with SCS
SB 52-Eigel, with SCS

SB 56-Cierpiot, with SCS, SS for SCS & SA 1 (pending)
SB 57-Cierpiot
SB 62-Burlison, with SCS
SB 65-White, with SS (pending)
SB 69-Hough
SB 76-Sater, with SCS (pending)
SB 78-Sater
SB 97-Hegeman, with SCS
SB 100-Riddle, with SS (pending)
SB 118-Cierpiot, with SCS
SB 132-Emery, with SCS
SB 141-Koenig
SB 150-Koenig, with SCS
SBs 153 & 117-Sifton, with SCS
SB 154-Luetkemeyer, with SS & SA 2 (pending)
SB 155-Luetkemeyer
SB 160-Koenig, with SCS, SS for SCS & SA 2 (pending)
SB 168-Wallingford, with SCS
SB 201-Romine
SB 205-Arthur, with SCS
SB 211-Wallingford
SB 222-Hough
SB 225-Curls
SB 234-White
SB 252-Wieland, with SCS
SB 259-Romine, with SS & SA 3 (pending)
SB 276-Rowden, with SCS
SB 278-Wallingford, with SCS
SBs 279, 139 & 345-Onder and Emery, with SCS
SB 292-Eigel, with SCS & SS#2 for SCS (pending)
SB 293-Hough, with SCS
SB 296-Cierpiot, with SCS
SB 298-White, with SCS
SB 300-Eigel
SB 312-Eigel
SB 316-Burlison
SB 318-Burlison
SB 328-Burlison, with SCS
SB 332-Brown
SB 336-Schupp
SB 343-Eigel, with SCS
SB 344-Eigel, with SCS
SB 349-O'Laughlin, with SCS
SB 350-O'Laughlin
SB 354-Cierpiot, with SCS
SB 412-Holsman
SB 426-Williams
SB 431-Schatz, with SCS
SJR 1-Sater and Onder, with SS#2 & SA 1 (pending)
SJR 13-Holsman, with SCS, SS for SCS & SA 1 (pending)
SJR 18-Cunningham

HOUSE BILLS ON THIRD READING

HB 126-Schroer, with SCS (Koenig)
HCS for HB 169, with SCS (Romine)
HB 188-Rehder (Luetkemeyer)
HCS for HB 192, with SCS, SS for SCS & SA 5 (pending) (Emery)
HB 219-Wood (Sater)
SS for SCS for HCS for HB 220 (Emery) (In Fiscal Oversight)
HCS for HB 225, with SCS, SS for SCS & SA 1 (pending) (Romine)
HCS for HBs 243 & 544, with SCS (Arthur)
HCS for HB 255, with SS & SA 5 (pending) (Cierpiot)
HB 332-Lynch, with SCS (Wallingford)
HCS for HB 399, with SCS & SA 4 (pending) (Hoskins)

HCS for HB 469 (Wallingford)
HCS#2 for HB 499, with SA 1 (pending) (Schatz)
SCS for HCS for HB 547 (Bernskoetter) (In Fiscal Oversight)
HCS for HB 564, with SCS (Koenig)
HCS for HB 677, with SA 1 (pending) (Cierpiot)
HCS for HB 678, with SCS (Williams)
HB 831-Sharpe, with SS (pending) (Brown)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 17-Romine, with HA 1, HA 2, HA 3, HA 4 & HA 5
SCS for SB 83-Cunningham, with HA 1 & HA 2, as amended
SCS for SB 167-Crawford, with HCS, as amended
SB 196-Bernskoetter, with HCS, as amended
SS for SCS for SB 230-Crawford, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 53-Crawford, with HCS, as amended
SB 133-Cunningham, with HCS
SB 368-Hough, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
HCS for HB 2, with SCS (Hegeman)
HCS for HB 3, with SCS (Hegeman)
HCS for HB 4, with SCS (Hegeman)
HCS for HB 5, with SCS (Hegeman)
HCS for HB 6, with SCS (Hegeman)
HCS for HB 7, with SS for SCS (Hegeman)
HCS for HB 8, with SCS (Hegeman)
HCS for HB 9, with SCS (Hegeman)
HCS for HB 10, with SS for SCS (Hegeman)
HCS for HB 11, with SCS (Hegeman)
HCS for HB 12, with SCS (Hegeman)
HCS for HB 13, with SCS (Hegeman)

Requests to Recede or Grant Conference

SB 182-Cierpiot, et al, with HCS, as amended (Senate requests House recede or grant conference)
HCS for HB 397, with SS for SCS, as amended (Riddle) (House requests Senate recede or grant conference)

RESOLUTIONS

SR 20-Holsman
SR 731-Hoskins

Reported from Committee

SCR 8-Holsman
SCR 15-Burlison
SCR 19-Eigel
SCR 21-May
SCR 22-Holsman
SCR 23-Luetkemeyer
SCR 24-Hegeman and Luetkemeyer
SCR 26-Bernskoetter
HCS for HCR 16 (Hoskins)
HCR 18-Spencer (Eigel)

To be Referred

HCS for HCR 43

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