

# Journal of the Senate

SECOND REGULAR SESSION

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**FORTY-SIXTH DAY—THURSDAY, APRIL 30, 2020**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Yet, O Lord, you are our Father; we are the clay, and you are our potter; and we are the work of your hand.” (Isaiah 64:8)

Merciful God, we know it takes courage to put ourselves on the line and provide opportunities for healing to take place. Give us all the energy needed to reach out in this darkness of Covid 19 and do what each of us must do to provide that healing. May each of us be a voice calling out for common sense as stricken communities and join together asking for Your healing by those You have given the gift of being healers in this wounded world. Bless all You have called forth to do the essential work that is truly needed as we approach a time to move positively forward in this world aware of the opportunity to improve what is made new before us. 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	O’Laughlin	Onder	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	White
Wieland	Williams—30					

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—3

The Lieutenant Governor was present.

**SENATE BILLS FOR PERFECTION**

Senator Hoskins moved that **SB 704**, with **SS** and **SA 5** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 5** was again taken up.

At the request of Senator Hoskins, **SS** for **SB 704**, was withdrawn, rendering **SA 5** moot.

Senator Hoskins offered **SS No. 2** for **SB 704**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE BILL NO. 704

An Act to repeal sections 67.730, 67.1360, 94.838, 94.900, 94.902, 99.805, 99.810, 99.825, 99.843, 105.145, 135.550, 137.115, 137.180, 137.275, 137.355, 137.385, 138.060, 138.090, 138.434, 143.121, 143.171, 143.991, 144.757, 205.202, 321.552, 326.289, 347.179, 347.183, 358.460, and 358.470, RSMo, and to enact in lieu thereof thirty-eight new sections relating to taxation, with penalty provisions.

Senator Hoskins moved that **SS No. 2** for **SB 704** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 704, Page 62, Section 105.145, Line 7 of said page, by inserting after all of said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2020] **2026**. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year. There shall be no tax credits authorized under sections 135.300 to 135.311 unless an appropriation is made for such tax credits.”; and

Further amend the title and enacting clause accordingly.

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

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Bill No. 704, Page 154, Section 358.470, Line 26, by inserting after all of said line the following:

“620.2005. 1. As used in sections 620.2000 to 620.2010, the following terms mean:

(1) “Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) “Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;

(3) “Contractor”, a person, employer, or business entity that enters into an agreement to perform any service or work or to provide a certain product in exchange for valuable consideration. This definition shall include but not be limited to a general contractor, subcontractor, independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) “Department”, the Missouri department of economic development;

(6) “Director”, the director of the department of economic development;

(7) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely performed job duties within Missouri;

(9) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(10) “Industrial development authority”, an industrial development authority organized under chapter 349 that has entered into a formal written memorandum of understanding with an entity of the United States Department of Defense regarding a qualified military project;

(11) “Infrastructure projects”, highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, broadband internet infrastructure, and any other similar public improvements, but in no case shall infrastructure projects include private structures;

(12) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified

company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(13) “Manufacturing capital investment”, expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) “Memorandum of understanding”, an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

a. The maximum amount of tax credits authorized; or

b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(18) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job;

(19) “New payroll”, the amount of wages paid for all new jobs, located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(20) “New product”, a new model or line of a manufactured good that has not been manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

(21) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program. The notice of intent shall be accompanied with a detailed plan by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. At a minimum, such plan shall include monitoring the effectiveness of outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(23) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(24) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term “project facility” means the military base or installation at which such qualified military project is or shall be located;

(25) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) “Project facility base payroll”, the annualized payroll for the project facility base employment or

the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

- (k) Biodiesel production; or
- (l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(30) “Qualified manufacturing company”, a company that:

- (a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);
- (b) Manufactures goods at a facility in Missouri;

(c) Manufactures a new product or has commenced making a manufacturing capital investment to the project facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has commenced making a manufacturing capital investment for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) “Qualified military project”, the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more **part-time or full-time** military or civilian support personnel:

- a. Whose average salaries equal or exceed ninety percent of the county average wage; and
- b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit;

(32) “Related company”, shall mean:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(35) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval.

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from

the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection or a qualified manufacturing company under subsection 3 of this section, the department shall consider the following factors:

- (1) The significance of the qualified company's need for program benefits;
- (2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;
- (3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, manufacturing capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;
- (4) The financial stability and creditworthiness of the qualified company;
- (5) The level of economic distress in the area;
- (6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and
- (7) The percent of local incentives committed.

3. (1) The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least five hundred million dollars not more than three years following the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier than January 1, 2023, and may be issued each year for a period of five years. A qualified manufacturing company may qualify for an additional five-year period under this subsection if it makes an additional manufacturing capital investment of at least two hundred fifty million dollars within five years of the department's approval of the original notice of intent.

(2) The maximum amount of tax credits that any one qualified manufacturing company may receive under this subsection shall not exceed five million dollars per calendar year. The aggregate amount of tax credits awarded to all qualified manufacturing companies under this subsection shall not exceed ten million dollars per calendar year.

(3) If, at the project facility at any time during the project period, the qualified manufacturing company discontinues the manufacturing of the new product, or discontinues the modification or expansion of an existing product, and does not replace it with a subsequent or additional new product or with a modification or expansion of an existing product, the company shall immediately cease receiving any benefit awarded under this subsection for the remainder of the project period and shall forfeit all rights to retain or receive any benefit awarded under this subsection for the remainder of such period.

(4) Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital improvement that qualified for

benefits under this section. The provisions of subsection 5 of section 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this section.

4. Upon approval of a notice of intent to receive tax credits under subsection 2, 3, 6, or 7 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment, or the manufacturing capital investment and committed percentage of retained jobs for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department;

(4) Financial guarantee provisions as may be required by the department, provided that financial guarantee provisions shall be required by the department for tax credits awarded under subsection 7 of this section; and

(5) Any other provisions the department may require.

5. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (38) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

6. In addition to the benefits available under subsection 5 of this section, the department may award a qualified company that satisfies the provisions of subsection 5 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year.

The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

7. In lieu of the benefits available under subsections 1, 2, 5, and 6 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs and new capital investment created by the program, the department may award a qualified company that satisfies the provisions of subdivision (1) of subsection 1 of this section tax credits, issued within one year following the qualified company's acceptance of the department's proposal for benefits, in an amount equal to or less than nine percent of new payroll. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section and the qualified company's commitment to new capital investment and new job creation within the state for a period of not less than ten years. For the purposes of this subsection, each qualified company shall have an average wage of the new payroll that equals or exceeds one hundred percent of the county average wage. Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall expire on June 30, 2025.

8. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment or manufacturing capital investment at the project facility prior to receipt of a proposal for benefits under this section or approval of its notice of intent, whichever occurs first.

9. In lieu of any other benefits under this chapter, the department of economic development may award a tax credit to an industrial development authority for a qualified military project in an amount equal to the estimated withholding taxes associated with the **part-time and full-time** civilian and military new jobs located at the facility and directly impacted by the project. The amount of the tax credit shall be calculated by multiplying:

(1) The average percentage of tax withheld, as provided by the department of revenue to the department of economic development;

(2) The average salaries of the jobs directly created by the qualified military project; and

(3) The number of jobs directly created by the qualified military project.

If the amount of the tax credit represents the least amount necessary to accomplish the qualified military project, the tax credits may be issued, but no tax credits shall be issued for a term longer than fifteen years. No qualified military project shall be eligible for tax credits under this subsection unless the department of economic development determines the qualified military project shall achieve a net positive fiscal impact to the state.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

At the request of Senator Hoskins, **SB 704**, with **SS No. 2** and **SA 2** (pending), was placed on the Informal Calendar.

### **REPORTS OF STANDING COMMITTEES**

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

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SCS** for **SB 578**; **HCS** for **HB 2046**, with **SCS**; **HCS** for **HB 1854**, with **SCS**; **HCS** for **HB 1655**, with **SCS**; **HB 1640**, with **SCS**; and **HB 1383**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

President Pro Tem Schatz assumed the Chair.

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

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1414**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1682**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1683**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **HCS** for **HB 2049**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

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

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1963**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS No. 2** for **HB 1896**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hoskins, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 1559**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crawford, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1700**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 1330**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Kehoe assumed the Chair.

### **SENATE BILLS FOR PERFECTION**

Senator Hoskins moved that **SB 704**, with **SS No. 2** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 2** was again taken up.

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

Senator Hoskins moved that **SS No. 2** for **SB 704**, as amended, be adopted, which motion prevailed.

On motion of Senator Hoskins, **SS No. 2** for **SB 704**, as amended, was declared perfected and ordered printed.

### **THIRD READING OF SENATE BILLS**

**SCS** for **SB 578**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 578**

An Act to repeal sections 367.031, 486.200, 486.205, 486.210, 486.215, 486.220, 486.225, 486.230, 486.235, 486.240, 486.245, 486.250, 486.255, 486.260, 486.265, 486.270, 486.275, 486.280, 486.285, 486.290, 486.295, 486.300, 486.305, 486.310, 486.315, 486.320, 486.325, 486.330, 486.335, 486.340, 486.345, 486.350, 486.355, 486.360, 486.365, 486.370, 486.375, 486.380, 486.385, 486.390, 486.395, 486.396, and 486.405, RSMo, and to enact in lieu thereof ninety-eight new sections relating to certification of documents, with penalty provisions.

Was taken up by Senator Crawford.

On motion of Senator Crawford, **SCS** for **SB 578** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Eigel	Emery
Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer	May
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

## NAYS—Senators—None

## Absent—Senators

Brown	Cunningham—2
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Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

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

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

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

**SCS for SB 739**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 739

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to prohibiting public entities from contracting with companies discriminating against Israel.

Was taken up by Senator Onder.

On motion of Senator Onder, **SCS for SB 739** was read the 3rd time and passed by the following vote:

## YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

## NAYS—Senator May—1

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

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

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

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

### **HOUSE BILLS ON SECOND READING**

The following Bills were read the 2nd time and referred to the Committees indicated:

**HCS for HB 2001**—Appropriations.

**HS for HCS for HB 2002**—Appropriations.

**HS for HCS for HB 2003**—Appropriations.

**HS for HCS for HB 2004**—Appropriations.

**HS for HCS for HB 2005**—Appropriations.

**HS for HCS for HB 2006**—Appropriations.

**HS for HCS for HB 2007**—Appropriations.

**HS for HCS for HB 2008**—Appropriations.

**HS for HCS for HB 2009**—Appropriations.

**HS for HCS for HB 2010**—Appropriations.

**HS for HCS for HB 2011**—Appropriations.

**HS for HCS for HB 2012**—Appropriations.

**HCS for HB 2013**—Appropriations.

### **REPORTS OF STANDING COMMITTEES**

Senator Schatz, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Neal A. Farrar and Lindell Lindsey, as members of the Well Installation Board;

Also,

Paul Fitzwater, Republican, as a member of the Board of Probation and Parole;

Also,

Jonathan Hayashi, Republican, as a member of the Missouri Commission on Human Rights;  
and

Dr. Kenneth F. Scott, Jr. and Jason T. White, as members of the Missouri 911 Service Board.

Senator Schatz requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Schatz moved that the committee reports be adopted, and the Senate do give its advice and consent to the above reappointments, which motion prevailed.

### HOUSE BILLS ON THIRD READING

At the request of Senator Rizzo, **HB 1383**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Onder, **HB 1467** and **HB 1934**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Bernskoetter, **HB 1640** was placed on the Informal Calendar.

At the request of Senator Crawford, **HCS** for **HB 1655**, with **SCS**, was placed on the Informal Calendar.

**HCS** for **HB 1854**, with **SCS**, entitled:

An Act to repeal section 105.145, RSMo, and to enact in lieu thereof one new section relating to political subdivisions filing annual financial reports with the state auditor, with penalty provisions.

Was taken up by Senator Hoskins.

**SCS** for **HCS** for **HB 1854**, entitled:

#### SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1854

An Act to repeal sections 29.230, 50.166, 50.327, 54.140, 59.021, 59.100, 64.805, 105.145, 144.757, 321.015, 321.190, 321.300, 321.603, and 610.021, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-six new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Hoskins moved that **SCS** for **HCS** for **HB 1854** be adopted.

Senator Hoskins offered **SS** for **SCS** for **HCS** for **HB 1854**, entitled:

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1854

An Act to repeal sections 29.230, 36.155, 50.166, 50.327, 54.140, 59.021, 59.100, 64.805, 67.1545, 105.145, 115.127, 115.646, 137.180, 138.434, 144.757, 238.207, 238.235, 238.237, 321.015, 321.190, 321.300, 321.603, and 610.021, RSMo, and section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, and to enact in lieu thereof thirty-six new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Hoskins moved that **SS** for **SCS** for **HCS** for **HB 1854** be adopted.

President Pro Tem Schatz assumed the Chair.

Senator Luetkemeyer offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 89, Section 610.021, Line 22, of said page, by inserting immediately after said line the following:

**“Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri, including all possibilities of reverter or reversionary interests, in property located in St. Francois County, Missouri. The property to be conveyed is more particularly described as follows:**

**Parcel 1: All of that part of Lots 89 and 92 of F. W. Rohland’s Subdivision of U. S. Survey No. 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, lying East of the City of Farmington Treatment Plant, North of the Treatment Plant access road, and West of property under private ownership. Containing approximately 46.17 acres, more or less.**

**Also a tract of land situated in part of Lot 92 of F. W. Rohland’s Subdivision, U. S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri. Containing approximately 14.69 acres, more or less.**

**Parcel 2: Part of lots 84, 85, 86, 87, 93 and 96 of F.W. Rohland’s subdivision of U.S. Survey 2969, township 35 north, range 5 east, more particularly described as: Beginning at the northeast corner of a tract of land recorded in deed book 585 at page 734 of the land records of St. Francois county; thence along the north line of said tract north 86 degrees 15 minutes west, 800.96 feet to a point, said point being on the east right-of-way line of U.S. highway 67; thence along said right-of-way line north 03 degrees 45 seconds east, 1,554.90 feet to a point, thence leaving said right-of-way line south 82 degrees 17 minutes 10 seconds east, 2,953.41 feet to a stone at a fence corner; thence north 64 degrees 27 minutes 42 seconds east, 1,367.83 feet to a point; thence north 07 degrees 13 minutes east, 310.0 feet to a point; thence south 82 degrees 45 minutes east, 52.0 feet to a point on the west line of U.S. Survey 339; thence along said west line south 07 degrees 21 minutes 31 seconds west, 2,600.00 feet to a point; thence leaving said west line north 82 degrees 32 minutes 01 second west, 1,379.12 feet to a point; thence in a straight line in a westerly direction to a point on the east line of a tract of land recorded in deed book 585 at page 734, said point being located south 03 degrees 44 minutes 23 seconds west, 55.00 feet from the northeast corner of said tract; thence along the east line of said tract north 03 degrees 44 minutes 23 seconds east, 55.00 feet to the point of beginning, containing 156.35 acres, more or less.**

**Parcel 3: All that part of Lots 77, 79, 96, 97, 98, 99, 100, 101, and 102 of R. W. Rohland’s Subdivision of U. S. Survey No. 2969 now owned by the State of Missouri for State Hospital No. 4, and lying West of the West right-of-way line of U. S. Highway 67 and containing 165 acres, more or less, and more particularly described as follows:**

A part of Lots Seventy-seven (77), Seventy-nine (79), Ninety-six (96), Ninety-seven (97), Ninety-eight (98), Ninety-nine (99), One Hundred (100), One Hundred and One (101) and One Hundred and Two (102) of F. W. Rohland's Subdivision of U. S. Survey No. 2969, as recorded in Volume "F", Page 441, in the Recorder's Office of St. Francois County, Missouri, all being part of Township 35 North, Range 5 East, in St. Francois County, Missouri and being more particularly described as follows: Beginning at a stone being the Northeast corner of Lot No. 100 of said F. W. Rohland's Subdivision of U. S. Survey No. 2969; thence S. 7° 17' 20" West along the East line of Lot #100 of said Rohland's Subdivision, 1561.64 feet to the Southeast corner of said Lot #100; thence South 82° 17' 10" East along the North line of Lot #96 of said Rohland's Subdivision, 272.28 feet to the Westerly line of Missouri State Route 67; thence South 3° 45' 00" West along the Westerly line of Missouri State Route 67, 2001.07 feet to a point on the centerline of the abandoned Missouri Pacific Railroad as per disclaimer deed in Book 698, Page 283 in the Recorder's Office of St. Francois County, Missouri; thence North 51° 46' 15" West along the centerline of said abandoned Missouri Pacific Railroad, 2946.80 feet; thence North 39° 01' 34" East 439.20 feet; thence South 50° 58' 26" East along a southerly line of the L.V. McGee Property, 50.0 feet; thence North 39° 01' 34" East along the easterly line of said L.V. McGee Property and the extension thereof 172.00 feet to the centerline of Second Street; thence easterly along the centerline of Second Street the following courses and distances; South 50° 58' 26" East 125.77 feet; thence South 78° 28' 15" East 161.12 feet; thence North 81° 03' 45" East 264.70 feet; thence North 69° 49' 45" East 104.00 feet; thence North 66° 45' 45" East 385.50 feet to a point on the easterly extension of the North line of Lots #48 and #49 of the Town of Delassus; thence leaving Second Street N. 51° 42' 15" West along said extension and the North line of Lots #48 and #49 of Delassus, 1602.80 feet to the Northwest corner of Lot #49 of Delassus; thence North 38° 15' 45" East along the westerly line of Lots "B" and "D" of Delassus, 578.94 feet to the North line of Lot #101 of said Rohland's Subdivision; thence South 82° 18' 14" East along the North line of said Lot #101, 557.52 feet to the Southwest corner of Lot #79 of said Rohland's Subdivision; thence North 6° 40' 05" East along the westerly line of said Lot #79, and the East line of a tract of land conveyed to Hues W. and Esther Pratt per deed of record in Book 260, Page 564, in the Recorder's Office of St. Francois County, Missouri, 986.85 feet to the northeasterly corner of said Pratt Tract; thence North 38° 24' 49" East 571.59 feet to the southerly line of Missouri State Rte. "W"; thence northeasterly along the southerly line of said Rte. "W", the following courses and distances North 66° 29' 30" East 190.16 feet; thence South 23° 30' 30" East 10.0 feet; thence North 66° 29' 30" East 99.33 feet; thence North 65° 32' 30" East 102.12 feet; thence South 24° 27' 30" East 20.0 feet; thence North 65° 32' 30" East 99.21 feet to the northwesterly corner of the Missouri State Highway Department maintenance tract; thence leaving said Rte. "W", South 24° 27' 30" East along the westerly line of said Highway Tract 606.30; thence North 65° 26' 55" East along the southerly line of said Highway Tract, 391.65 feet to the West line of Missouri State Rte. 67; thence South 4° 06' 20" East along the West line of said Rte. 67, 414.24 feet;

thence South 03° 45' 00" West 999.18 feet to the North line of Lot # 95 of said Rohland's Subdivision; thence North 81° 58' 50" West along the North line of Lot #95, 175.73 feet to the point of beginning, containing 168.49 acres, more or less. Legal description based upon a survey of State Hospital No. 4, Farmington, MO performed by Larry V. Brickly, Surveyor #1188 in August, 1979.

Parcel 4: A part of Lots 92, 93, 96 and 97 of F. W. Rohland's Subdivision of U. S. Survey No. 2969 as recorded in Volume "F", Page 441, in the Office of the Recorder of Deeds of St. Francois County, Missouri, all in s Township 35 North, Range 5 East of the Fifth Principal Meridian, St. Francois County, Missouri, and more particularly described as follows: Commencing at the Northeast corner of said Lot 97 at an existing iron railroad rail monument and running thence North 7 degrees 06' 23" East, 32.12 feet along the East line of said Lot 96 to a point of beginning; and running thence South 86 degrees 29' 00" East, 255.18 feet; thence South 3 degrees 31' 00" West, 1,091.40 feet; thence North 51 degrees 56' 46" West, 972.32 feet along the North right-of-way line of the Missouri Pacific Railroad; thence North 3 degrees 31' 00" East, 540.15 feet along the east right-of-way line of U. S. Highway No. 67; thence South 86 degrees 29' 00" East 545.78 feet to the point of beginning; said tract containing 15.000 acres.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, or convey an easement over, on, or under property located in St. Francois County, Missouri. The easement is more particularly described as follows:

Parcel 5: A permanent easement-for maintenance and construction . to be fifteen (15) feet in total width, with five (5) feet to the right or west of the following described centerline and ten (10) feet to the left or east of the following described centerline. And, a temporary easement for use during construction to be twenty-five (25) feet in total width, and to extend no more than twenty (20) feet on either side of the following described centerline: Commencing on the centerline of Missouri State Route "W" at the West line of Lot 63 of F. W. Rohland's Subdivision of said Survey No. 2969 and running thence South 65° 17' 55" West, 137.79 feet along the centerline of said Route "W"; thence South 15° 50' 50" East, 30.36 feet to a point of beginning on the South right-of-way line of said Route "W" and the North property line of the above described property; and running thence South 15° 50' 50" East, 192.61 feet, along said easement centerline; thence South 30° 30' 50" West, 870.31 feet; thence South 67° 45' 05" West, 247.08 feet; thence South 25° 31' 40" West, 1,873.38 feet; thence South 3° 31' 00" West 210.00 feet along a line parallel to and 215 feet easterly from the centerline of U. S. Highway No. 67, to a point of termination of said centerline on the south line of aforesaid Lot 80 and the south line of the above described property; aforesaid centerline being 3,393.38 feet

**in length.**

**A permanent easement for maintenance and construction to be fifteen (15) feet in width, with five (5) feet to the right or west of the following described centerline and ten (10) feet to the left or east of the following described centerline. And, a temporary easement for use during construction to be twenty-five (25) feet in width, with five (5) feet to the right or west of the following described centerline and twenty (20) feet to the left or east of the following described centerline. Said centerline begins at a point on the north line of said Lot 96, which is South 86° 29' East, 130.00 feet from the centerline of U. S. Highway No. 67, and runs thence South 3° 31' 00" West, 1,554.39 feet parallel to the centerline of said Highway 67 to a point of termination, which is on the North line of a 15.000 acre tract. The West line of this easement strip is contiguous with the East right-of-way line of said Highway 67.**

**2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required and the time, place, and terms of the conveyance.**

**3. The attorney general shall approve the form of the instrument of conveyance.”; and**

Further amend said bill and page, Section B, Line 26 of said page, by inserting immediately after “cycle” the following: “and because immediate action is necessary to convey certain state property, the enactment of sections 1 and 2 and”; and

Further amend said bill and section, page 90, line 2 of said page, by inserting immediately after “constitution,” the following: “and the enactment of sections 1 and 2”; and

Further amend the title and enacting clause accordingly.

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

Senator Arthur offered SA 2, which was read:

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Pages 34-35, Section 115.646, by striking said section in its entirety; and

Further amend the title and enacting clause accordingly.

Senator Arthur moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Hough offered SA 3:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 20, Section 64.805, Line 2, of said page, by inserting immediately after said line the following:

“67.730. 1. Any county of the first [class] **classification or any county** having a charter form of

government, and containing [the major] a portion of a city with a population of over three hundred fifty thousand may, upon the vote of a majority of the qualified voters of the county voting thereon, issue and sell its negotiable interest-bearing revenue bonds for the purpose of paying all or part of the cost of any capital improvements project or projects designated by the governing body of the county. The bonds shall be retired from the proceeds of a countywide sales tax on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The sales tax to retire the revenue bonds shall be approved as a part of the proposal to issue the bonds submitted to the qualified voters of the county and may be imposed in addition to or in lieu of all and any other sales tax authorized by law to be imposed by the county.

2. The proposal to issue negotiable interest-bearing revenue bonds for the purpose of capital improvement projects and the imposition of a sales tax to pay the principal and interest on such bonds may be submitted by the governing body of the county to the voters of the county at a county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of \_\_\_\_\_ issue its negotiable interest-bearing revenue bonds in the total face amount of \$\_\_\_\_\_ payable in \_\_\_\_\_ years for the purpose of funding capital improvement projects in the county and impose a countywide sales tax at the rate of \_\_\_\_\_ to pay the principal and interest on such bonds?

YES

NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the bonds may be issued by the county from time to time and in such amounts as may be necessary to carry out the county’s program of capital improvements, but not to exceed the total amount of bonds authorized by the vote of the qualified voters. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the county shall have no power to issue the revenue bonds or impose the sales tax authorized by sections 67.730 to 67.739 unless and until the governing body of the county shall again have submitted the proposal and such proposal is approved by a majority of the qualified voters voting thereon.

**4. The governing body of any county authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:**

**(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and**

**(2) Include information on the county website on the tax rate and the purposes for which the tax is levied.**

**67.1011. 1. The governing body of any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the third classification with a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants may impose a tax as provided in this section.**

**2. The governing body of any city described under subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be no more than six percent per occupied room per night. The tax shall not become effective unless the governing body of the city submits to the voters of the city on a general election day not earlier than the 2022 general election a question to authorize the governing body of the city to impose the tax. The tax shall be in addition to the charge for the sleeping room and shall be in addition to any and all other taxes. The tax shall be stated separately from all other charges and taxes.**

**3. The question for the tax shall be in substantially the following form:**

Shall \_\_\_\_\_ (city name) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in \_\_\_\_\_ (city name) at a rate of \_\_\_\_\_ percent?

YES

NO

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting thereon.**

**4. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city's website on the tax rate and the purposes for which the tax is levied.**

**5. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.**

67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three

thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt;

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; [or]

(37) Any city with more than four thousand but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; **or**

**(38) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in more than one county.**

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to recreational boats that are used by transients for sleeping, which shall be at least two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

**3. The governing body of any city or county authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:**

**(1) Submit the question of the imposition of the sales tax to the voters on a general election day**

**not earlier than the 2022 general election; and**

**(2) Include information on the city or county website on the tax rate and the purposes for which the tax is levied.”; and**

Further amend said bill, Page 22, Section 67.1545, Line 26 of said page, by inserting after all of said line the following:

**“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one-quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, on a general election day not earlier than the 2022 general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.**

**2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:**

Shall \_\_\_\_\_ (name of county/city) impose a (countywide/citywide) sales tax at a rate of \_\_\_\_\_ (insert percentage) percent for the purpose of funding early childhood education in the (county/city)?

YES

NO

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city shall not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.**

**3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of revenue on behalf of any county or city, less one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund” and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from**

the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and, notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.527 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.527 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.527 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit, exemption certificate, or retail certificate shall be required, except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.527 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.527.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall \_\_\_\_\_ (name of county/city) repeal the sales tax imposed at a rate of \_\_\_\_\_ (insert percentage) percent for the purpose of funding early childhood education in the (county/city)?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and is approved by a majority

**of the qualified voters voting thereon.**

**7. If the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition signed by at least ten percent of the registered voters of the county or city voting in the last gubernatorial election calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.**

**8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes; the county or city shall notify the director of revenue of the action at least thirty days before the effective date of the repeal; and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed from the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.**

**9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.**

**10. The governing body of any city or county authorized to levy a sales tax pursuant to this section shall include information on the city's or county's website on the tax rate and the purposes for which the tax is levied.”; and**

Further amend said bill, Page 23, Section 79.235, Line 25 of said page, by inserting after all of said line the following:

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

(1) “Food”, all articles commonly used for food or drink, including alcoholic beverages, the provisions of chapter 311 notwithstanding;

(2) “Food establishment”, any café, cafeteria, lunchroom, or restaurant which sells food at retail;

(3) “Municipality”, any village or fourth class city with more than two hundred but less than three hundred inhabitants and located in any county of the third classification with a township form of government and with more than twelve thousand five hundred but less than twelve thousand six hundred inhabitants;

(4) “Transient guest”, a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

2. The governing body of any municipality may impose, by order or ordinance:

(1) A tax, not to exceed six percent per room per night, on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the municipality or a portion thereof; and

(2) A tax, not to exceed [two] **six** percent, on the gross receipts derived from the retail sales of food by every person operating a food establishment in the municipality.

The taxes shall be imposed solely for [the purpose of funding the construction, maintenance, and operation of capital improvements] **general revenue purposes**. The order or ordinance shall not become effective unless the governing body of the municipality submits to the voters of the municipality at a state general or primary election a proposal to authorize the governing body of the municipality to impose taxes under this section. The taxes authorized in this section shall be in addition to the charge for the sleeping room, the retail sales of food at a food establishment, and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

3. The ballot of submission for the taxes authorized in this section shall be in substantially the following form:

Shall \_\_\_\_\_ (insert the name of the municipality) impose a tax on the charges for all retail sales of food at a food establishment situated in \_\_\_\_\_ (name of municipality) at a rate of \_\_\_\_\_ (insert rate of percent) percent, and for all sleeping rooms paid by the transient guests of hotels and motels situated in \_\_\_\_\_ (name of municipality) at a rate of \_\_\_\_\_ (insert rate of percent) percent, solely for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the taxes shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the taxes shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. Any tax on the retail sales of food imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, and any transient guest tax imposed under this section shall be administered, collected, enforced, and operated by the municipality imposing the tax. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. Once the initial bonds, if any, have been satisfied, then the governing body of any municipality that has adopted the taxes authorized in this section may submit the question of repeal of the taxes to the voters

on any date available for elections for the municipality. The ballot of submission shall be in substantially the following form:

Shall \_\_\_\_\_ (insert the name of the municipality) repeal the taxes imposed at the rates of \_\_\_\_\_ (insert rate of percent) and \_\_\_\_\_ (insert rate of percent) percent for the purpose of [funding the construction, maintenance, and operation of capital improvements] **increasing general revenue funds?**

YES

NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Once the initial bonds, if any, have been satisfied, then, whenever the governing body of any municipality that has adopted the taxes authorized in this section receives a petition, signed by ten percent of the registered voters of the municipality voting in the last gubernatorial election, calling for an election to repeal the taxes imposed under this section, the governing body shall submit to the voters of the municipality a proposal to repeal the taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

**7. The governing body of any municipality authorized to levy a sales tax pursuant to this section shall:**

**(1) Submit the question of an increase in the rate of the sales tax to the voters on a general election day not earlier than the 2022 general election; and**

**(2) Include information on the municipality's website on the tax rate and the purposes for which the tax is levied.**

**94.842. 1. The governing body of any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be more than seven and one-half percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city on a general election day not earlier than the 2022 general election, a proposal to authorize the governing body of the city to impose a tax under the provisions of this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law, and the proceeds of such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. Such tax shall be stated separately from all other charges and taxes.**

**2. The question shall be submitted in substantially the following form:**

Shall the \_\_\_\_\_ (city) levy a tax of \_\_\_\_\_ percent on each sleeping room occupied and rented by transient guests of hotels and motels located in the city, where the proceeds of which shall be expended for capital investments to increase tourism?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the governing body for the city shall have no power to impose the tax authorized by this section unless and until the governing body of the city again submits the question to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

**3. On and after the effective date of any tax authorized under the provisions of this section, the city which levied the tax may adopt one of the two following provisions for the collection and administration of the tax:**

(1) The city which levied the tax may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized under the provisions of this section. The tax authorized under the provisions of this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not more than one percent for cost of collection.

**4. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city's website on the tax rate and the purposes for which the tax is levied.**

**5. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel, motel, or tourist court consecutively for thirty-one days or less.**

94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants;

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(d) Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

(e) Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants;

(f) Any city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants;

(g) Any city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants;

(h) Any city of the fourth classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

(i) Any city of the third classification with more than thirteen thousand but fewer than fifteen thousand inhabitants and located in any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants; [or]

(j) Any city of the fourth classification with more than three thousand but fewer than three thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and that is not the county seat of such county;

**(k) Any city of the fourth classification with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;**

**(l) Any city of the fourth classification with more than eight thousand but fewer than twelve thousand inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants; or**

**(m) Any city of the fourth classification with more than four hundred fifty but fewer than five hundred inhabitants and located in any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat.**

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city[,] including, but not limited to, expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of \_\_\_\_\_ (city's name) impose a citywide sales tax of \_\_\_\_\_ (insert amount) for the purpose of improving the public safety of the city?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of [the department of] revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of [the department of] revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of [the department of] revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of [the department of] revenue may make refunds from the amounts in the trust fund and

credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of [the department of] revenue of the action at least ninety days prior to the effective date of the repeal and the director of [the department of] revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of [the department of] revenue shall remit the balance in the account to the city and close the account of that city. The director of [the department of] revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

**8. The governing body of any city authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:**

**(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and**

**(2) Include information on the city's website on the tax rate and the purposes for which the tax is levied.**

94.902. 1. The governing bodies of the following cities **or villages** may impose a tax as provided in this section:

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants;

(4) Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants;

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

(6) Any city of the fourth classification with more than nine thousand five hundred but fewer than ten thousand eight hundred inhabitants;

(7) Any city of the fourth classification with more than five hundred eighty but fewer than six hundred fifty inhabitants;

(8) Any city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than eighty-three

thousand but fewer than ninety-two thousand inhabitants; [or]

(9) Any city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand but fewer than twelve thousand inhabitants;

**(10) Any city of the third classification with more than nine thousand but fewer than ten thousand inhabitants and located in any county of the third classification with a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants;**

**(11) Any city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants as the county seat; or**

**(12) Any village with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.**

2. The governing body of any city **or village** listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city **or village** which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, [and] **except that a city listed under subdivision (10) or (11) of subsection 1 of this section may impose a tax of one-fourth, one-half, three-fourths, or one percent.** The tax shall be imposed solely for the purpose of improving the public safety for such city[,] **or village** including, but not limited to, expenditures on equipment, city **or village** employee salaries and benefits, and facilities for police, fire, and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city **or village** submits to the voters residing within the city **or village**, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city **or village** to impose a tax under this section.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the **(city/village)** of \_\_\_\_\_ ([city’s] **insert name**) impose a **(citywide/villagewide)** sales tax at a rate of \_\_\_\_\_ (insert [rate of percent] **percentage**) percent for the purpose of improving the public safety of the **(city/village)**?

YES

NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are

opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

4. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city **or village**, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city **or village** imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city **or village** and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city **or village** which levied the tax. Such funds shall be deposited with the city **or village** treasurer of each such city **or village**, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city **or village**. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The director of [the department of] revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city **or village** for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities **or villages**. If any city **or village** abolishes the tax, the city **or village** shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city **or village**, the director shall remit the balance in the account to the city and close the account of that city **or village**. The director shall notify each city **or village** of each instance of any amount refunded or any check redeemed from receipts due the city **or village**.

6. The governing body of any city **or village** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city **or village**. The ballot of submission shall be in substantially the following form:

Shall **the city of** \_\_\_\_\_ [(insert the name of the city)] repeal the sales tax imposed at a rate of \_\_\_\_\_ [(insert rate of percent)] percent for the purpose of improving the public safety of the (city/village)?

YES

NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any city **or village** that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city **or village** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city **or village** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. Any sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section that is in effect as of December 31, 2038, shall automatically expire. No city described under subdivision (6) of subsection 1 of this section shall collect a sales tax pursuant to this section on or after January 1, 2039. Subsection 7 of this section shall not apply to a sales tax imposed under this section by a city described under subdivision (6) of subsection 1 of this section.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

**10. The governing body of any city or village authorized to levy a sales tax pursuant to this section, but which was not authorized to levy such sales tax prior to August 28, 2020, shall:**

**(1) Submit the question of the imposition of the sales tax to the voters on a general election day not earlier than the 2022 general election; and**

**(2) Include information on the city or village website on the tax rate and the purposes for which the tax is levied.**

**94.1014. 1. (1) The governing body of any city of the fourth classification with more than three thousand seven hundred but fewer than four thousand inhabitants and located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall not be more than five percent per occupied room per night.**

**(2) The tax shall not become effective unless the governing body of the city, on a general election day not earlier than the 2022 general election, submits to the voters of the city a proposal to authorize the city to impose a tax under this section, and the voters approve the tax.**

**(3) The tax shall be in addition to the charge for the sleeping room and all other taxes imposed by law. The tax shall be stated separately from all other charges and taxes.**

**(4) The proceeds of the tax shall be used by the city for the promotion of tourism; growth of the**

region; economic development purposes; and public safety purposes including, but not limited to, equipment expenditures, employee salaries and benefits, and facilities for police, firefighters, or emergency medical providers.

**2. The ballot for authorization of the tax shall be in substantially the following form:**

Shall \_\_\_\_\_ (name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in \_\_\_\_\_ (name of the city) at a rate of \_\_\_\_\_ percent for the promotion of tourism, growth of the region, economic development, and public safety?

YES

NO

**If a majority of the votes cast on the proposal by qualified voters approve the proposal, the tax shall become effective on the first day of the second calendar quarter following the election. If a majority of the votes cast on the proposal by qualified voters opposed the proposal, the tax shall not become effective unless and until the proposal is again submitted to the voters of the city and is approved by a majority of the qualified voters voting thereon.**

**3. The governing body of any city authorized to levy a sales tax pursuant to this section shall include information on the city’s website on the tax rate and the purposes for which the tax is levied.**

**4. As used in this section, “transient guest” means any person who occupies a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and**

Further amend said bill, Page 83, Section 321.300, Line 2 of said page, by inserting after all of said line the following:

“321.552. 1. Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; or any county of the first classification without a charter form of government and with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; or any county with a charter form of government with over one million inhabitants; or any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants, the governing body of any ambulance or fire protection district may impose a sales tax in an amount up to [one-half of] one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district’s tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

**2. The ballot of submission shall contain, but need not be limited to, the following language:**

Shall \_\_\_\_\_ (insert name of ambulance or fire protection district) impose a sales tax of \_\_\_\_\_ (insert amount up to [one-half] of) one percent) for the purpose of providing revenues for the

operation of the \_\_\_\_\_ (insert name of ambulance or fire protection district) and the total property tax levy on properties in the \_\_\_\_\_ (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax

imposed pursuant to this section.

**8. The governing body of any ambulance or fire protection district authorized to levy a sales tax pursuant to this section shall:**

**(1) Submit the question of an increase in the rate of the sales tax to the voters on a general election day not earlier than the 2022 general election; and**

**(2) Include information on the ambulance or fire protection district website, if available, on the tax rate and the purposes for which the tax is levied.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Onder offered SA 4:

#### SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 5, Section 29.230, Line 26, of said page, by inserting immediately after said line the following:

**“34.600. 1. This section shall be known as the “Anti-Discrimination Against Israel Act”.**

**2. A public entity shall not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel. This section shall not apply to contracts with a total potential value of less than one hundred thousand dollars or to contractors with fewer than ten employees.**

**3. As used in this section, the following terms and phrases shall mean:**

**(1) “Boycott Israel” and “boycott of the State of Israel”, engaging in refusals to deal, terminating business activities, or other actions to discriminate against, inflict economic harm, or otherwise limit commercial relations specifically with the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel, that are all intended to support a boycott of the State of Israel. A company’s statement that it is participating in boycotts of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel, or that it has taken the boycott action at the request, in compliance with, or in furtherance of calls for a boycott of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel shall be considered to be conclusive evidence that a company is participating in a boycott of the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel; provided, however that a company that has made no such statement may still be considered to be participating in a boycott of**

the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel if other factors warrant such a conclusion;

(2) “Company”, any for-profit or not-for-profit organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly-owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations;

(3) “Public entity”, the state of Missouri or any political subdivision thereof, including all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the state created by or in accordance with state law or regulations.

4. Any contract that fails to comply with the provisions of this section shall be void against public policy.

5. The commissioner of administration or his or her designee may promulgate regulations to implement the provisions of this act so long as they are consistent with this section and do not create any exceptions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority of 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 Onder moved that the above amendment be adopted.

Senator Rowden assumed the Chair

Senator Schupp raised the point of order that SA 4 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 took it under advisement, which placed HCS for HB 1854, with SCS, SS for SCS, SA 4 and point of order (pending) back on the calendar.

Senator Emery assumed the Chair.

### REPORTS OF STANDING COMMITTEES

Senator Cunningham requested unanimous consent of the Senate to correct the committee report on HB 1640 submitted by the Committee on Fiscal Oversight, which request was granted.

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

Mr. President: Your Committee on Fiscal Oversight, to which was referred HB 1640, begs leave to report that it has considered the same and recommends that the bill do pass.

### HOUSE BILLS ON THIRD READING

Senator Bernskoetter moved that SS for HCS for HB 2046, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Bernskoetter, the motion to 3rd read and finally pass SS for HCS for HB 2046, as amended, was withdrawn.

Pursuant to Senate Rule 92 and having voted on the prevailing side, Senator Bernskoetter moved that the vote by which Senate Substitute for House Committee Substitute for House Bill No. 2046, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

## YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Schatz
Schupp	Sifton	Wallingford	Walsh	White	Wieland	Williams—28

## NAYS—Senators—None

## Absent—Senators

Brown Sater—2

Absent with leave—Senator Nasheed—1

Vacancies—3

Pursuant to Senate Rule 92 and having voted on the prevailing side, Senator Bernskoetter moved that the vote by which Senate Amendment No. 10 to Senate Substitute for House Committee Substitute for House Bill No. 2046, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

## YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

## NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

At the request of Senator Bernskoetter, **SA 10** was withdrawn.

Senator Bernsketter offered **SA 11**:

## SENATE AMENDMENT NO. 11

Amend Senate Substitute for House Committee Substitute for House Bill No. 2046, Page 1, In the Title, Line 5, of the title, by inserting after “RSMo,” the following: “and section 324.009 as enacted by house committee substitute for house bill nos. 1511 & 1452, one hundredth general assembly, second regular

session,”; and

Further amend said bill, Pages 21-25, Section 324.009, by striking all of said section and inserting in lieu thereof the following:

“324.009. 1. For purposes of this section, the following terms mean:

(1) “License”, a license, certificate, registration, permit, or accreditation that enables a person to legally practice an occupation or profession in a particular jurisdiction[; except that “license” shall not include a certificate of license to teach in public schools under section 168.021];

(2) “Nonresident military spouse”, a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(3) “Oversight body”, any board, department, agency, or office of a jurisdiction that issues licenses[; except, for the purposes of this section, oversight body shall not include the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board];

(4) “Resident military spouse”, a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Any person [who is a resident of Missouri, a resident military spouse, or a nonresident military spouse and] who holds a valid current license issued by another state, a territory of the United States, or the District of Columbia, **and who has been licensed for at least one year in such other jurisdiction**, may submit an application for a license in Missouri in the same occupation or profession, **and at the same practice level**, for which he or she holds the current license, along with proof of current licensure **and proof of licensure for at least one year** in [all] **the other [jurisdictions] jurisdiction**, to the relevant oversight body in this state.

3. The oversight body in this state shall:

(1) Within six months of receiving an application described in subsection 2 of this section [from a resident of Missouri], waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that [the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession and shall issue such applicant a license under this section if such applicant otherwise meets the requirements of this section] **there were minimum education requirements and, if applicable, work experience and clinical supervision requirements in effect and the other state verifies that the person met those requirements in order to be licensed or certified in that state. An oversight body that administers an examination on laws of this state as part of its licensing application requirement may require an applicant to take and pass an examination specific to the laws of this state;** or

(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.

4. **(1)** The oversight body shall not waive any examination, educational, or experience requirements for any applicant who **has had his or her license revoked by an oversight body outside the state; who is currently under investigation, who has a complaint pending, or who** is currently under disciplinary action, **except as provided in subdivision (2) of this subsection**, with an oversight body outside the state; **who does not hold a license in good standing with an oversight body outside the state; who has a criminal record that would disqualify him or her for licensure in Missouri;** or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

**(2) If another jurisdiction has taken disciplinary action against an applicant, the oversight body shall determine if the cause for the action was corrected and the matter resolved. If the matter has not been resolved by that jurisdiction, the oversight body may deny a license until the matter is resolved.**

5. [The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.

6.] Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

**6. Any person who is licensed under the provisions of this section shall be subject to the applicable oversight body's jurisdiction and all rules and regulations pertaining to the practice of the licensed occupation or profession in this state.**

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

**9. The provisions of this section shall not impede an oversight body's authority to require an applicant to submit fingerprints as part of the application process.**

**10. The provisions of this section shall not apply to an oversight body that has entered into a licensing compact with another state for the regulation of practice under the oversight body's jurisdiction.** The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states[. If any conflict arises between the provisions of this section and the provisions of any interjurisdictional or interstate compact or reciprocity agreement, the provisions of such compact or agreement shall prevail. If a conflict arises between the provisions of this section and any federal law or rule, the provisions of the federal law or rule shall prevail] **in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict**

**between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018.**

[10. For the purposes of this section, resident military spouses and nonresident military spouses shall be eligible to apply for a license with any board, department, agency, or office of a jurisdiction that issues licenses including, but not limited to, the state board of registration for the healing arts; the state board of nursing; the board of pharmacy; the state committee of psychologists; the Missouri dental board; the Missouri board for architects, professional engineers, professional land surveyors, and professional landscape architects; the state board of optometry; and the Missouri veterinary medical board.]

**11. Notwithstanding any other provision of law, a license issued under this section shall be valid only in this state and shall not make a licensee eligible to be part of an interstate compact. An applicant who is licensed in another state pursuant to an interstate compact shall not be eligible for licensure by an oversight body under the provisions of this section.**

**12. The provisions of this section shall not apply to any occupation set forth in subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to 324.945.”; and**

Further amend said bill, Page 49, Section 337.050, Line 8 of said page, by inserting after all of said line the following:

“[324.009. 1. For purposes of this section, the following terms mean:

(1) “License”, a license, certificate, registration, permit, or accreditation that enables a person to legally practice an occupation or profession in a particular jurisdiction; except that “license” shall not include a certificate of license to teach in public schools under section 168.021;

(2) “**Nonresident military spouse**”, a nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

(3) “Oversight body”, any board, department, agency, or office of a jurisdiction that issues licenses; except, for the purposes of this section, oversight body shall not include the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board;

(4) “**Resident military spouse**”, a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

2. Any **person who is a resident of Missouri, a resident military spouse, or a nonresident military spouse** and who holds a valid current license issued by another state, territory of the United States, or the District of Columbia may submit an application for a

license in Missouri in the same occupation or profession for which he or she holds the current license, along with proof of current licensure in [the] **all** other [jurisdiction] **jurisdictions**, to the relevant oversight body in this state.

3. The oversight body in this state shall[,]:

(1) Within six months of receiving an application described in subsection 2 of this section **from a resident of Missouri**, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession **and shall issue such applicant a license under this section if such applicant otherwise meets the requirements of this section; or**

(2) **Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.**

4. The oversight body shall not waive any examination, educational, or experience requirements for any applicant who is currently under disciplinary action with an oversight body outside the state or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

5. The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.

6. Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

9. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states [in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018]. **If any conflict arises between the provisions of this section and the provisions of any interjurisdictional or interstate compact or reciprocity agreement, the provisions of such compact or agreement shall prevail. If a conflict arises between the provisions of this section and any federal law or rule, the provisions of the federal law or rule shall prevail.**

**10. For the purposes of this section, resident military spouses and nonresident military spouses shall be eligible to apply for a license with any board, department, agency, or office of a jurisdiction that issues licenses including, but not limited to, the state board of registration for the healing arts; the state board of nursing; the board of pharmacy; the state committee of psychologists; the Missouri dental board; the Missouri board for architects, professional engineers, professional land surveyors, and professional landscape architects; the state board of optometry; and the Missouri veterinary medical board.]”;** and

Further amend the title and enacting clause accordingly.

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

Senator Bernskoetter moved that **SS** for **HCS** for **HB 2046**, as amended, be adopted, which motion prevailed.

On motion of Senator Bernskoetter, **SS** for **HCS** for **HB 2046**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bernskoetter	Burlison	Cierpiot	Crawford	Cunningham	Eigel
Emery	Hegeman	Hoskins	Hough	Koenig	Libla	Luetkemeyer
May	O’Laughlin	Onder	Riddle	Rizzo	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	White	Wieland
Williams—29						

NAYS—Senators—None

Absent—Senator Brown—1

Absent with leave—Senator Nasheed—1

Vacancies—3

The President declared the bill passed.

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

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

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

On motion of Senator Rowden, the Senate adjourned until 9:00 a.m., Friday, May 1, 2020.

## SENATE CALENDAR

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 FORTY-SEVENTH DAY—FRIDAY, MAY 1, 2020
 

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## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

SB 1051-Eigel	SB 1070-Williams
SB 1052-Eigel	SB 1071-Williams
SB 1053-Eigel	SB 1072-Hough
SB 1054-Cierpiot	SB 1073-Hough
SB 1055-Rowden	SB 1074-Hoskins
SB 1056-Hegeman	SB 1075-Emery
SB 1057-Hegeman and Luetkemeyer	SB 1076-Emery
SB 1058-Brown	SB 1077-Onder
SB 1059-Hough	SB 1078-Onder
SB 1060-Hough	SB 1079-Burlison
SB 1061-Libla	SB 1080-Rizzo
SB 1062-Nasheed	SB 1081-Rizzo
SB 1063-O'Laughlin	SB 1082-Bernskoetter
SB 1064-O'Laughlin	SB 1083-Brown
SB 1065-O'Laughlin	SB 1084-Brown
SB 1066-O'Laughlin	SB 1085-Rowden
SB 1067-Sifton	SB 1086-Wieland
SB 1068-Williams	SB 1087-Wieland
SB 1069-Williams	SB 1088-Sater

## HOUSE BILLS ON THIRD READING

HCS for HB 1414, with SCS	HCS#2 for HB 1896, with SCS (Onder)
HCS for HB 1682, with SCS	HB 1559-Remole, with SCS
HCS for HB 1683, with SCS (Wallingford)	HB 1700-Fishel, with SCS ( Hough)
HCS for HB 2049, with SCS (Luetkemeyer)	HB 1330-Veit, with SCS ( Bernskoetter)
HB 1963-Fitzwater, with SCS (Rowden)	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 522-Sater	SB 625-Libla, with SCS
SB 524-Sater	SB 633-Hegeman
SB 525-Emery, with SCS, SS for SCS & SA 1 (pending)	SB 636-Wieland
SB 526-Emery, with SCS	SB 639-Riddle
SB 529-Cunningham, with SCS	SB 640-Onder
SB 530-Cunningham, with SCS, SS for SCS & SA 1 (pending)	SB 645-Hoskins, with SCS
SB 531-Wallingford, with SS & SA 1 (pending)	SB 646-Koenig
SB 537-Libla	SB 647-Koenig, with SCS
SBs 538, 562 & 601-Libla, with SCS, SS for SCS & SA 1 (pending)	SB 648-Koenig, with SCS, SS#2 for SCS & SA 1 (pending)
SB 539-Libla, with SA 1 (pending)	SB 649-Eigel
SB 542-Nasheed, with SCS	SB 661-Bernskoetter, with SCS
SB 548-Hegeman	SB 665-Burlison
SB 555-Riddle	SB 670-Hough, with SCS, SS for SCS & SA 1 (pending)
SB 557-Schatz, with SCS	SB 674-Brown
SB 558-Schatz, with SCS	SBs 675 & 705-Luetkemeyer, with SCS
SB 559-Schatz, with SCS	SB 677-Luetkemeyer
SB 568-Hoskins, with SCS	SB 690-Cunningham
SB 572-Rowden	SB 696-Sifton
SB 575-Eigel, with SS#2 & SA 2 (pending)	SB 699-Riddle, with SCS
SB 576-Crawford, with SCS	SB 701-Onder
SB 581-Cierpiot, with SCS	SB 703-Hoskins, with SCS
SB 583-Arthur, with SCS	SB 714-Burlison, with SCS
SB 586-Bernskoetter, with SCS	SB 716-Burlison
SB 590-Burlison, with SCS	SB 748-White
SB 592-White	SB 756-Sifton, with SCS
SB 595-Hough, with SCS	SB 764-Onder, with SCS
SBs 602, 778 & 561-Luetkemeyer, with SCS	SB 768-Onder, with SCS
SB 605-O'Laughlin, with SCS	SB 779-Crawford
SB 608-May, with SCS	SB 780-Hough, with SCS
SB 612-Emery, with SCS	SB 784-Wallingford
SB 613-Emery, with SCS	SB 797-Wieland, with SCS
SB 615-Cunningham	SB 802-Hegeman
	SB 809-Brown, with SCS
	SB 857-Luetkemeyer, with SCS

SB 885-Walsh  
 SB 896-Eigel  
 SB 996-Onder, with SCS  
 SJR 31-Sater  
 SJR 32-Sater  
 SJR 33-Emery, with SCS

SJR 40-Koenig  
 SJR 44-Eigel  
 SJRs 48, 41 & 43-Luetkemeyer, with SCS  
 SJR 59-Eigel  
 SJR 61-Nasheed, with SCS

#### HOUSE BILLS ON THIRD READING

HB 1383-Washington, with SCS (Rizzo)  
 HB 1467 & HB 1934-Pike, with SCS (Onder)  
 HB 1640-Taylor (Bernskoetter)

HCS for HB 1655, with SCS (Crawford)  
 HCS for HB 1854, with SCS, SS for SCS,  
 SA 4 & point of order (pending) (Hoskins)

#### RESOLUTIONS

##### Reported from Committee

SCR 28-Luetkemeyer  
 SCR 29-Wallingford  
 SCR 30-Schupp  
 SCR 31-Emery

SCR 33-May  
 SCR 34-Hoskins  
 SCR 35-Hoskins

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