

Journal of the Senate

SECOND REGULAR SESSION

EIGHTEENTH DAY—WEDNESDAY, FEBRUARY 12, 2020

The Senate met pursuant to adjournment.

Senator Bernskoetter in the Chair.

Reverend Carl Gauck offered the following prayer:

“You cannot escape the responsibility of tomorrow by evading it today.” (President Abraham Lincoln)

We remember this day Abraham Lincoln’s birthday and remember most how in very humble but brilliant ways he provided leadership to our country at a crucial time as it was being torn apart. Help us Lord to be men and women who can provide leadership and caring that can help heal the painful gap created by anger and hatred that we see growing about us. Bless our efforts Lord so that what we seek to bring about will be seen with Your spirit within them. 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
Eigel	Emery	Hegeman	Hoskins	Hough	Koenig	Libla
Luetkemeyer	May	Nasheed	O’Laughlin	Onder	Riddle	Rizzo
Rowden	Sater	Schatz	Schupp	Sifton	Wallingford	Walsh
White	Wieland	Williams—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 1210, regarding the 175th Anniversary of Moniteau County, which was adopted.

REFERRALS

President Pro Tem Schatz referred **SCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Rowden assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Neal Bredehoeft, Republican, 10924 Highway 23, Alma, Lafayette County, Missouri 64001, as a member of the Clean Water Commission, for a term ending April 12, 2022, and until his successor is duly appointed and qualified; vice, John Cowherd, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Clark Hemeyer, Democrat, 55456 Seeley Lane, Frankford, Ralls County, Missouri 63441, as a member of the State Lottery Commission, for a term ending September 7, 2020, and until his successor is duly appointed and qualified; vice, Paul K. Kincaid, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Cindy Herrmann Baker, 5521 Hollywood Road, Ozark, Christian County, Missouri 65721, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Cynthia Herrmann Baker, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Linda Hermann (Wimpfheimer), 222 South Maple, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Committee for Professional Counselors, for a term ending August 28, 2023, and until her successor is duly appointed and qualified; vice, Linda Sue Hermann Wimpfheimer, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gregory E. Hoberock, Republican, 500 Braeburn Court, Washington, Franklin County, Missouri 63090, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Jamie L. Farmer, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rick Holton, Jr., Republican, 12 Upper Ladue Road, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Development Finance Board, for a term ending September 14, 2022, and until his successor is duly appointed and qualified; vice, Rick Holton, Jr., withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lydia Hurst, Republican, 18541 State Highway O, Tarkio, Atchison County, Missouri 64491, as a member of the Northwest Missouri

State University Board of Regents, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, Richard N. Smith, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rick Kegler, 910 Del Ebro Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the Drug Utilization Review Board, for a term ending October 15, 2023, and until his successor is duly appointed and qualified; vice, R. Randolph Beckner, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark L. McHenry, Independent, 8608 North Marsh Avenue, Kansas City, Clay County, Missouri 64157, as a member of the Conservation Commission, for a term ending June 30, 2025, and until his successor is duly appointed and qualified; vice, Mark L. McHenry, withdrawn.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Lisa J. Pierce, 4910 County Road 105, Fulton, Callaway County, Missouri 65251, as a member of the Drug Utilization Review Board, for a term ending October 15, 2023, and until her successor is duly appointed and qualified; vice, Glenn Talboy, Jr., term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI
February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Dr. Laura A. Rauscher, 105 Mechlin Court, Foristell, Saint Charles County, Missouri 63348, as a member of the Committee for Professional Counselors, for a term ending August 28, 2021, and until her successor is duly appointed and qualified; vice, Rhonda J. Wood, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

GOVERNOR
STATE OF MISSOURI

February 12, 2020

To the Senate of the 100th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robin R. Wencker, Independent, 1404 Torrey Pines Drive, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2025, and until her successor is duly appointed and qualified; vice, Jon T. Sundvold, term expired.

Respectfully submitted,

Michael L. Parson

Governor

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

RECESS

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

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 999—By Walsh.

An Act to repeal sections 86.200, 86.223, 86.247, 86.250, 86.251, 86.253, 86.254, 86.257, 86.260, 86.263, 86.267, 86.277, 86.283, 86.288, 86.290, 86.320, 86.330, 86.333, 86.337, 86.344, and 86.354, RSMo, and to enact in lieu thereof twenty-one new sections relating to retirement benefits for police officers.

SB 1000—By Onder.

An Act to repeal sections 104.150, 104.440, 104.1069, and 105.688, RSMo, and to enact in lieu thereof five new sections relating to the public disclosure of certain financial information of public employee retirement systems.

REFERRALS

President Pro Tem Schatz referred the gubernatorial appointments appearing on pages 263-266 to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Eigel moved that **SB 575** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Eigel offered SS for **SB 575**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 575

An Act to amend chapter 537, RSMo, by adding thereto six new sections relating to actions for damages due to exposure to asbestos.

Senator Eigel moved that SS for **SB 575** be adopted.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 575, Page 1, In the Title, Line 3, by striking the following from said line: “actions for damages due to”; and

Further amend page 8, section 537.890, line 21 by inserting after all of said section the following:

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

(1) “Asbestos”:

(a) The asbestiform varieties of chrysotile, actinolite, amosite, anthophyllite, crocidolite, richterite, winchite, and tremolite; and

(b) The nonasbestiform varieties of richterite and winchite.

(2) “Mixture or article containing asbestos”, includes a mixture or article in which asbestos is present as an impurity.

2. (1) Effective one year after the effective date of this section, no person or entity may manufacture, process, sell, or distribute asbestos or any mixture or article containing asbestos.

(2) The provisions of this section shall not apply to:

(a) End-use of a mixture or article containing asbestos and installed in a building or other structure before the effective date of this section; or

(b) Distribution of a mixture or article containing asbestos solely for the purpose of disposal of the mixture or article in compliance with applicable federal, state, and local requirements.

3. (1) Notwithstanding any other provision of law to the contrary, the labor and industrial relations commission may, on application, grant any person or entity an exemption from the prohibition under subsection 2 of this section for the manufacture, processing, sale, or distribution of asbestos or any mixture or article containing asbestos only if the labor and industrial relations commission determines that:

(a) The manufacture, processing, or distribution in commerce of asbestos or any mixture or article containing asbestos by the person is necessary to protect law enforcement interests or the security interests of the state or any political subdivision; and

(b) No feasible alternative to the manufacture, processing, or distribution in commerce of asbestos or any mixture or article containing asbestos exists for the intended use.

(2) The period of an exemption granted under this subsection shall not exceed three years.

(3) The labor and industrial relations commission may, in accordance with the standards described in subdivision (1) of this subsection, extend an exemption granted under subdivision (1) once, for a period not to exceed three years.

(c) An exemption granted under this subsection, including any extension, shall include such terms and conditions as are necessary in the discretion of the labor and industrial relations commission to achieve the maximum practicable reduction in exposure to asbestos.

4. Not later than thirty days after receipt of an application for exemption under subsection 3 of this section, the labor and industrial relations commission shall publish the application in the Missouri Register.

5. Not later than thirty days after granting an exemption under this section, the labor and industrial relations commission shall publish in the Missouri Register:

(1) A notice of the exemption; and

(2) The terms and conditions included under subsection 3 of this section.

6. Any person or entity granted an exemption under subsection 3 of this section shall within six months after the granting of the exemption and every six months thereafter so long as the exemption is in effect, submit to the labor and industrial relations commission a report describing:

(1) The date on which the exemption is granted;

(2) The date on which the exemption is extended, if applicable;

(3) The name and address of the person submitting the report;

(4) The name, title, and contact information of an authorized representative of the person submitting the report;

(5) The location of the facility or facilities where the manufacture, processing, or distribution in commerce of asbestos or mixtures or articles containing asbestos has occurred, or will occur, during the reporting period;

(6) A description of the manufacture, processing, sale or distribution activity during the reporting period of the person or entity submitting the report and the intended and known uses of asbestos and each mixture or article containing asbestos by that person or entity and all other persons to whom the asbestos, mixture, or article is sold or otherwise distributed;

(7) The quantity of asbestos, and the quantity and concentration of asbestos in any mixture or article containing asbestos, that is manufactured, processed, sold, or distributed, or expected to be manufactured, processed, sold, or distributed, by the person or entity during the reporting period;

(8) Reasonable estimates of the quantity of asbestos to be disposed of as a result of the reported manufacture, processing, sale, or distribution activities, and the manner of the disposal; and

(9) Reasonable estimates of the number of individuals who, as a result of the reported manufacture, processing, and distribution activities:

- (a) Have been exposed to asbestos or mixtures or articles containing asbestos;
- (b) Will be so exposed; and
- (c) The nature, duration, frequency, and levels of any such exposure.

7. The labor and industrial relations commission shall promulgate rules necessary to administer and implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted.

Senator Bernskoetter assumed the Chair.

At the request of Senator Eigel, **SB 575**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Luetkemeyer moved that **SB 600** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Luetkemeyer offered **SS** for **SB 600**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 600

An Act to repeal sections 545.140, 556.061, 557.021, 562.014, 571.015, 571.070, 578.421, 578.423 and 578.425, RSMo, and to enact in lieu thereof twelve new sections relating to dangerous felonies, with penalty provisions.

Senator Luetkemeyer moved that **SS** for **SB 600** be adopted.

President Kehoe assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 600, Page 1, Section A, Line 6, by inserting after all of said line the following:

“455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence, stalking, or sexual assault and may include such terms as the court reasonably deems necessary to ensure the petitioner’s safety, including but not limited to:

(1) Temporarily enjoining the respondent from committing or threatening to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of the petitioner;

(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or

(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Establish a visitation schedule that is in the best interests of the child;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. If the court issues, after a hearing for any full order of protection, an order of protection, the court shall also:

(1) Prohibit the respondent from knowingly possessing or purchasing any firearm while the order is in effect;

(2) Inform the respondent of such prohibition in writing and, if the respondent is present, orally; and

(3) Forward the order to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving an order under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

5. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

[5.] 6. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452 and shall consider all other factors in accordance with chapter 452.

[6.] 7. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further domestic violence. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452 whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

[7.] 8. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452.

[8.] 9. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452.

[9.] 10. (1) The court may, in order to ensure that a petitioner can maintain an existing wireless telephone number or numbers, issue an order, after notice and an opportunity to be heard, directing a

wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner, if the petitioner is not the wireless service accountholder.

(2) (a) The order transferring billing responsibility for and rights to the wireless telephone number or numbers to the petitioner shall list the name and billing telephone number of the accountholder, the name and contact information of the person to whom the telephone number or numbers will be transferred, and each telephone number to be transferred to that person. The court shall ensure that the contact information of the petitioner is not provided to the accountholder in proceedings held under this chapter.

(b) Upon issuance, a copy of the full order of protection shall be transmitted, either electronically or by certified mail, to the wireless service provider's registered agent listed with the secretary of state, or electronically to the email address provided by the wireless service provider. Such transmittal shall constitute adequate notice for the wireless service provider acting under this section and section 455.523.

(c) If the wireless service provider cannot operationally or technically effectuate the order due to certain circumstances, the wireless service provider shall notify the petitioner within three business days. Such circumstances shall include, but not be limited to, the following:

- a. The accountholder has already terminated the account;
- b. The differences in network technology prevent the functionality of a device on the network; or
- c. There are geographic or other limitations on network or service availability.

(3) (a) Upon transfer of billing responsibility for and rights to a wireless telephone number or numbers to the petitioner under this subsection by a wireless service provider, the petitioner shall assume all financial responsibility for the transferred wireless telephone number or numbers, monthly service costs, and costs for any mobile device associated with the wireless telephone number or numbers.

(b) This section shall not preclude a wireless service provider from applying any routine and customary requirements for account establishment to the petitioner as part of this transfer of billing responsibility for a wireless telephone number or numbers and any devices attached to that number or numbers including, but not limited to, identification, financial information, and customer preferences.

(4) This section shall not affect the ability of the court to apportion the assets and debts of the parties as provided for in law, or the ability to determine the temporary use, possession, and control of personal property.

(5) No cause of action shall lie against any wireless service provider, its officers, employees, or agents, for actions taken in accordance with the terms of a court order issued under this section.

(6) As used in this section and section 455.523, a "wireless service provider" means a provider of commercial mobile service under Section 332(d) of the Federal [Telecommunications] **Communications Act of [1996] 1934** (47 U.S.C. Section [151, et seq.] **332**).

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence, stalking, and sexual assault may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from committing domestic violence or sexual assault, threatening to commit domestic violence or sexual assault, stalking, molesting, or disturbing the peace of

the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. If the court issues, after a hearing for any full order of protection, an order of protection, the court shall also:

(1) Prohibit the respondent from knowingly possessing or purchasing any firearm while the order is in effect;

(2) Inform the respondent of such prohibition in writing and, if the respondent is present, orally; and

(3) Forward the order to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving an order under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

3. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence;

(9) Order a wireless service provider, in accordance with the process, provisions, and requirements set out in subdivisions (1) to (6) of subsection [9] **10** of section 455.050, to transfer the billing responsibility for and rights to the wireless telephone number or numbers of any minor children in the petitioner's care

to the petitioner, if the petitioner is not the wireless service accountholder.”; and

Further amend said bill, page 17, section 562.014, line 10, by inserting after all of said line the following:

“565.076. 1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term “domestic victim” is defined under section 565.002, and:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;

(2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;

(3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;

(5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of domestic assault, of any assault offense under this chapter, or of any offense against a domestic victim committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which if committed in this state two or more times would be a violation of this section, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

3. Upon a conviction for the offense of domestic assault in the fourth degree, the court shall forward the record of conviction to the state highway patrol so that the state highway patrol can update the respondent’s record in the National Instant Criminal Background Check system (NICS). Upon receiving a record under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours.

565.227. 1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed

in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the second degree is a class E felony.

5. Upon a conviction for the offense of stalking in the second degree, the court shall forward the record of conviction to the state highway patrol so that the state highway patrol can update the respondent's record in the National Instant Criminal Background Check system (NICS). Upon receiving a record under this subsection, the state highway patrol shall notify the Federal Bureau of Investigation within twenty-four hours." and

Further amend said bill, page 20, section 571.070, line 5, by inserting immediately after "incompetent" the following: ";

(3) Such person has been convicted of a misdemeanor offense of domestic violence under the laws of this state, or of a crime under the laws of any state or of the United States that, if committed in this state, would be a misdemeanor offense of domestic violence; or

(4) Such person is subject to an order of protection granted under sections 455.010 to 455.095 or sections 455.500 to 455.538 that was issued after a hearing of which the person had actual notice and at which the person had an opportunity to participate or subject to an equivalent order issued under the laws of another state or the United States"; and further amend line 11, by inserting after all of said line the following:

"4. As used in this section, the following terms mean:

(1) "Family or household member", the same meaning as such term is defined under section 455.010;

(2) "Misdemeanor offense of domestic violence":

(a) Domestic assault in the fourth degree under section 565.076;

(b) Stalking in the second degree under section 565.227; or

(c) Any misdemeanor offense committed by a family or household member of the victim that involves the use or attempted use of physical force or the threatened use of a deadly weapon."; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Emery raised a point of order that **SA 1** is out of order as it goes beyond the title and the context within the bill.

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

Senator Luetkemeyer moved that **SS for SB 600** be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS for SB 600** was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, students from Southern Boone FFA.

Senator Emery introduced to the Senate, advisors Laura Cooley, Windsor, and Marshall Streit, Harrisonville; Kayla Kuhlman; Adam Warlen, Windsor; Brendon Engeman, Montrose; Kameran Collier, Adrian; Harley Sipple, Cass; Miles Bailey, Clinton; Kiley Foster, Butler; and Paige Keith, Knob Noster, representatives of Henry County FFA.

Senator Walsh introduced to the Senate, Teacher Kate Powers, chaperones Tahana Burton and Rhonda Taylor; and Cole Burton, Zion Norman, Ja'niya Goforth, Joshua Fitzgerald, and Dakota Adams, representatives of Cross Keys Middle School Technical Student Association.

Senator Eigel introduced to the Senate, director Andrew Stewart; and Dalton Bescher, Clayton Schroeder, Madison Bamvakais, Hali Patton, Elizabeth Cox, Lane Doyle, and Morgan Hancock, Lewis and Clark Career Center, St. Charles.

Senator Cunningham introduced to the Senate, advisor Tiffany Kauffman; Felicity, Felix and Promise Cantrell, Merisa Mason, Kamryn Hamlett, Andrew Simpson, and Kathy Simpson, Seymour; and Christine Gayer, Mansfield; representatives of Seymour FFA.

Senator Burlison introduced to the Senate, Katie Schmidt and Brooke Wiggins, Sparta FFA; and Amanda Gregg, Galena FFA.

On behalf of Senator Riddle, Senator Rowden introduced to the Senate, advisor Dean Reichel; and Heath Brandt, Dillon Cardwell, Dylan Nilges, Alexis Mears and Nichols Gordon, representatives of New Bloomfield FFA.

Senator White introduced to the Senate, advisors Angel Roller and Haley Broyles; and Morgan Bryan, Alex Denton, and Myla Hambre, representatives of Seneca FFA; and Ana Lozano, Olivia Wright, Isabella Ross, Allison Medlin and Kolbe Hicks, representatives of Carthage Skills USA.

On behalf of Senator Bernksoetter, the President introduced to the Senate, representatives of Nichols Career Center, Jefferson City.

Senator Hoskins introduced to the Senate, Lyndsi Phillips, Mallory Farina, Madison Rude and Jamie Bergsieker, representatives of Lex La-Ray Technical Center; and Director Amanda Finkeldei, and Connor Wolken, Emma Martin, Keirsten Helm and Kerri Adkins, representatives of Lexington FFA.

Senator Hoskins introduced to the Senate, Head Coach Alex Nichols, Assistant Coach David Macsicza, Athletic Trainer Ryan Novatny, Rafael Ortiz Ferreira and Ricardo Olaya, and members of the 2019 NAIA national champion Central Methodist University Men's Soccer Eagles.

Senator Schupp introduced to the Senate, Susan Adams, St. Peters; Haddi Malik, Ferguson; and Susan Lammert, Ladue.

Senator Riddle introduced to the Senate, Mayor Ayanna Shivers, Mexico.

The President introduced to the Senate, former State Senator Shalonn "Kiki" Curls, Kansas City.

Senator Williams introduced to the Senate, Julie Abernathy, Areanna Johnson, Robert McLaughlin, James Rogers, Jordan Williams, Germaine Brown, Danyelle Adams, Kerry Jackson, Marshaylin Boyd,

Colby Harris, and Ramieko Eddings, representatives of Youth Build, St. Louis.

Senator Libla introduced to the Senate, his grandchildren, Noah, Josiah, and Elizabeth Gholson, Ashland; and Noah, Josiah, and Elizabeth were made honorary pages.

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. Ravi Johar, Chesterfield.

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

SENATE CALENDAR

NINETEENTH DAY—THURSDAY, FEBRUARY 13, 2020

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 729-Sater	SB 753-Brown
SB 730-Sater	SB 754-Luetkemeyer
SB 731-Sater	SB 755-Sater
SB 732-Emery	SB 756-Sifton
SB 733-Emery	SB 757-Onder
SB 734-Emery	SB 758-Onder
SB 735-Sifton	SB 759-Onder
SB 736-Sifton	SB 760-Burlison
SB 737-Sifton	SB 761-Burlison
SB 738-Onder	SB 762-Burlison
SB 739-Onder	SB 763-White
SB 740-Onder	SB 764-Onder
SB 741-Koenig	SB 765-Onder
SB 742-Koenig	SB 766-Onder
SB 743-Eigel	SB 767-Burlison
SB 744-Eigel	SB 768-Onder
SB 745-Burlison	SB 769-Burlison
SB 746-Burlison	SB 770-Hough
SB 747-Burlison	SB 771-Wallingford
SB 748-White	SB 772-Romine
SB 749-White	SB 773-Riddle
SB 750-White	SB 774-Brown
SB 751-Hough	SB 775-Schatz
SB 752-Brown	SB 776-Cunningham

SB 777-Wallingford	SB 821-Hough
SB 778-Hoskins	SB 822-Wallingford
SB 779-Crawford	SB 823-Wallingford
SB 780-Hough	SB 824-Wallingford
SB 781-Brown	SB 825-Libla
SB 782-Brown	SB 826-White
SB 783-Brown	SB 827-White
SB 784-Wallingford	SB 828-Hough
SB 785-Koenig	SB 829-Hough
SB 786-Romine	SB 830-Cunningham
SB 787-Romine	SB 831-Cunningham
SB 788-Schupp	SB 832-Cunningham
SB 789-Schupp	SB 833-Luetkemeyer
SB 790-Schupp	SB 834-Brown
SB 791-Eigel	SB 835-Brown
SB 792-Eigel	SB 836-Onder
SB 793-Koenig	SB 837-White
SB 794-Eigel	SB 838-White
SB 795-Hough	SB 839-Wallingford
SRB 796-Hough	SB 840-Arthur
SB 797-Wieland	SB 841-Arthur
SB 798-Hoskins	SB 842-Emery
SB 799-Schupp	SB 843-Burlison
SB 800-Schupp	SB 844-Burlison
SB 801-Koenig	SB 845-Burlison
SB 802-Hegeman	SB 846-Sater
SB 803-Crawford	SB 847-Eigel
SB 804-Cunningham	SB 848-Eigel
SB 805-Hoskins	SB 849-Eigel
SB 806-Koenig	SB 850-O'Laughlin
SB 807-Crawford	SB 851-O'Laughlin
SB 808-Crawford	SB 852-Hegeman
SB 809-Brown	SB 853-Crawford
SB 810-Luetkemeyer	SB 854-Crawford
SB 811-Luetkemeyer	SB 855-Wieland
SB 812-Sater	SB 856-Wieland
SB 813-Sater	SB 857-Luetkemeyer
SB 814-Nasheed	SB 858-Hegeman
SB 815-Eigel	SB 859-Hegeman
SB 816-Crawford	SB 860-Hegeman
SB 817-Crawford	SB 861-White
SB 818-Wallingford	SB 862-White
SB 819-Wallingford	SB 863-Brown
SB 820-Burlison	SB 864-Brown

SB 865-Brown
SB 866-Brown
SB 867-Brown
SB 868-Brown
SB 869-Hough
SB 870-Hough
SB 871-Nasheed
SB 872-Crawford
SB 873-Crawford
SB 874-Sater
SB 875-Emery
SB 876-Libla
SB 877-Burlison
SB 878-Burlison
SB 879-Burlison
SB 880-Rowden
SB 881-Wieland
SB 882-Wieland
SB 883-Hoskins
SB 884-Hoskins
SB 885-Walsh
SB 886-Walsh
SB 887-Walsh
SB 888-Koenig
SB 889-Koenig
SB 890-Koenig
SB 891-Burlison
SB 892-Burlison
SB 893-Burlison
SB 895-Eigel
SB 896-Eigel
SB 897-Cierpiot
SB 898-Cunningham
SB 899-Brown
SB 900-Sifton
SB 901-Wallingford
SB 902-Wallingford
SB 903-Wieland
SB 904-Wieland
SB 905-Eigel
SB 906-Libla
SB 907-Arthur
SB 908-Hough
SB 909-Wallingford

SB 910-Wallingford
SB 911-White
SB 912-Emery
SB 913-Emery
SB 914-Arthur
SB 915-Crawford
SB 916-Crawford
SB 917-Onder
SB 918-Onder
SB 919-Onder
SB 920-Wieland
SB 921-Wallingford
SB 922-Luetkemeyer
SB 923-Sifton
SB 924-Riddle
SB 925-Riddle
SB 926-Walsh
SB 927-Schatz
SB 928-Brown
SB 929-Emery
SB 930-Eigel
SB 931-Arthur
SB 932-Onder
SB 933-Onder
SB 934-Onder
SB 935-Wallingford
SB 936-May
SB 937-Nasheed
SB 938-Onder
SB 939-Onder
SB 940-Schupp
SB 941-Sater
SB 942-Riddle
SB 943-Crawford
SB 944-Williams
SB 945-Williams
SB 946-Wieland
SB 947-Wieland
SB 948-Wallingford
SB 949-Riddle
SB 950-White
SB 951-Schupp
SB 952-Williams
SB 953-Williams

SB 954-May	SB 982-Cierpiot
SB 955-Walsh	SB 983-Brown
SB 956-Onder	SB 984-Crawford
SB 957-Sater	SB 985-May
SB 958-Koenig	SB 986-May
SB 959-Sifton	SB 987-Williams
SB 960-Emery	SB 988-Emery
SB 961-Emery	SB 989-May
SB 962-Arthur	SB 990-May
SB 963-O'Laughlin	SB 991-Walsh
SB 964-O'Laughlin	SB 992-Burlison
SB 965-O'Laughlin	SB 993-Burlison
SB 966-O'Laughlin	SB 994-Bernskoetter
SB 967-Cierpiot	SB 995-Cunningham
SB 968-Cierpiot	SB 996-Onder
SB 969-Riddle	SB 997-Bernskoetter
SB 970-Rowden	SB 998-Sifton
SB 971-Sater	SB 999-Walsh
SB 972-Wieland	SB 1000-Onder
SB 973-Wallingford	SJR 55-Eigel
SB 974-Wallingford	SJR 56-Burlison
SB 975-Wallingford	SJR 57-Onder
SB 976-Sater	SJR 58-Eigel
SB 977-Wallingford	SJR 59-Eigel
SB 978-Wallingford	SJR 60-Luetkemeyer
SB 979-Wallingford	SJR 61-Nasheed
SB 980-Nasheed	SJR 62-Hoskins
SB 981-Cierpiot	

HOUSE BILLS ON SECOND READING

HCS for HB 2033	HB 1963-Fitzwater
HB 1450-Schroer	HB 1296-Dinkins
HCS for HBs 1511 & 1452	HCS for HB 1521
HCS for HB 2046	HB 1934-Wiemann
HB 1467-Pike	

THIRD READING OF SENATE BILLS

SCS for SB 609-Sater

SENATE BILLS FOR PERFECTION

SB 623-Libla	SB 592-White
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SB 525-Emery, with SCS
SB 554-Riddle
SB 649-Eigel

SB 581-Cierpiot, with SCS
SB 662-Bernskoetter, with SCS
SBs 538, 562 & 601-Libla, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 524-Sater
SB 530-Cunningham, with SCS
SB 539-Libla, with SA 1 (pending)
SB 552-Wieland
SB 553-Wieland, with SA 1 (pending)
SB 557-Schatz, with SCS

SB 575-Eigel, with SS & SA 1 (pending)
SB 580-Cierpiot, with SS, SA 2 & point
of order (pending)
SB 591-White, with SCS & SS for SCS
(pending)
SJR 32-Sater

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