

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIFTH DAY—WEDNESDAY, FEBRUARY 24, 2021

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Ask, and it will be given you; search and you will find, knock, and the door will be opened for you.” (Matthew 7:7)

Wondrous God, we look about us and see that life can make the most hopeful of us become a people most skeptical. We have difficulty seeing what is true and what is not. At times we are uncertain of the best path to follow and if it is what You desire us to take. So, we ask as we move into the rest of this week that we be excited in the possibilities before us and be encouraged to seek Your will for us. May we trust always that we who heed Your word can ask, seek and knock and our path will be open 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	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin
Onder	Razer	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 119, regarding Nora Black, Rush Hill, which was adopted.

INTRODUCTION OF BILLS

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

SB 534—By Rehder.

An Act to repeal section 491.015, RSMo, and to enact in lieu thereof one new section relating to witnesses in certain criminal cases.

SB 535—By Gannon.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to standards for the procurement of concrete by the state.

SB 536—By Hough.

An Act to repeal section 210.115, RSMo, and to enact in lieu thereof two new sections relating to unaccompanied youth.

SB 537—By Burlison.

An Act to repeal section 191.237, RSMo, and to enact in lieu thereof one new section relating to health information networks.

SB 538—By Burlison.

An Act to repeal section 338.165, RSMo, and to enact in lieu thereof one new section relating to pharmacy services in hospitals.

SB 539—By Burlison.

An Act to amend chapter 288, RSMo, by adding thereto one new section relating to employment security.

SB 540—By Burlison.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to expungement of records.

SB 541—By Brown.

An Act to repeal sections 173.260, 190.001, 190.060, 190.098, 190.100, 190.103, 190.104, 190.105, 190.108, 190.109, 190.120, 190.131, 190.133, 190.142, 190.143, 190.146, 190.160, 190.165, 190.171, 190.173, 190.176, 190.180, 190.185, 190.196, 190.200, 190.241, 190.243, 190.245, 190.248, and 287.243, RSMo, and to enact in lieu thereof thirty new sections relating to emergency health care services, with existing penalty provisions.

SB 542—By Washington.

An Act to amend chapter 288, RSMo, by adding thereto one new section relating to employment security benefits.

SB 543—By Washington.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the collection of demographic data by certain entities.

Senator Bernskoetter assumed the Chair.

SB 544—By Brattin.

An Act to repeal sections 290.095, 290.210, 290.220, 290.230, 290.235, 290.257, 290.262, and 290.270, RSMo, and to enact in lieu thereof eight new sections relating to public contracts.

SB 545—By Williams.

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to a tax credit for certain research expenses.

SB 546—By Crawford.

An Act to repeal sections 319.123, 319.129, 319.131, and 319.132, RSMo, and to enact in lieu thereof four new sections relating to underground petroleum storage tanks.

SB 547—By Hoskins.

An Act to repeal section 105.145, RSMo, and to enact in lieu thereof one new section relating to political subdivisions, with penalty provisions.

SB 548—By Hoskins.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to continuing education credits for insurance producers.

SB 549—By Hoskins.

An Act to repeal sections 285.500, 287.020, 288.034, and 295.020, RSMo, and to enact in lieu thereof five new sections relating to the classification of employees.

SB 550—By Schupp.

An Act to repeal sections 192.2520 and 197.135, RSMo, and to enact in lieu thereof two new sections relating to forensic examinations.

REPORTS OF STANDING COMMITTEES

Senator Rowden, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 78**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 9**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

At the request of Senator Burlison, **SB 496** was withdrawn.

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

RECESS

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

MESSAGES FROM THE GOVERNOR

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

Governor
State of Missouri
February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Anne-Marie Clarke as a member of the Coordinating Board for Higher Education, submitted to you on February 11, 2021. Line 1 should be amended to read:

Anne-Marie Clarke, Independent, 3439 Longfellow Boulevard, Saint Louis, Saint Louis

Respectfully submitted,

Michael L. Parson
Governor

Also,

Governor
State of Missouri
February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Paul Cordia, 2409 South Country Club Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2022, and until his successor is duly appointed and qualified; vice, Mary Craig, resigned.

Respectfully submitted,

Michael L. Parson
Governor

Also,

Governor
State of Missouri
February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Carrie Gallagher Crompton, Democrat, 1722 Nicholson Place, Saint Louis, Saint Louis City, Missouri 63104, as a member of the Missouri Community Service Commission, for a term ending December 15, 2021, and until her successor is duly appointed and qualified; vice, Reena Hajat Carroll, resigned.

Respectfully submitted,

Michael L. Parson
Governor

Also,

Governor
State of Missouri
February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Jennifer Ingraham, Independent, 3501 Northwest 62nd Terrace, Kansas City, Platte County, Missouri 64151, as a member of the Missouri Community Service Commission, for a term ending December 15, 2022, and until her successor is duly appointed and qualified; vice,

Cheryl Hibbeler, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Jill C. Irvin, 276 Culloden Moore, Jackson, Cape Girardeau County, Missouri 63755, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2021, and until her successor is duly appointed and qualified; vice, Tracy Gonzalez, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Alex LeCure, 709 South Country Club Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2022, and until his successor is duly appointed and qualified; vice, Donna Jo Neely, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Michelle L. Miller, 327 South Hill Street, West Plains, Howell County, Missouri 65775, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2022, and until her successor is duly appointed and qualified; vice, Michelle L. Miller, reappointed.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Brian D. Neuner, 7651 East Highway WW, Columbia, Boone County, Missouri 65201, as a member of the Mental Health Commission, for a term ending June 28, 2024, and until his successor is duly appointed and qualified; vice, Stephen Roling, term expired.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

Giridhar Sriperumbudoor, Independent, 16640 Benton Taylor Drive, Chesterfield, Saint Louis County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2022, and until his successor is duly appointed and qualified; vice, Linda Duffy, resigned.

Respectfully submitted,

Michael L. Parson

Governor

Also,

Governor

State of Missouri

February 24, 2021

To the Senate of the 101st General Assembly of the State of Missouri:

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

William L. (Skip) Stephens, Independent, 2905 Sweet Flag Court, Dardenne Prairie, Saint Charles County, Missouri 63368, as a member of the Missouri Community Service Commission, for a term ending December 15, 2022, and until his successor is duly appointed and qualified; vice, Stanley Whitehurst, term expired.

Respectfully submitted,

Michael L. Parson

Governor

President Pro Tem Schatz referred the above appointments, reappointment, and addendum to the Committee on Gubernatorial Appointments.

INTRODUCTION OF BILLS

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

SB 551—By May.

An Act to amend chapter 550, RSMo, by adding thereto one new section relating to mental health programs for peace officers.

SB 552—By May.

An Act to repeal section 558.047, RSMo, and to enact in lieu thereof one new section relating to sentence review for certain persons.

SB 553—By Gannon.

An Act to authorize the conveyance of certain state property.

SB 554—By Eigel.

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to the receipt of federal economic stimulus funds, with an emergency clause.

THIRD READING OF SENATE BILLS

SB 29, introduced by Senator Crawford, entitled:

An Act to repeal section 303.220, RSMo, and to enact in lieu thereof one new section relating to certificates of self-insurance, with an emergency clause.

Was called from the Consent Calendar and taken up.

Senator Hough assumed the Chair.

President Kehoe assumed the Chair.

On motion of Senator Crawford, **SB 29** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Mosley	O’Laughlin	Onder
Razer	Rehder	Riddle	Rizzo	Roberts	Rowden	Schatz
Schupp	Washington	White	Wieland	Williams—33		

NAYS—Senators—None

Absent—Senator Moon—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	Mosley	O’Laughlin	Onder	Razer
Rehder	Riddle	Rizzo	Roberts	Rowden	Schatz	Schupp
Washington	White	Wieland	Williams—32			

NAYS—Senators—None

Absent—Senators

May Moon—2

Absent with leave—Senators—None

Vacancies—None

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.

SB 93, introduced by Senator Onder, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to health care.

Was called from the Consent Calendar and taken up.

On motion of Senator Onder, **SB 93** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Mosley	O'Laughlin	Onder
Razer	Rehder	Riddle	Rizzo	Roberts	Rowden	Schatz
Washington	White	Wieland	Williams—32			

NAYS—Senators—None

Absent—Senators

Moon Schupp—2

Absent with leave—Senators—None

Vacancies—None

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.

SB 189, introduced by Senator Washington, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a Negro Leagues Baseball Museum special license plate.

Was called from the Consent Calendar and taken up.

On motion of Senator Washington, **SB 189** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O'Laughlin

Onder	Razer	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

SB 72, introduced by Senator Eslinger, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to fox trotter week.

Was called from the Consent Calendar and taken up.

On motion of Senator Eslinger, **SB 72** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Cierpiot	Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins
Hough	Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin
Onder	Razer	Rehder	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Washington	White	Wieland	Williams—34	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

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

Senator Hough assumed the Chair.

CONCURRENT RESOLUTIONS

Senator Moon moved that **SCR 2** to be taken up for adoption, which motion prevailed.

On motion of Senator Moon, **SCR 2** was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Burlison
Crawford	Eigel	Eslinger	Gannon	Hegeman	Hoskins	Hough
Koenig	Luetkemeyer	May	Moon	Mosley	O’Laughlin	Onder
Razer	Rehder	Riddle	Rizzo	Roberts	Rowden	Schatz
Schupp	Washington	White	Wieland	Williams—33		

NAYS—Senators—None

Absent—Senator Cierpiot—1

Absent with leave—Senators—None

Vacancies—None

SENATE BILLS FOR PERFECTION

Senator Rehder moved that **SB 64** be taken up for perfection, which motion prevailed.

Senator Rehder offered **SS** for **SB 64**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 64

An Act to repeal sections 579.040 and 579.076, RSMo, and to enact in lieu thereof two new sections relating to distributors of hypodermic needles, with penalty provisions.

Senator Rehder moved that **SS** for **SB 64** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 64, Page 1, Section 579.040, Line 20, by inserting after “building” the following: “**commencing operations**”.

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

Senator Rehder moved that **SS** for **SB 64**, as amended, be adopted, which motion prevailed.

On motion of Senator Rehder, **SS** for **SB 64**, as amended, was declared perfected and ordered printed.

Senator Crawford moved that **SB 27**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 27**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 27

An Act to repeal section 50.166, RSMo, and to enact in lieu thereof one new section relating to county officials.

Was taken up.

Senator Crawford offered **SS** for **SCS** for **SB 27**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 27

An Act to repeal sections 50.166, 50.327, 59.021, 59.100, and 451.040, RSMo, and to enact in lieu thereof five new sections relating to county officials, with existing penalty provisions.

Senator Crawford moved that **SS** for **SCS** for **SB 27** be adopted.

Senator Brattin offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 3, Section 50.327, Line 41, by inserting after all of said line the following:

“50.530. As used in sections 50.530 to 50.745:

(1) “Accounting officer” means county auditor in counties of the first and second classifications and the county clerks in counties of the third and fourth classifications;

(2) “Budget officer” means such person, as may, from time to time, be appointed by the county commission of counties of the first classification except in counties of the first classification with a population of less than one hundred thousand inhabitants according to the official United States Census of 1970 the county auditor shall be the chief budget officer, the presiding commissioner of the county commission in counties of the second classification, unless the county commission designates the county clerk as budget officer, and the county clerk in counties of the third and fourth classification. [Notwithstanding the provisions of this subdivision to the contrary, in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants, the presiding commissioner shall be the budget officer unless the county commission designates the county clerk as the budget officer.]; and

Further amend the title and enacting clause accordingly.

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

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 1, Section A, Line 4, by inserting after all of said line the following:

“49.310. 1. Except as provided in sections 221.400 to 221.420 and subsection 2 of this section, the county commission in each county in this state shall erect and maintain at the established seat of justice a good and sufficient courthouse, jail and necessary fireproof buildings for the preservation of the records of the county; except that in counties having a special charter, the jail or workhouse may be located at any place within the county. In pursuance of the authority herein delegated to the county commission, the county commission may acquire a site, construct, reconstruct, remodel, repair, maintain and equip the courthouse and jail, and in counties wherein more than one place is provided by law for holding of court, the county commission may buy and equip or acquire a site and construct a building or buildings to be used as a courthouse and jail, and may remodel, repair, maintain and equip buildings in both places. The county

commission may issue bonds as provided by the general law covering the issuance of bonds by counties for the purposes set forth in this section. In bond elections for these purposes in counties wherein more than one place is provided by law for holding of court, a separate ballot question may be submitted covering proposed expenditures in each separate site described therein, or a single ballot question may be submitted covering proposed expenditures at more than one site, if the amount of the proposed expenditures at each of the sites is specifically set out therein.

2. The county commission in all counties of the fourth classification and any county of the third, second, or first classification may provide for the erection and maintenance of a good and sufficient jail or holding cell facility at a site in the county other than at the established seat of justice.

3. For any courthouse that contains both a county office and a courtroom, the presiding judge of the circuit in which the courthouse is located may establish rules for courtrooms, jury rooms, and chambers or offices of the court, but the county commission shall have authority over all other areas of the courthouse.”; and

Further amend said bill, page 4, section 59.100, line 15 by inserting after all of said line the following:

“221.105. 1. The governing body of any county and of any city not within a county shall fix the amount to be expended for the cost of incarceration of prisoners confined in jails or medium security institutions. The per diem cost of incarceration of these prisoners chargeable by the law to the state shall be determined, subject to the review and approval of the department of corrections.

2. When the final determination of any criminal prosecution shall be such as to render the state liable for costs under existing laws, it shall be the duty of the sheriff to certify to the clerk of the circuit court or court of common pleas in which the case was determined the total number of days any prisoner who was a party in such case remained in the county jail. It shall be the duty of the county commission to supply the cost per diem for county prisons to the clerk of the circuit court on the first day of each year, and thereafter whenever the amount may be changed. It shall then be the duty of the clerk of the court in which the case was determined to include in the bill of cost against the state all fees which are properly chargeable to the state. In any city not within a county it shall be the duty of the superintendent of any facility boarding prisoners to certify to the chief executive officer of such city not within a county the total number of days any prisoner who was a party in such case remained in such facility. It shall be the duty of the superintendents of such facilities to supply the cost per diem to the chief executive officer on the first day of each year, and thereafter whenever the amount may be changed. It shall be the duty of the chief executive officer to bill the state all fees for boarding such prisoners which are properly chargeable to the state. The chief executive may by notification to the department of corrections delegate such responsibility to another duly sworn official of such city not within a county. The clerk of the court of any city not within a county shall not include such fees in the bill of costs chargeable to the state. The department of corrections shall revise its criminal cost manual in accordance with this provision.

3. Except as provided under subsection 6 of section 217.718, the actual costs chargeable to the state, including those incurred for a prisoner who is incarcerated in the county jail because the prisoner’s parole or probation has been revoked or because the prisoner has, or allegedly has, violated any condition of the prisoner’s parole or probation, and such parole or probation is a consequence of a violation of a state statute, or the prisoner is a fugitive from the Missouri department of corrections or otherwise held at the request of the Missouri department of corrections regardless of whether or not a warrant has been issued shall be the actual cost of incarceration not to exceed:

(1) Until July 1, 1996, seventeen dollars per day per prisoner;

(2) On and after July 1, 1996, twenty dollars per day per prisoner;

(3) On and after July 1, 1997, up to thirty-seven dollars and fifty cents per day per prisoner, subject to appropriations[, but not less than the amount appropriated in the previous fiscal year].

4. The presiding judge of a judicial circuit may propose expenses to be reimbursable by the state on behalf of one or more of the counties in that circuit. Proposed reimbursable expenses may include pretrial assessment and supervision strategies for defendants who are ultimately eligible for state incarceration. A county may not receive more than its share of the amount appropriated in the previous fiscal year, inclusive of expenses proposed by the presiding judge. Any county shall convey such proposal to the department, and any such proposal presented by a presiding judge shall include the documented agreement with the proposal by the county governing body, prosecuting attorney, at least one associate circuit judge, and the officer of the county responsible for custody or incarceration of prisoners of the county represented in the proposal. Any county that declines to convey a proposal to the department, pursuant to the provisions of this subsection, shall receive its per diem cost of incarceration for all prisoners chargeable to the state in accordance with the provisions of subsections 1, 2, and 3 of this section.”; and

Further amend said bill, page 7, section 451.040, line 101 by inserting after all of said line the following:

“476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates or containing, as of January 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS) may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of [the courthouse,] **courtrooms, jury rooms, and chambers or offices of the court;** serving court-generated papers and orders[,]; and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years’ prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

- (1) Serve process;
- (2) Wear a concealable firearm; and
- (3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit.”; and

Further amend the title and enacting clause accordingly.

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

Senator Eigel offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 27, Page 1, In the Title, Line 4, by striking the words “county officials” and inserting in lieu thereof the following: “political subdivisions”; and

Further amend said bill, page 4, section 59.100, line 15 by inserting after all of said line the following:

“115.127. 1. Except as provided in subsection 4 of this section, upon receipt of notice of a special election to fill a vacancy submitted pursuant to subsection 2 of section 115.125, the election authority shall cause legal notice of the special election to be published in a newspaper of general circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the election, the date and time of the election, the name of the office to be filled and the date by which candidates must be selected or filed for the office. Within one week prior to each special election to fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to be published in two newspapers of different political faith and general circulation in the jurisdiction. The legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot. If there is only one newspaper of general circulation in the jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite political faith, the notice shall be published in any two of the newspapers within one week prior to the election.

2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549 and 115.593, the election authority shall cause legal notice of each election held in its jurisdiction to be published. The notice shall be published in two newspapers of different political faith and qualified pursuant to chapter 493 which are published within the bounds of the area holding the election. If there is only one so-qualified newspaper, then notice shall be published in only one newspaper. If there is no newspaper published within the bounds of the election area, then the notice shall be published in two qualified newspapers of different political faith serving the area. Notice shall be published twice, the first publication occurring in the second week prior to the election, and the second publication occurring within one week prior to the election. Each such legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a sample ballot; and, unless notice has been given as provided by section 115.129, the second publication of notice of the election shall include the location of polling places. The election authority may provide any additional notice of the election it deems desirable.

3. The election authority shall print the official ballot as the same appears on the sample ballot, and no candidate’s name or ballot issue which appears on the sample ballot or official printed ballot shall be stricken or removed from the ballot except on death of a candidate or by court order, but in no event shall

a candidate or issue be stricken or removed from the ballot less than eight weeks before the date of the election.

4. In lieu of causing legal notice to be published in accordance with any of the provisions of this chapter, the election authority in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address. All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a sample ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the [sixteenth] **seventeenth** Tuesday prior to the election], except that for any home rule city with more than four hundred thousand inhabitants and located in more than one county and any political subdivision or special district located in such city, the opening filing date shall be 8:00 a.m., the fifteenth Tuesday prior to the election]. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the [eleventh] **fourteenth** Tuesday prior to the election. The political subdivision or special district calling an election shall, before the [sixteenth] **seventeenth** Tuesday, [or the fifteenth Tuesday for any home rule city with more than four hundred thousand inhabitants and located in more than one county or any political subdivision or special district located in such city,] prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the political subdivision or special district.

6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs, a candidate who has filed for an office or who has been duly nominated for an office may, at any time after the certification of the notice of election required in subsection 1 of section 115.125 but no later than 5:00 p.m. on the eighth Tuesday before the election, withdraw as a candidate pursuant to a court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the candidate to the circuit court of the area of such candidate's residence.”; and

Further amend the title and enacting clause accordingly.

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

Senator Crawford moved that **SS** for **SCS** for **SB 27**, as amended, be adopted, which motion prevailed.

On motion of Senator Crawford, **SS** for **SCS** for **SB 27**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following the message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 334**, entitled:

An Act to repeal section 115.427, RSMo, and to enact in lieu thereof one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Roberts offered Senate Resolution No. 120, regarding Legal Services of Eastern Missouri, St. Louis, which was adopted.

COMMUNICATIONS

Senator Schupp submitted the following:

February 24, 2021

Adriane Crouse - Secretary of the Senate

State Capitol, Room 325

Jefferson City, Missouri 65101

Dear Ms. Crouse:

RE: Senate Bill 93

Please let this correspondence serve to record that the committee minutes for Senate Bill 93 inaccurately reflect that on February 10, 2021 I voted "Yes" on the do-pass and on the consent motions on the bill. I was absent for the votes and should have been recorded as such.

Sincerely,



Jill Schupp

INTRODUCTION OF GUESTS

Senator Eslinger introduced to the Senate, John Casey, Texas County; coaches: Alicia Gunter; Chris Taylor; Abby Eldringhoff; and the West Plains Lady Zizzers.

Senator Bean introduced to the Senate, Steve Bubanovich, Van Buren; Bill Robinson, Bloomfield; Kyle Hulse, West Plains; Chris Scanlon, Chesterfield; and Ed Austin, Ballwin.

Senator Brattin introduced to the Senate, Reginald Townsend, Raymore; and Adrien Townsend, Raymore.

Senator Williams introduced to the Senate, Yalaka Huyette, Clayton

Senator Crawford introduced to the Senate, Leadership Buffalo.

Senator Schupp introduced to the Senate, Rick Holton, and his family Lotsie and Kristen Holton, Ladue.

Senator Hoskins introduced to the Senate, General Randy and Teresa Alewel, Warrensburg.

Senator Bean introduced to the Senate, Brett Matthews, Charleston.

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

SENATE CALENDAR

TWENTY-SIXTH DAY—THURSDAY, FEBRUARY 25, 2021

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 401-Onder	SB 436-Hoskins
SB 402-Onder	SB 437-Hoskins
SB 403-Onder	SB 438-Rehder
SB 404-Riddle	SB 439-Hegeman
SB 405-Luetkemeyer	SB 440-Washington
SB 406-Cierpiot	SB 441-Washington
SB 407-Beck	SB 442-Moon
SB 408-Wieland	SB 443-Moon
SB 409-Koenig	SB 444-May
SB 410-Koenig	SB 445-May
SB 411-Schatz	SB 446-Washington
SB 412-Moon	SB 447-Schupp
SB 413-Moon	SB 448-Rowden
SB 414-Brattin	SB 449-Rowden
SB 415-Rehder	SB 450-Moon
SB 416-Schupp	SB 451-Moon
SB 417-Schupp	SB 452-Moon
SB 418-Crawford	SB 453-Burlison and Luetkemeyer
SB 419-Washington	SB 454-White
SB 420-Washington	SB 455-White
SB 421-Bernskoetter	SB 456-Schupp
SB 422-May	SB 457-Rizzo
SB 423-May	SB 458-Brattin
SB 424-May	SB 459-Brattin
SB 425-May	SB 460-May
SB 426-Moon	SB 461-Koenig
SB 427-Moon	SB 462-Koenig
SB 428-Razer	SB 463-Koenig
SB 429-Brown	SB 464-Koenig
SB 430-Brown	SB 465-Hoskins
SB 431-Bernskoetter	SB 466-Hoskins
SB 432-Cierpiot	SB 467-Hoskins
SB 433-Wieland	SB 468-Hoskins
SB 434-Washington	SB 469-Hoskins
SB 435-Hoskins	SB 470-Hoskins

SB 471-Mosley	SB 515-Gannon
SB 472-Schupp and Gannon	SB 516-Gannon
SB 473-Brown	SB 517-Gannon
SB 474-Bean	SB 518-Gannon
SB 475-Bean	SB 519-Riddle
SB 476-May	SB 520-Roberts
SB 477-Eigel	SB 521-Roberts
SB 478-Hough	SB 522-Koenig
SB 479-Hough	SB 523-White
SB 480-White	SB 524-White
SB 481-Hough	SB 525-Arthur
SB 482-Beck	SB 526-Hegeman
SB 483-Koenig	SB 527-Hough
SB 484-Gannon	SB 528-White
SB 485-Gannon	SB 529-Cierpiot
SB 486-Razer	SB 530-Crawford
SB 487-Onder	SB 531-Schupp
SB 488-May	SB 532-Rehder
SB 489-Roberts	SB 533-Rehder
SB 490-Bernskoetter	SB 534-Rehder
SB 491-Bernskoetter	SB 535-Gannon
SB 492-Brattin	SB 536-Hough
SB 493-Gannon	SB 537-Burlison
SB 494-Eslinger	SB 538-Burlison
SB 495-Roberts	SB 539-Burlison
SB 497-Hough and Hegeman	SB 540-Burlison
SB 498-Hough	SB 541-Brown
SB 499-Schupp	SB 542-Washington
SB 500-Schupp	SB 543-Washington
SB 501-Wieland	SB 544-Brattin
SB 502-Moon	SB 545-Williams
SB 503-Moon	SB 546-Crawford
SB 504-Rehder	SB 547-Hoskins
SB 505-Brattin	SB 548-Hoskins
SB 506-Bean	SB 549-Hoskins
SB 507-Bean	SB 550-Schupp
SB 508-Bean	SB 551-May
SB 509-Washington	SB 552-May
SB 510-Brown	SB 553-Gannon
SB 511-Hegeman	SB 554-Eigel
SB 512-Hough	SJR 25-Moon
SB 513-Hough	SJR 26-Eslinger
SB 514-Onder	SJR 27-Cierpiot

HOUSE BILLS ON SECOND READING

HCS for HBs 85 & 310
HCS for HB 350
HB 153-Rone
HCS for HB 574
HB 476-Grier

HCS for HB 271
HCS for HB 362
HCS for HB 59
HCS for HBs 547 & 752
HCS for HB 334

THIRD READING OF SENATE BILLS

SS#2 for SB 26-Eigel (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 123-Hough
2. SB 7-Riddle
3. SB 38-Bernskoetter
4. SB 89-Wieland
5. SB 152-Hoskins, with SCS
6. SB 11-Schatz
7. SB 43-White, with SCS
8. SB 330-Burlison
9. SB 24-Eigel

10. SB 47-Hough
11. SB 86-Hegeman
12. SB 100-Koenig, with SCS
13. SB 258-White
14. SB 63-Rehder
15. SB 262-Schatz, with SCS
16. SBs 53 & 60-Luetkemeyer, with SCS
17. SB 179-Luetkemeyer

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Hegeman
SB 10-Schatz, with SS (pending)
SBs 12, 20, 21, 31, 56, 67 & 68-Onder,
with SCS, SS for SCS & SA 5 (pending)

SB 22-Koenig
SS#2 for SCS for SBs 55, 23 & 25, as
amended-O'Laughlin, et al

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