

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SECOND DAY—TUESDAY, MARCH 9, 2021

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Death and life are in the power of the tongue.” (Proverbs 18:21)

Heavenly Father, we give You thanks for this time to share ideas, assist one another and improve bills before us. Our words have a great importance and provide power for those to whom we address our concerns and efforts. We pray that You will guide our tongues for we know it has the power to change one’s life simply by the words we speak. 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 Onder offered Senate Resolution No. 149, regarding Elijah Bale, St. Peters, which was adopted.

Senator Roberts offered Senate Resolution No. 150, regarding the One Hundred Seventy-fifth Anniversary of Central Baptist Church, St. Louis, which was adopted.

Senator Rehder offered Senate Resolution No. 151, regarding Kaitlynn Marie Masterson, New Madrid, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 152, regarding Paul Brunner, St. Joseph, which was adopted.

Senator Rehder offered Senate Resolution No. 153, regarding David Mitchell Johnson, Sikeston, which was adopted.

Senator Rehder offered Senate Resolution No. 154, regarding Tyler Stokes, Sikeston, which was adopted.

CONCURRENT RESOLUTIONS

Senator Eigel offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, the citizens of Missouri have been asked to send more of their hard-earned money to the State and local governments than ever before in Missouri's history; and

Whereas, the citizens of Missouri are better stewards of their money than any elected official; and

Whereas, property tax assessments have increased year over year in Missouri; and

Whereas, many states exempt all or some personal property from taxation, putting Missouri at a disadvantage; and

Whereas, eliminating the personal property tax would be the largest tax cut in Missouri history; and

Whereas, the Missouri Constitution reserves to the people the right to govern themselves through the initiative petition:

Now, Therefore Be It Resolved that the members of the Missouri Senate, One Hundred and First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the people to submit an initiative petition to eliminate the personal property tax in Missouri;

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Secretary of State.

SENATE BILLS FOR PERFECTION

At the request of Senator Rehder, **SB 63** was placed on the Informal Calendar.

SB 262, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 53** and **SB 60**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **SB 179** was placed on the Informal Calendar.

Senator Brown moved that **SB 128** be taken up for perfection, which motion prevailed.

President Pro Tem Schatz assumed the Chair.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 128, Page 1, In the Title, Line 3, by inserting after "fund" the following: ", with an emergency clause for certain sections"; and

Further amend said bill, page 2, section 217.195, line 34, by inserting after all of said line the following:

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

(1) “Appropriate quantity”, an amount per day capable of satisfying the individual need of the offender if used for the feminine hygiene product’s intended purpose;

(2) “Feminine hygiene products”, tampons and sanitary napkins.

2. The director shall ensure that an appropriate quantity of feminine hygiene products are available at no cost to female offenders while confined in any correctional center of the department. The director shall ensure that the feminine hygiene products conform with applicable industry standards.

3. The general assembly may appropriate funds to assist the director in satisfying the requirements of this section.

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

(1) “Appropriate quantity”, an amount of feminine hygiene products per day capable of satisfying the individual need of the offender if used for the feminine hygiene product’s intended purpose;

(2) “Feminine hygiene products”, tampons and sanitary napkins.

2. Every sheriff and jailer who holds a person in custody pursuant to a writ or process or for a criminal offense shall ensure that an appropriate quantity of feminine hygiene products are available at no cost to female persons while in custody. The sheriff or jailer shall ensure that the feminine hygiene products conform with applicable industry standards.

3. The general assembly shall appropriate funds to assist sheriffs and jailers in satisfying the requirements of this section.

Section B. Because immediate action is necessary to ensure women incarcerated or held in custody are able to address their basic health needs, the enactment of sections 217.199 and 221.065 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 217.199 and 221.065 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

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

Senator Brown moved that **SB 128**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SB 128**, as amended, was declared perfected and ordered printed.

On 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.

REFERRALS

President Pro Tem Schatz referred **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Wieland moved that **SB 6** be taken up for perfection, which motion prevailed.

Senator Wieland offered **SS** for **SB 6**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 6

An Act to repeal sections 319.131, 375.246, and 379.120, RSMo, and to enact in lieu thereof thirteen new sections relating to insurance.

Senator Wieland moved that **SS** for **SB 6** be adopted, which motion prevailed.

On motion of Senator Wieland, **SS** for **SB 6** was declared perfected and ordered printed.

Senator Crawford moved that **SB 106**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to repeal sections 361.097, 362.044, 362.247, 362.250, and 369.049, RSMo, and to enact in lieu thereof seven new sections relating to financial institutions.

Was taken up.

Senator Crawford moved that **SCS** for **SB 106** be adopted.

Senator Crawford offered **SS** for **SCS** for **SB 106**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to repeal sections 361.097, 361.110, 361.727, 362.023, 362.044, 362.165, 362.247, 362.250, 362.340, 362.550, 362.570, 365.100, 365.140, 367.150, 369.049, 400.3-309, 408.035, 408.100, 408.140, 408.178, 408.233, 408.234, 408.250, 408.553, and 408.554, RSMo, and to enact in lieu thereof twenty-six new sections relating to financial institutions.

Senator Crawford moved that **SS** for **SCS** for **SB 106** be adopted, which motion prevailed.

On motion of Senator Crawford, **SS** for **SCS** for **SB 106** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SB 128, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 262**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 262**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof two new sections relating to the taxation of motor fuels.

Was taken up.

Senator Schatz moved that **SCS** for **SB 262** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 262**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to repeal sections 142.803, 142.824, and 142.869, RSMo, and to enact in lieu thereof five new sections relating to transportation funding.

Senator Schatz moved that **SS** for **SCS** for **SB 262** be adopted.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Moon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 262, Page 1, In the Title, Line 4, by striking “transportation funding” and inserting in lieu thereof the following: “taxation, with an emergency clause for certain sections”; and

Further amend said bill, Page 16, Section 142.1000, Line 112, by inserting after all of said line the following:

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

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

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

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

(4) (a) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

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

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

(d) The director of revenue may promulgate and enforce reasonable rules and regulations for the administration and enforcement of the provisions of this subdivision. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void;

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

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to:

(a) Any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity; **or**

(b) The amount of sales or charges for the rental of any rooms not used for overnight accommodation for transient guests.

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

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

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

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

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax under chapter 144, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax under chapter 144, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within ten years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has

been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized under chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms “customer”, “home service provider”, “place of primary use”, “electronic database”, and “enhanced zip code” shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer’s place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer’s notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer’s correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider’s sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied under chapter 144 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if the refund claim is filed by a purchaser under the provisions of subsection 4 of this section, the refund claim is for use tax remitted by the purchaser, or an additional refund claim is filed by a person legally obligated to remit the tax due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of

receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term “letter ruling” means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

10. If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax under chapter 144 against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.

11. Notwithstanding any provision of law to the contrary, the department of revenue shall allow refund claims until July 1, 2026, from businesses and individuals that paid sales and use tax assessments as a result of an audit by the department of revenue between August 28, 2005, and August 28, 2015, when the department expanded its interpretation of taxable items and the taxpayer did not collect the tax from the taxpayer’s customers. The refund shall be allowed in an amount equal to the amount actually paid on such assessment by the taxpayer, plus interest calculated using the Applicable Federal Rates as published by the Internal Revenue Service under 26 U.S.C. Section 274. The total amount of refund claims paid under this subsection shall not exceed one hundred thousand dollars and shall be issued on a first-come, first-served basis. If the total amount of refund claims exceeds one hundred thousand dollars, the department shall request an appropriation from the general assembly in later fiscal years to satisfy such unpaid claims.

12. (1) Notwithstanding any provision of law to the contrary, and in addition to the refund claims allowed under subsection 11 of this section, the department of revenue shall allow refund claims until July 1, 2026, from businesses and individuals that offered wedding venues and that paid sales and use tax assessments relating to those wedding venues as a result of an audit by the department of revenue between January 1, 2018, and October 1, 2019. For the purposes of this subsection, the department shall allow refund claims from a taxpayer regardless of whether the taxpayer’s business has been sold. The refund shall be allowed in an amount equal to the amount that was actually paid by the taxpayer on the portion of the assessment that directly relates to the taxpayer’s wedding venue business, plus interest calculated using the Applicable Federal Rates as published by the Internal Revenue Service under 26 U.S.C. Section 1274. The total amount of refund claims paid under this subsection shall not exceed two hundred thousand dollars and shall be issued on a first-come, first-served basis. If the total amount of refund claims exceeds two hundred thousand dollars, the department shall request an appropriation from the general assembly in later fiscal years to satisfy such unpaid claims.

(2) Notwithstanding any provision of law to the contrary, in any action in which a taxpayer incurs attorney’s fees in a legal proceeding relating to a tax assessment or audit of the taxpayer’s wedding venue business, during the time period and as otherwise described under subdivision (1) of this subsection, the taxpayer shall be entitled to recover the full amount of such attorney’s fees.

Section B. Because of the importance of sales tax relief, the repeal and reenactment of sections 144.020 and 144.190 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 144.020 and 144.190 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Moon moved that the above amendment be adopted.

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

The point of order was referred to the President Pro Tem.

President Pro Tem Schatz referred the point of order to the Committee on Parliamentary Procedure.

At the request of Senator White, the point of order was withdrawn.

Senator Moon moved that **SA 1** be adopted, which motion prevailed.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

Senator Hough assumed the Chair.

Senator Koenig offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 262, Page 3, Section 142.803, Line 75-83, by striking all of said lines; and

Further amend said bill and section, page 4, lines 84- 86, by striking all of said lines and inserting in lieu thereof the following:

“3. In addition to any tax collected under subdivision (1) of subsection 1 of this section, beginning on January first of the calendar year following the calendar year in which the total outstanding debt of the department of transportation is five hundred million dollars or less, a tax is levied and imposed on all motor fuel used or consumed in this state, subject to the exemption on tax liability set forth in section 142.822, at a rate of two cents per gallon. Such rate shall be increased by two cents annually beginning on January first of a calendar year until the rate of tax is ten cents per gallon and shall continue to be levied at ten cents per gallon for all years thereafter.”.

Senator Koenig moved that the above amendment be adopted.

President Kehoe assumed the Chair.

Senator Bernskoetter assumed the Chair.

President Kehoe assumed the Chair.

At the request of Senator Schatz, **SB 262**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

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, to which were referred **SS** for **SCS** for **SB 106** and **SS** for **SB 6**, begs leave to report that it has examined the same and finds that

the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTION OF GUESTS

Senator May introduced to the Senate, Pastor Chester and Lady Sherrisa McIntyre, Kansas City.

Senator Crawford introduced to the Senate, Avery Schiereck, El Dorado Springs.

Senator Eigel introduced to the Senate, Corey Malone, St. Charles; and Kellie Jones.

Senator Razer introduced to the Senate, Terri Barr.

Senator May introduced to the Senate, Denisha Taylor, St. Louis; and Jaray Jackson.

Senator Washington introduced to the Senate, Ayana Witherspoon.

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

SENATE CALENDAR

THIRTY-THIRD DAY—WEDNESDAY, MARCH 10, 2021

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 579-Rehder	SB 593-Roberts
SB 580-Rehder	SB 594-Moon
SB 581-Eslinger	SB 595-Moon
SB 582-Eslinger	SB 596-Moon
SB 583-Eslinger	SB 597-Moon
SB 584-Eslinger	SB 598-O'Laughlin
SB 585-Eslinger	SB 599-O'Laughlin
SB 586-Brattin	SB 600-O'Laughlin
SB 587-Brattin	SB 601-O'Laughlin
SB 588-Brattin	SB 602-O'Laughlin
SB 589-Brattin	SB 603-Koenig
SB 590-Brattin	SB 604-Koenig
SB 591-Roberts	SB 605-Koenig
SB 592-Roberts	SB 606-Burlison

SB 607-Williams	SB 620-Bernskoetter
SB 608-Razer	SB 621-Bernskoetter
SB 609-Razer	SB 622-Bernskoetter
SB 610-May	SB 623-Hough
SB 611-May	SB 624-Hough
SB 612-May	SB 625-Hough
SB 613-Crawford	SB 626-Hough
SB 614-Crawford	SB 627-Hough
SB 615-Eigel	SB 628-Brattin
SB 616-Eigel	SB 629-Hoskins
SB 617-Eigel	SB 630-Hoskins
SB 618-Bernskoetter	SJR 28-Hegeman
SB 619-Bernskoetter	SJR 29-Burlison

HOUSE BILLS ON SECOND READING

HCS for HBs 85 & 310	HCS for HB 349
HCS for HB 350	HCS for HB 548
HB 153-Rone	HB 139-Hudson
HCS for HB 574	HB 670-Houx
HB 476-Grier	HB 657-Trent
HCS for HB 271	HCS for HBs 1083, 1085, 1050, 1035, 1036, 873 & 1097
HCS for HB 362	HB 63-Pike
HCS for HB 59	HCS for HB 357
HCS for HBs 547 & 752	HCS for HB 784
HCS for HB 334	HB 52-Schnelting
HB 345-DeGroot	HB 578-Bromley
HCS for HB 527	

THIRD READING OF SENATE BILLS

SS for SCS for SB 152-Hoskins (In Fiscal Oversight)	SB 86-Hegeman
SB 330-Burlison	SS for SB 258-White
SS for SCS for SB 43-White (In Fiscal Oversight)	SB 128-Brown
	SS for SCS for SB 106-Crawford
	SS for SB 6-Wieland

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|------------------------------------|
| 1. SB 4-Wieland, with SCS | 23. SB 5-Wieland, with SCS |
| 2. SB 9-Riddle | 24. SB 36-Bernskoetter |
| 3. SBs 153 & 97-Koenig, with SCS | 25. SB 57-May, with SCS |
| 4. SB 91-Riddle, with SCS | 26. SB 354-Hoskins, with SCS |
| 5. SB 283-Hoskins | 27. SB 126-Brown, with SCS |
| 6. SB 119-Burlison, with SCS | 28. SB 287-Crawford |
| 7. SB 149-Onder | 29. SB 282-Hegeman, with SCS |
| 8. SJR 2-Onder, with SCS | 30. SB 202-Cierpiot, with SCS |
| 9. SB 137-Brattin | 31. SB 44-White |
| 10. SB 108-Cierpiot, with SCS | 32. SB 71-Gannon, with SCS |
| 11. SB 141-Bean | 33. SB 254-Riddle, with SCS |
| 12. SB 163-Cierpiot | 34. SB 94-Onder |
| 13. SB 40-Burlison, with SCS | 35. SB 206-Arthur |
| 14. SB 301-Bernskoetter, with SCS | 36. SB 138-Brattin, with SCS |
| 15. SB 333-Burlison | 37. SB 78-Beck |
| 16. SB 120-White, with SCS | 38. SB 74-Bean, with SCS |
| 17. SB 327-Koenig | 39. SB 343-Brown |
| 18. SB 289-Brown, with SCS | 40. SB 95-Onder, with SCS |
| 19. SB 176-Hough | 41. SB 30-Cierpiot |
| 20. SB 46-Hough | 42. SB 134-O'Laughlin and Cierpiot |
| 21. SB 3-Hegeman | 43. SB 98-Hoskins, with SCS |
| 22. SB 212-White | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 64-Rehder

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|--|
| SB 1-Hegeman | SBs 12, 20, 21, 31, 56, 67 & 68-Onder, |
| SB 7-Riddle, with SS & SA 1 (pending) | with SCS, SS for SCS & SA 5 (pending) |
| SB 10-Schatz, with SS (pending) | SB 47-Hough |
| SB 11-Schatz | SBs 53 & 60-Luetkemeyer, with SCS |

SBs 55, 23 & 25-O’Laughlin, et al, with
SCS & SS for SCS (pending)
SB 63-Rehder
SB 100-Koenig, with SCS

SB 123-Hough, with SS & SA 2 (pending)
SB 179-Luetkemeyer
SB 262-Schatz, with SCS, SS for SCS &
SA 2 (pending)

CONSENT CALENDAR

Senate Bills

Reported 3/4

SB 226-Koenig

SB 377-Eslinger

RESOLUTIONS

Reported from Committee

SCR 3-Roberts and Moon, with SCS

SCR 7-Hegeman

To be Referred

SCR 19-Eigel

✓