

Journal of the Senate

SECOND REGULAR SESSION

FORTY-SEVENTH DAY—TUESDAY, APRIL 12, 2022

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Carl Gauck offered the following prayer:

“My soul will be satisfied as with the riches of food: with singing lips my mouth will praise You.” (Psalm 63:5)

Merciful Lord, we do find our satisfaction in You who continuously provides us all the wherewithal of life, food for our bodies, friends for our fellowship, love for our hearts and sharing Your presence with those we love. Even though we are gifted with eloquent speech our words cannot express how grateful we are that You are in our lives which makes us complete. 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.

Photographers from KY3 were given permission to take pictures in the Senate Chamber.

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

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 764, regarding Boys and Girls Clubs of Missouri, which was adopted.

Senator Bernskoetter offered Senate Resolution No. 765, regarding Kailey Reeves, St. Thomas, which was adopted.

Senator Rowden offered Senate Resolution No. 766, regarding the Two Hundredth Anniversary of Red Top Christian Church-Disciples of Christ, Hallsville, which was adopted.

Senator Schatz offered Senate Resolution No. 767, regarding Gabrielle Bolfing, Eureka, which was adopted.

Senator Brattin offered Senate Resolution No. 768, regarding Dwain Strickland, Belton, which was adopted.

HOUSE BILLS ON THIRD READING

HB 2149, introduced by Representative Shields, entitled:

An Act to repeal sections 334.530 and 334.655, RSMo, and to enact in lieu thereof two new sections relating to the practice of physical therapy.

Was taken up by Senator Eslinger.

Senator Eslinger offered **SS** for **HB 2149**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 2149

An Act to repeal sections 197.400, 197.445, 327.312, 327.313, 327.314, 327.331, 334.036, 334.530, 334.655, 345.015, and 345.050, RSMo, and to enact in lieu thereof sixteen new sections relating to professional licensing, with an emergency clause for a certain section.

Senator Eslinger moved that **SS** for **HB 2149** be adopted.

Senator Hough assumed the Chair.

Senator Bernskoetter assumed the Chair.

Senator Eslinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 2149, Pages 10-13, Section 334.036, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

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

Senator May offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 2149, Page 58, Section 345.085, Line 923, by inserting after all of said line the following:

“454.1005. 1. To show cause why suspension of a license may not be appropriate, the obligor shall request a hearing from the court or division that issued the notice of intent to suspend the license. The

request shall be made within sixty days of the date of service of notice.

2. If an obligor fails to respond, without good cause, to a notice of intent to suspend a license[,] or to timely request a hearing or comply with a payment plan, [the obligor's defenses and objections shall be considered to be without merit and] the court or director may enter an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity.

3. Upon timely receipt of a request for hearing from an obligor, the court or director shall schedule a hearing **that complies with due process** to determine if suspension of the obligor's license is appropriate **considering all relevant factors, including those factors listed in subsection 4 of this section**. The court or director shall stay suspension of the license pending the outcome of the hearing.

4. [If the action involves an arrearage, the only issues that may be determined in a hearing pursuant to this section are] **In determining whether the license suspension is appropriate under the circumstances, the court or director shall consider and issue written findings of fact and conclusions of law within thirty days following the hearing regarding the following:**

(1) The identity of the obligor;

(2) Whether the arrearage is in an amount greater than or equal to three months of support payments or two thousand five hundred dollars, whichever is less, by the date of service of a notice of intent to suspend; [and]

(3) Whether the obligor has entered a payment plan. If the action involves a failure to comply with a subpoena or order, the only issues that may be determined are the identity of the obligor and whether the obligor has complied with the subpoena or order;

(4) Whether the obligor had the ability to make the payments that are in arrearage;

(5) Whether the obligor has the current ability to make the payments;

(6) The reasons the obligor needs the license, including, but not limited to:

(a) Transportation of family members to and from work, school, or medical treatment;

(b) Transportation of the obligor or family members to extra curricular activities; or

(c) A requirement for employment;

(7) Whether the obligor is unemployed or underemployed;

(8) Whether the obligor is actively seeking employment;

(9) Whether the obligor has engaged in job search and job readiness assistance, including utilization of the state employment database website;

(10) Whether the obligor has a physical or mental impairment affecting his or her capacity to work; and

(11) Any other relevant factors that affect the obligor's ability to make the child support payments.

5. If the court or director, after the hearing, determines that the obligor has failed to comply with the child support payment obligation and an arrearage exists in excess of two thousand five hundred

dollars for good cause, then the court or director shall not issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity or, if an order is in place, shall stay such order. Good cause may include loss of employment, excluding voluntarily quitting or a dismissal due to poor job performance or failure to meet a condition of employment; catastrophic illness or accident of the obligor or a family member; severe inclement weather, including a natural disaster; or the obligor experiences a family emergency or other life-changing event, including divorce or domestic violence.

6. If the court or director, after hearing, determines that the obligor has failed, **without good cause**, to comply with any of the requirements in subsection 4 of this section, the court or director shall issue an order suspending the obligor's license and ordering the obligor to refrain from engaging in the licensed activity.

[6.] 7. The court or division shall send a copy of the order suspending a license to the licensing authority and the obligor by certified mail.

[7.] 8. The determination of the director, after a hearing pursuant to this section, shall be a final agency decision and shall be subject to judicial review pursuant to chapter 536. Administrative hearings held pursuant to this section shall be conducted by hearing officers appointed by the director of the department pursuant to subsection 1 of section 454.475.

[8.] 9. A determination made by the court or division pursuant to this section is independent of any proceeding of the licensing authority to suspend, revoke, deny, terminate or renew a license.”; and

Further amend the title and enacting clause accordingly.

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

Senator Brown offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 2149, Page 17, Section 334.655, Line 70, by inserting after all of said line the following:

“340.201. 1. The general assembly hereby occupies and preempts the entire field of legislation concerning the practice of veterinary medicine regulated under this chapter. A political subdivision of this state is preempted from enacting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, regulates, controls, directs, or interferes with the practice of veterinary medicine.

2. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use, to enforce a building or fire code regulation, to impose a tax or license fee for the privilege of carrying on the profession of veterinary medicine consistent with the laws regulating such taxes or license fees, to require vaccinations and licensing of animals kept within the boundaries of the political subdivision, to prohibit animal abuse, or otherwise to regulate for the general health, safety, sanitation, and welfare as long as the order, ordinance, rule, regulation, policy, or other measure does not interfere with, restrict, or limit the ability of a lawfully licensed person from engaging in any act or performing any procedure that falls

within the professionally recognized scope of practice of veterinary medicine.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Beck offered **SA 1 to SA 3:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for House Bill No. 2149, Page 2, Line 26, by inserting after “procedure” the following: **“for medically necessary purposes”**.

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

Senator Brown moved that **SA 3**, as amended, be adopted, which motion prevailed.

Senator Brattin offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 2149, Page 13, Section 334.036, Line 115, by inserting after all of said line the following:

“334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board’s order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board’s determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board’s decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person’s certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person’s ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense involving fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination including failing to establish a valid physician-patient relationship pursuant to section 334.108, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

(i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;

(j) Being listed on any state or federal sexual offender registry;

(k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;

(m) Failure of any applicant or licensee to cooperate with the board during any investigation;

(n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(o) Failure to timely pay license renewal fees specified in this chapter;

(p) Violating a probation agreement, order, or other settlement agreement with this board or any other licensing agency;

(q) Failing to inform the board of the physician's current residence and business address;

(r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;

(s) Any other conduct that is unethical or unprofessional involving a minor;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter or chapter 324, or of any lawful rule or regulation adopted pursuant to this chapter or chapter 324;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, including but not limited to any provision of chapter 195, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) Knowingly making a false statement, orally or in writing to the board;

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

(17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the Social Security Act;

(19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

(20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

(21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

(22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

(23) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;

(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;

(26) Revocation, suspension, limitation, probation, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, or voluntary termination of a controlled substance authority while under investigation;

(27) For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center.

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board

may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

8. The act of dispensing, prescribing, administering, or otherwise distributing ivermectin tablets or hydroxychloroquine sulfate tablets for human use shall not be grounds for denial, suspension, revocation, or other disciplinary action by the board.”; and

Further amend said bill, page 17, Section 334.655, line 70, by inserting after all of said line the following:

“338.055. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or if the designated pharmacist-in-charge, manager-in-charge, or any officer, owner, manager, or controlling shareholder of the applicant has committed any act or practice in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any

examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license, or diploma from any school;

(8) Denial of licensure to an applicant or disciplinary action against an applicant or the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency, or country whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, surrender of the license upon grounds for which denial or discipline is authorized in this state;

(9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) The intentional act of substituting or otherwise changing the content, formula or brand of any drug prescribed by written, electronic, or oral prescription without prior written or oral approval from the prescriber for the respective change in each prescription; provided, however, that nothing contained herein shall prohibit a pharmacist from substituting or changing the brand of any drug as provided under section 338.056, and any such substituting or changing of the brand of any drug as provided for in section 338.056 shall not be deemed unprofessional or dishonorable conduct unless a violation of section 338.056 occurs;

(17) Personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a health care provider who is authorized by law to do so.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds,

provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit. The board may impose additional discipline on a licensee, registrant, or permittee found to have violated any disciplinary terms previously imposed under this section or by agreement. The additional discipline may include, singly or in combination, censure, placing the licensee, registrant, or permittee named in the complaint on additional probation on such terms and conditions as the board deems appropriate, which additional probation shall not exceed five years, or suspension for a period not to exceed three years, or revocation of the license, certificate, or permit.

4. If the board concludes that a licensee or registrant has committed an act or is engaging in a course of conduct which would be grounds for disciplinary action which constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the activities which give rise to the danger and the nature of the proposed restriction or suspension of the licensee's or registrant's license. Within fifteen days after service of the complaint on the licensee or registrant, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged activities of the licensee or registrant appear to constitute a clear and present danger to the public health and safety which justify that the licensee's or registrant's license or registration be immediately restricted or suspended. The burden of proving that the actions of a licensee or registrant constitute a clear and present danger to the public health and safety shall be upon the state board of pharmacy. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the licensee's or registrant's license, such temporary authority of the board shall become final authority if there is no request by the licensee or registrant for a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the licensee or registrant named in the complaint, set a date to hold a full hearing under the provisions of chapter 621 regarding the activities alleged in the initial complaint filed by the board.

6. If the administrative hearing commission dismisses the action filed by the board pursuant to subsection 4 of this section, such dismissal shall not bar the board from initiating a subsequent action on the same grounds.

7. The board shall not deny, revoke, or suspend, or otherwise take any disciplinary action against, a certificate of registration or authority, permit, or license required by this chapter for any person due to the dispensing, distributing, or selling of ivermectin tablets or hydroxychloroquine sulfate tablets for human use. No person licensed under this chapter who dispenses, distributes, or sells ivermectin tablets or hydroxychloroquine sulfate tablets for human use shall ask the patient, or otherwise require of the patient, the reason or purpose for which the medications shall be used.”; and

Further amend the title and enacting clause accordingly.

Senator Brattin moved that the above amendment be adopted.

Senator Thompson Rehder assumed the Chair.

Senator Schupp offered **SA 1 to SA 4**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for House Bill No. 2149, Page 1, Line 1, by striking all of said line and inserting in lieu thereof the following: “Amend SS/HB 2149, Page 17, Section 334.655, line 70,”; and

Further amend said amendment, pages 1-11, section 334.100, by striking all of said section from the amendment; and

Further amend said amendment, page 11, lines 343-344 by striking all of said lines from the amendment.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Brattin, **SA 4** was withdrawn, rendering **SA 1 to SA 4** moot.

Senator Luetkemeyer assumed the Chair.

Senator Thompson Rehder assumed the Chair.

Senator Rowden assumed the Chair.

Senator Brattin offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Bill No. 2149, Page 13, Section 334.036, Line 115, by inserting after all of said line the following:

“334.100. 1. The board may refuse to issue or renew any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant’s right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board’s order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board’s determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board’s decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person’s certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense involving fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment, diagnostic tests or medical or surgical services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment or infirmity can be cured by a method, procedure, treatment, medicine or device;

(f) Performing or prescribing medical services which have been declared by board rule to be of no medical or osteopathic value;

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any other state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice or any other violation of any provision of this chapter;

(h) Signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination including failing to establish a valid physician-patient relationship pursuant to section 334.108, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, except as authorized in section 334.104;

- (i) Exercising influence within a physician-patient relationship for purposes of engaging a patient in sexual activity;
 - (j) Being listed on any state or federal sexual offender registry;
 - (k) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient;
 - (l) Failing to furnish details of a patient's medical records to other treating physicians or hospitals upon proper request; or failing to comply with any other law relating to medical records;
 - (m) Failure of any applicant or licensee to cooperate with the board during any investigation;
 - (n) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;
 - (o) Failure to timely pay license renewal fees specified in this chapter;
 - (p) Violating a probation agreement, order, or other settlement agreement with this board or any other licensing agency;
 - (q) Failing to inform the board of the physician's current residence and business address;
 - (r) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physician. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation or association which issues or conducts such advertising;
 - (s) Any other conduct that is unethical or unprofessional involving a minor;
- (5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;
- (6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter or chapter 324, or of any lawful rule or regulation adopted pursuant to this chapter or chapter 324;
- (7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;
- (8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation or other final disciplinary action against the holder of or applicant for a license or other right to practice any profession regulated by this chapter by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of medicine while subject to an investigation or while actually under investigation by any licensing authority,

medical facility, branch of the Armed Forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice medicine who is not registered and currently eligible to practice pursuant to this chapter. A physician who works in accordance with standing orders or protocols or in accordance with the provisions of section 334.104 shall not be in violation of this subdivision;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of the drug laws or rules and regulations of this state, including but not limited to any provision of chapter 195, any other state, or the federal government;

(14) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any birth, death or other certificate or document executed in connection with the practice of the person's profession;

(15) Knowingly making a false statement, orally or in writing to the board;

(16) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of health care services for all patients, or the qualifications of an individual person or persons to diagnose, render, or perform health care services;

(17) Using, or permitting the use of, the person's name under the designation of "Doctor", "Dr.", "M.D.", or "D.O.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(18) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment pursuant to the provisions of chapter 208 or chapter 630 or for payment from Title XVIII or Title XIX of the Social Security Act;

(19) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof; maintaining an unsanitary office or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in the office of a physician or in any health care facility to the board, in writing, within thirty days after the discovery thereof;

(20) Any candidate for licensure or person licensed to practice as a physical therapist, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a dentist pursuant to chapter 332, as a podiatrist pursuant to chapter 330, as an advanced practice registered nurse under chapter 335, or any

licensed and registered physician, dentist, podiatrist, or advanced practice registered nurse practicing in another jurisdiction, whose license is in good standing;

(21) Any candidate for licensure or person licensed to practice as a physical therapist, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.620;

(22) Any person licensed to practice as a physician or surgeon, requiring, as a condition of the physician-patient relationship, that the patient receive prescribed drugs, devices or other professional services directly from facilities of that physician's office or other entities under that physician's ownership or control. A physician shall provide the patient with a prescription which may be taken to the facility selected by the patient and a physician knowingly failing to disclose to a patient on a form approved by the advisory commission for professional physical therapists as established by section 334.625 which is dated and signed by a patient or guardian acknowledging that the patient or guardian has read and understands that the physician has a pecuniary interest in a physical therapy or rehabilitation service providing prescribed treatment and that the prescribed treatment is available on a competitive basis. This subdivision shall not apply to a referral by one physician to another physician within a group of physicians practicing together;

(23) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed or administered by another physician who is authorized by law to do so;

(24) Habitual intoxication or dependence on alcohol, evidence of which may include more than one alcohol-related enforcement contact as defined by section 302.525;

(25) Failure to comply with a treatment program or an aftercare program entered into as part of a board order, settlement agreement or licensee's professional health program;

(26) Revocation, suspension, limitation, probation, or restriction of any kind whatsoever of any controlled substance authority, whether agreed to voluntarily or not, or voluntary termination of a controlled substance authority while under investigation;

(27) For a physician to operate, conduct, manage, or establish an abortion facility, or for a physician to perform an abortion in an abortion facility, if such facility comes under the definition of an ambulatory surgical center pursuant to sections 197.200 to 197.240, and such facility has failed to obtain or renew a license as an ambulatory surgical center.

3. Collaborative practice arrangements, protocols and standing orders shall be in writing and signed and dated by a physician prior to their implementation.

4. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, warn, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate or permit for a period not to exceed three years, or restrict or limit the person's license, certificate or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling or treatment of physicians designated by the board at the expense of the individual to be examined, or

require the person to attend such continuing educational courses and pass such examinations as the board may direct.

5. In any order of revocation, the board may provide that the person may not apply for reinstatement of the person's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

6. Before restoring to good standing a license, certificate or permit issued pursuant to this chapter which has been in a revoked, suspended or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

7. In any investigation, hearing or other proceeding to determine a licensee's or applicant's fitness to practice, any record relating to any patient of the licensee or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such licensee, applicant, record custodian or patient might otherwise invoke. In addition, no such licensee, applicant, or record custodian may withhold records or testimony bearing upon a licensee's or applicant's fitness to practice on the ground of privilege between such licensee, applicant or record custodian and a patient.

8. The act of lawfully dispensing, prescribing, administering, or otherwise distributing ivermectin tablets or hydroxychloroquine sulfate tablets for human use shall not be grounds for denial, suspension, revocation, or other disciplinary action by the board.”; and

Further amend said bill, page 17, Section 334.655, line 70, by inserting after all of said line the following:

“338.055. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or if the designated pharmacist-in-charge, manager-in-charge, or any officer, owner, manager, or controlling shareholder of the applicant has committed any act or practice in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to this chapter or in obtaining permission to take any

examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license, or diploma from any school;

(8) Denial of licensure to an applicant or disciplinary action against an applicant or the holder of a license or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency, or country whether or not voluntarily agreed to by the licensee or applicant, including, but not limited to, surrender of the license upon grounds for which denial or discipline is authorized in this state;

(9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice under this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) The intentional act of substituting or otherwise changing the content, formula or brand of any drug prescribed by written, electronic, or oral prescription without prior written or oral approval from the prescriber for the respective change in each prescription; provided, however, that nothing contained herein shall prohibit a pharmacist from substituting or changing the brand of any drug as provided under section 338.056, and any such substituting or changing of the brand of any drug as provided for in section 338.056 shall not be deemed unprofessional or dishonorable conduct unless a violation of section 338.056 occurs;

(17) Personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a health care provider who is authorized by law to do so.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in

combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit. The board may impose additional discipline on a licensee, registrant, or permittee found to have violated any disciplinary terms previously imposed under this section or by agreement. The additional discipline may include, singly or in combination, censure, placing the licensee, registrant, or permittee named in the complaint on additional probation on such terms and conditions as the board deems appropriate, which additional probation shall not exceed five years, or suspension for a period not to exceed three years, or revocation of the license, certificate, or permit.

4. If the board concludes that a licensee or registrant has committed an act or is engaging in a course of conduct which would be grounds for disciplinary action which constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the activities which give rise to the danger and the nature of the proposed restriction or suspension of the licensee's or registrant's license. Within fifteen days after service of the complaint on the licensee or registrant, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged activities of the licensee or registrant appear to constitute a clear and present danger to the public health and safety which justify that the licensee's or registrant's license or registration be immediately restricted or suspended. The burden of proving that the actions of a licensee or registrant constitute a clear and present danger to the public health and safety shall be upon the state board of pharmacy. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend the licensee's or registrant's license, such temporary authority of the board shall become final authority if there is no request by the licensee or registrant for a full hearing within thirty days of the preliminary hearing. The administrative hearing commission shall, if requested by the licensee or registrant named in the complaint, set a date to hold a full hearing under the provisions of chapter 621 regarding the activities alleged in the initial complaint filed by the board.

6. If the administrative hearing commission dismisses the action filed by the board pursuant to subsection 4 of this section, such dismissal shall not bar the board from initiating a subsequent action on the same grounds.

7. The board shall not deny, revoke, or suspend, or otherwise take any disciplinary action against, a certificate of registration or authority, permit, or license required by this chapter for any person due to the lawful dispensing, distributing, or selling of ivermectin tablets or hydroxychloroquine sulfate tablets for human use in accordance with prescriber directions. No person licensed under this chapter who dispenses, distributes, or sells ivermectin tablets or hydroxychloroquine sulfate tablets for human use shall ask the patient or prescriber, or otherwise require of the patient or prescriber, the reason or purpose for which the medications shall be used, except in circumstances in which it is necessary for purposes of the patient's health insurance or to clarify dosage for the health and safety of the patient.”; and

Further amend the title and enacting clause accordingly.

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

Senator Eslinger moved that **SS** for **HB 2149**, as amended, be adopted, which motion prevailed.

On motion of Senator Eslinger, **SS** for **HB 2149**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot	Crawford
Eigel	Eslinger	Gannon	Hegeman	Hoskins	Hough	Koenig
Luetkemeyer	O'Laughlin	Onder	Riddle	Rowden	Schatz	Thompson Rehder

White—22

NAYS—Senators

Arthur	Beck	May	Moon	Mosley	Razer	Rizzo
Roberts	Schupp	Washington	Williams—11			

Absent—Senator Wieland—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	May	Moon	Mosley	O'Laughlin
Onder	Razer	Riddle	Rizzo	Rowden	Schatz	Schupp
Thompson Rehder	Washington	White	Williams—32			

NAYS—Senator Roberts—1

Absent—Senator Wieland—1

Absent with leave—Senators—None

Vacancies—None

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.

SENATE BILLS FOR PERFECTION

Senator Luetkemeyer moved that **SJR 39** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Eigel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 39, Page 2, Section 4(b), Line 28, by inserting after all of said line the following:

“Section 4(e). Notwithstanding any provision of law to the contrary, no county or other political subdivision shall be authorized to levy or collect a tax on tangible personal property.”; and

Further amend said bill and page, section B, line 9, by inserting after “increase” the following: “and to repeal the tax on tangible personal property”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brattin, Burlison, Moon and Onder.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Bean	Brattin	Burlison	Eigel	Hoskins	Koenig	Luetkemeyer
Moon	Onder	Rowden	Schatz—11			

NAYS—Senators

Arthur	Beck	Crawford	Eslinger	Gannon	Hegeman	May
Mosley	O’Laughlin	Razer	Rizzo	Roberts	Schupp	Thompson Rehder
Washington	White	Williams—17				

Absent—Senators

Bernskoetter	Brown	Cierpiot	Hough	Riddle	Wieland—6
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Absent with leave—Senators—None

Vacancies—None

On motion of Senator Luetkemeyer, **SJR 39** was declared perfected and ordered printed.

Senator Burlison moved that **SB 968**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 968**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 968

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to charitable organizations.

Was taken up.

Senator Burlison moved that **SCS** for **SB 968** be adopted.

Senator Burlison offered **SS** for **SCS** for **SB 968**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 968

An Act to repeal section 44.032, RSMo, and to enact in lieu thereof two new sections relating to nonprofit organizations.

Senator Burlison moved that **SS** for **SCS** for **SB 968** be adopted.

Senator Luetkemeyer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 968, Page 6, Section 407.475, Line 18, by inserting after all of said line the following:

“431.201. As used in section 431.202, unless the context otherwise requires, the following terms mean:

(1) “Business entity”, any natural person, business, corporation, limited liability company, series limited liability company, partnership, sole or other proprietorship, professional practice, or any other business organization or commercial enterprise, whether for profit or not for profit, including, without limitation, any successor in interest to an entity who conducts business or who, directly or indirectly, owns any equity interest, ownership, or profit participation in the entity;

(2) “Customers with whom the employee dealt”, each customer or prospective customer:

(a) Who was serviced, directly or indirectly, by an employee of a business entity;

(b) Whose business or other dealings with a business entity were supervised, coordinated, or otherwise worked on, directly or indirectly, by an employee;

(c) Who was solicited, produced, induced, persuaded, encouraged, or otherwise dealt with, directly or indirectly, by an employee;

(d) About whom an employee, directly or indirectly, obtained, had knowledge of, had access to, or is in possession of confidential business or proprietary information or trade secrets in the course of or as a result of the employee’s relationship with the business entity;

(e) Who has purchased or otherwise obtained products or services from a business entity and the sale or provision of which resulted in compensation, commissions, earnings, or profits to or for the employee within two years prior to the end of the employee’s employment or business relationship with the business entity; or

(f) With whom an employee had contact, directly or indirectly, of sufficient quality, frequency, and duration during the employee’s employment or other business relationship with the business entity such that the employee had influence over the customer;

(3) “Employee”:

(a) A natural person currently or formerly employed or retained by a business entity in any

capacity, or who has performed work for a business entity, including, but not limited to, a member of a board of directors, an officer, a supervisor, an independent contractor, or a vendor;

(b) A natural person who, by reason of having been employed by or having a business relationship with a business entity:

a. Obtained specialized skills, training, learning, or abilities; or

b. Obtained, had knowledge of, had access to, or is in possession of confidential or proprietary business information or trade secrets of the business entity, including, but not limited to, customer contact information or information of or belonging to customers of the business entity; or

(c) A current or former owner or seller of all or any part of the assets of a business entity or of any interest in a business entity, including, but not limited to, all or any part of the shares of a corporation, a partnership interest, a membership or membership interest in a limited liability company or a series limited liability company, or an equity interest, ownership, profit participation, or other interest of any type in any business entity;

(d) The term “employee” set forth in this subdivision shall be applicable only with respect to section 431.202 and shall have no application in any other context. The term “employee” is not intended, and shall not be relied upon, to create, change, or affect the employment status of any natural person or the meaning of the terms “employee”, “employment”, or “employer” that may be applicable in any other context or pursuant to any other provision of law.

431.202. 1. A reasonable covenant in writing promising not to solicit, recruit, hire, **induce, persuade, encourage**, or otherwise interfere with, **directly or indirectly**, the employment or other business relationship of one or more employees of a business entity shall be enforceable and not a restraint of trade pursuant to subsection 1 of section 416.031 if:

(1) Between two or more [corporations or other] business entities seeking to preserve workforce stability (which shall be deemed to be among the protectable interests of each [corporation or] **such** business entity) during, and for a reasonable period following, negotiations between such [corporations or] **business** entities for the acquisition of all or a part of one or more of such [corporations or] **business** entities;

(2) Between two or more [corporations or] business entities engaged in a joint venture or other legally permissible business arrangement where such covenant seeks to protect against possible misuse of confidential **business or proprietary information** or trade [secret business information] **secrets** shared or to be shared between or among such [corporations or] entities;

(3) Between [an employer] a **business entity** and one or more employees of **such business entity** seeking on the part of the [employer] **business entity** to protect:

(a) Confidential **business or proprietary information** or trade [secret business information] **secrets**;
or

(b) Customer or supplier relationships, goodwill or loyalty, which shall be deemed to be among the protectable interests of the [employer] **business entity**; or

(4) Between [an employer] a **business entity** and one or more employees of **such business entity**, notwithstanding the absence of the protectable interests described in subdivision (3) of this subsection, so long as such covenant does not continue for more than [one year] **two years** following the employee’s

employment or **business relationship with the business entity**; provided, however, that this subdivision shall not apply to covenants signed by employees who provide only secretarial or clerical services **and who own no shares, partnership interest, membership or membership interest in a limited liability company or series limited liability company, or equity interest, ownership, profit participation, or other interest of any type in the business entity.**

2. Whether a covenant covered by **subsection 1** of this section is reasonable shall be determined based upon the facts and circumstances pertaining to such covenant, but a covenant covered exclusively by subdivision (3) or (4) of subsection 1 of this section shall be conclusively presumed to be reasonable if its postemployment or **postbusiness** duration is no more than [one year] **two years.**

3. A reasonable covenant in writing promising not to solicit, induce, persuade, encourage, service, accept business from, or otherwise interfere with, directly or indirectly, a business entity's customers, including, without limitation, any reduction, termination, or transfer of any customer's business, in whole or in part, for purposes of providing any product or any service that is competitive with those provided by the business entity, shall be enforceable, and not a restraint of trade pursuant to subsection 1 of section 416.031, if the covenant is limited to customers with whom the employee dealt during the employee's employment or other business relationship with the business entity, and if:

(1) The covenant is between a business entity and one or more current or former employees of the business entity and is not associated with the sale or ownership of all or any part of:

(a) The assets of a business entity; or

(b) Any interest in a business entity, including, but not limited to, all or any part of the shares of a corporation, a partnership interest, a membership or membership interest in a limited liability company or series limited liability company, or an equity interest, ownership, profit participation, or other interest of any type in any business entity;

so long as the covenant does not continue for more than two years following the end of the employee's employment or business relationship with the business entity. Notwithstanding the foregoing, this subdivision shall not apply to covenants with current or former distributors, dealers, franchisees, lessees of real or personal property, or licensees of a trademark, trade dress, or service mark;

(2) The covenant is between a business entity and a current or former distributor, dealer, franchisee, lessee of real or personal property, or licensee of a trademark, trade dress, or service mark, and is not associated with the sale or ownership of all or any part of any of the items provided in paragraphs (a) or (b) of subdivision (1) of this subsection, so long as such covenant does not continue for more than three years following the end of the business relationship; or

(3) The covenant is between a business entity and the owner or seller of all or any part of any of the items provided in paragraphs (a) or (b) of subdivision (1) of this subsection, so long as the covenant does not continue for more than the longer of five years in duration or the period of time during which payments are being made to the owner or seller as a result of any sale measured from the date of termination, closing, or disposition of such items.

(a) A breach or threatened breach of a covenant described in this subdivision shall create a conclusive presumption of irreparable harm in the absence of an issuance of injunctive relief in connection with the enforcement of the covenant, without the necessity of establishing by prima facie

evidence any actual or threatened damages or harm. Nothing in this paragraph shall be construed to change any other applicable evidentiary standard or other standards necessary for obtaining temporary, preliminary, or permanent injunctive relief relating to the enforcement of covenants.

(b) A provision in writing by which an employee promises to provide prior notice to a business entity of the employee's intent to terminate, sell, or otherwise dispose of all or any part of any of the items covered by this subdivision shall be conclusively presumed to be enforceable, and not a restraint of trade pursuant to subsection 1 of section 416.031, if the specified notice period is no longer than thirty days in duration and the business entity agrees in writing to pay the employee at the employee's regular rate of pay and to provide the employee with the employee's regular benefits during the applicable notice period even if the business entity does not require the employee to provide services during the notice period.

4. Whether a covenant covered by subsection 3 of this section is reasonable shall be determined based upon the facts and circumstances pertaining to the covenant, but a covenant covered by subdivisions (1) to (3) of subsection 3 of this section shall be conclusively presumed to be reasonable if its postemployment, posttermination, postbusiness relationship, postsale, or postdisposition duration is consistent with the applicable duration set forth in subdivisions (1) to (3) of subsection 3 of this section.

5. No express reference to geographic area shall be required for a covenant described in this section to be enforceable.

6. If a covenant is overbroad, overlong, or otherwise not reasonably necessary to protect the legitimate business interests of the person seeking enforcement of the covenant, a court shall modify the covenant, enforce the covenant as modified, and grant only the relief reasonably necessary to protect such interests.

7. Nothing in subdivision (3) or (4) of subsection 1 or subdivisions (1) to (3) of subsection 3 of this section is intended to create, or to affect the validity or enforceability of, [employer-employee] covenants not to compete, other types of covenants, or nondisclosure or confidentiality agreements, except as expressly provided in this section.

[4.] 8. Nothing in this section shall preclude a covenant described in subsection 1 of this section from being enforceable in circumstances other than those described in subdivisions (1) to (4) of subsection 1 of this section, or a covenant described in subsection 3 of this section from being enforceable in circumstances other than those described in subdivisions (1) to (3) of subsection 3 of this section, where such covenant is reasonably necessary to protect a party's legally permissible business interests.

[5.] 9. Except as otherwise expressly provided in this section, nothing [is] in this section shall be construed to limit an employee's ability to seek or accept employment with another employer immediately upon, or at any time subsequent to, termination of employment, whether said termination was voluntary or nonvoluntary.

[6.] 10. This section shall have retrospective as well as prospective effect.”; and

Further amend the title and enacting clause accordingly.

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

Senator Roberts offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 968, Page 6, Section 407.475, Line 18, by inserting after all of said line the following:

“650.570. 1. This act shall be known and may be cited as the “Faith Without Fear Act”.

2. The department of public safety shall distribute to any not-for-profit organization a one-time grant for the purpose of enhancing physical security, subject to the requirements of this section. No not-for-profit organization shall receive more than one grant pursuant to this section.

3. Grants distributed under this section shall not exceed seventy-five percent of the total cost of the security enhancement.

4. Subject to appropriation, no more than twenty-five million dollars shall be distributed under this section and no more than two million five hundred thousand dollars shall be distributed under this section in any fiscal year. No more than fifty thousand dollars shall be distributed to any one not-for-profit organization annually.

5. (1) The department of public safety shall create an on-line application form as part of its website which shall be the sole means of applying for grants under this section. Any not-for-profit organization seeking a grant under this section shall submit an application to the department using such form on the department’s website. The not-for-profit organization shall submit documents showing how it plans to enhance security, including plans for how the not-for-profit organization will cover the remaining twenty-five percent of the cost for its security enhancement.

(2) In assessing the plans of a not-for-profit organization for covering the remaining twenty-five percent of the cost, the department shall only consider costs for the following:

- (a) Physical security enhancements;**
- (b) Security personnel costs;**
- (c) Installation costs;**
- (d) Costs related to increased square footage in the not-for-profit organization’s place of business;**
- (e) Employee and security training costs;**
- (f) New employee salaries; and**
- (g) Existing employee salaries due to new security duties.**

(3) Any not-for-profit organization applying for a grant shall submit documentation to the department showing how grant funds will be used.

6. The department shall prescribe the time of filing applications and supervise the processing thereof, provided that applications shall be accepted by the department beginning October 1, 2022.

7. The department shall select qualified recipients to receive grants and determine the manner and method of payment to the recipients.

8. Any not-for-profit organization who receives a grant pursuant to this section shall submit

documentation to the department no later than one year after the distribution showing how the grant funds were spent.

9. In the case of a not-for-profit organization with employees and locations in more than one state, grant funds distributed pursuant to this section shall be used only for locations in Missouri and employees residing in Missouri.

10. For purposes of this section, the terms “enhancing security” and “security enhancement” mean:

- (1) Physical infrastructure security improvement investments;**
- (2) Security risk assessment costs;**
- (3) Costs associated with employee training programs; and**
- (4) Costs associated with upskilling employees with security-related certifications or credentials.**

11. For the purposes of this section, the term “not-for-profit organization” means:

- (1) Places of worship;**
- (2) Community centers; and**
- (3) Charitable and social service agencies.”; and**

Further amend the title and enacting clause accordingly.

Senator Roberts moved that the above amendment be adopted.

Senator Burlison offered **SA 1 to SA 2:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 968, Page 2, Section 650.570, Line 52, by inserting at the end of said line the following: **“Notwithstanding any other provision of law to the contrary, any not-for-profit organization who receives a grant pursuant to this section shall not prohibit any members of such organization from lawfully carrying a concealed weapon onto any premises of the organization.”.**

Senator Burlison moved that the above amendment be adopted.

Senator Onder requested a roll call vote be taken and was joined in his request by Senators Burlison, Hoskins, Koenig and Moon.

SA 1 to SA 2 was adopted by the following vote:

YEAS—Senators

Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot	Crawford
Eigel	Eslinger	Gannon	Hegeman	Hoskins	Hough	Koenig
Moon	O’Laughlin	Onder	Rowden	Schatz	Thompson Rehder	White—21

NAYS—Senators

Arthur	Beck	May	Mosley	Razer	Rizzo	Roberts
Schupp	Washington	Williams—10				

Absent—Senators

Luetkemeyer Riddle Wieland—3

Absent with leave—Senators—None

Vacancies—None

At the request of Senator Roberts, SA 2 was withdrawn, rendering SA 1 to SA 2 moot.

Senator Roberts offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 968, Page 5, Section 44.032, Line 149, by inserting after all of said line the following:

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

(1) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) “Director”, the director of the department of social services;

(3) “Refugee”, an individual or family who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion;

(4) “Refugee resource center”, a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to refugees through access to job training, healthcare, housing, counseling, material support, and other similar services or by offering services as described under section 161.227, to encourage and assist such refugees in their adjustments to their new lives in this state;

(b) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone;

(c) Which provides its services at no cost to its clients; and

(d) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(5) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143 or 148, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(6) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt

from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2022, any taxpayer making a contribution to a refugee resource center on or after January 1, 2022, shall be eligible to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a refugee resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of ten thousand dollars per tax year. However, any tax credit that cannot be claimed in the tax year the contribution was made may be carried over only to the next succeeding tax year. No tax credit issued under this section shall be assigned, transferred, or sold.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a refugee resource center or centers in such taxpayer's tax year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as refugee resource centers. The director may require of a facility seeking to be classified as a refugee resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a refugee resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a refugee resource center. Refugee resource centers shall be permitted to decline a contribution from a taxpayer.

7. Each refugee resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the refugee resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

8. The total amount of tax credits that may be authorized pursuant to this section in any fiscal year shall not exceed ten million dollars.

9. The provisions of section 23.253 shall not apply to this section.”; and

Further amend the title and enacting clause accordingly.

Senator Roberts moved that the above amendment be adopted.

Senator Burlison offered SA 1 to SA 3:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 968, Page 1, Section 135.610, Line 9, by inserting after “who” the following: “**is admitted to the United States through a refugee admissions program and who**”; and further amend line 26 of said

amendment page, by striking “and”; and inserting in lieu thereof the following:

“(d) Which does not knowingly provide assistance to persons unlawfully present in this country and does not participate in human trafficking; and”; and further renumber the remaining paragraph; and

Further amend said amendment, page 3, line 79, by inserting at the end of said line the following: **“The director shall recapture from a refugee resource center an amount equal to all tax credits issued for contributions made to the refugee resource center if such refugee resource center is found to be knowingly providing assistance to persons unlawfully present in this country or is found to be participating in human trafficking.”**; and

Further amend said amendment, page 4, lines 96-97, by striking said lines and inserting in lieu thereof the following:

“9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2022, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; and

(4) The provisions of this subsection shall not be construed to limit or in any way impair the department of revenue’s ability to redeem tax credits authorized on or before the date the program authorized pursuant to this section expires, or a taxpayer’s ability to redeem such tax credits.”; and”.

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

Senator Crawford assumed the Chair.

At the request of Senator Burlison, **SB 968**, with **SCS**, **SS** for **SCS** and **SA 3**, as amended (pending), was placed on the Informal Calendar.

At the request of Senator Brattin, **SB 777** and **SB 808**, with **SCS**, was placed on the Informal Calendar.

Senator O’Laughlin moved that **SB 683**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 683**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 683

An Act to repeal section 210.211, RSMo, and to enact in lieu thereof one new section relating to child care, with an emergency clause.

Was taken up.

Senator O’Laughlin moved that **SCS** for **SB 683** be adopted.

Senator O’Laughlin offered SS for SCS for **SB 683**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 683

An Act to repeal sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.199, 210.201, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.252, 210.254, 210.255, 210.256, 210.258, 210.275, 210.278, 210.305, 210.565, 210.1007, and 210.1080, RSMo, and to enact in lieu thereof twenty-six new sections relating to child care, with penalty provisions and an emergency clause for a certain section.

Senator O’Laughlin moved that SS for SCS for **SB 683** be adopted.

Senator Luetkemeyer offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 52, Section 210.1080, Line 318, by inserting after all of said line the following:

“217.940. 1. This act establishes the “Correctional Center Nursery Program”. The department of corrections shall, subject to appropriations, establish a correctional center nursery in one or more of the correctional centers for women operated by the department, no later than July 1, 2025. The purpose of the correctional center nursery program is for bonding and unification between the mother and child. The program shall allow eligible inmates and children born from them while in the custody of the department to reside together in the institution for up to eighteen months post-delivery. In establishing this program, neither the inmate’s participation in the program nor any provision of sections 217.940 to 217.947 shall affect, modify, or interfere with the inmate’s custodial rights to the child nor does it establish legal custody of the child with the department.

2. As used in sections 217.940 to 217.947, the following terms shall mean:

(1) “Correctional center nursery program”, the program authorized by sections 217.940 to 217.947;

(2) “Department”, the department of corrections;

(3) “Public assistance”, all forms of assistance, including monetary assistance from any public source paid either to the mother or child or any other person on behalf of the child;

(4) “Support”, the payment of money, including interest:

(a) For a child or spouse ordered by a court of competent jurisdiction, whether the payment is ordered in an emergency, temporary, permanent, or modified order, the amount of unpaid support shall bear simple interest from the date it accrued, at a rate of ten dollars upon one hundred dollars per annum, and proportionately for a greater or lesser sum, or for a longer or shorter time;

(b) To third parties on behalf of a child or spouse, including, but not limited to, payments to medical, dental or educational providers, payments to insurers for health and hospitalization insurance, payments of residential rent or mortgage payments, payments on an automobile, or payments for day care; or

(c) For a mother, ordered by a court of competent jurisdiction, for the necessary expenses incurred by or for the mother in connection with her confinement or of other expenses in connection with the pregnancy of the mother.

217.941. 1. An inmate is eligible to participate in the correctional center nursery program if:

- (1) She delivers the child while in the custody of the department;**
- (2) She is expected to give birth or gives birth on or after the date the program is implemented;**
- (3) She has a presumptive release date established by the parole board of eighteen months or less from the date she applies to participate in the program;**
- (4) She has not pled guilty to or been convicted of a dangerous felony as defined in section 556.061;**
- (5) She has not pled guilty to or been convicted of any sexual offense contained in chapter 566 where the victim of the crime was a minor;**
- (6) She has not pled guilty to or been convicted of an offense against the family contained in chapter 568, excluding criminal nonsupport; and**
- (7) She and the child meet any other criteria established by the department.**

2. Placement into the program shall be by internal classification of the department. A sentencing court is without jurisdiction to order a placement of an inmate into the program.

3. Program capacity shall be determined by the department.

4. Upon first release of the mother and child, the child shall not be eligible to return to the program if the mother is revoked or receives a new assignment to the department of corrections.

217.942. 1. To participate in the correctional center nursery program, each eligible inmate selected by the department shall agree in writing to:

- (1) Comply with all department policies, procedures and other requirements related to the corrections nursery program and rules that apply to all incarcerated offenders generally;**
- (2) If eligible, have the child participate in the state children's health insurance program under sections 208.631 to 208.658;**
- (3) Abide by any court decisions regarding the allocation of parental rights and responsibilities with respect to the child; and**
- (4) Specify with whom the child is to be placed in the event the inmate's participation in the program is terminated for a reason other than release from imprisonment.**

2. The department shall be required to establish policy for the operation of the program.

217.943. An inmate's participation in the correctional center nursery program may be terminated by the department if one of the following occurs:

- (1) The inmate fails to comply with the agreement entered into under section 217.942;**
- (2) The inmate violates an institutional rule that results in alternative housing placement outside of the area designated for the program;**

(3) The inmate’s child becomes seriously ill, cannot receive the necessary medical care, or otherwise cannot safely participate in the program;

(4) A court of competent jurisdiction grants custody of the child to a person other than the inmate;

(5) A court of competent jurisdiction issues an order regarding the child granting temporary, permanent, or legal custody of the child to a person other than the inmate, or to a public children services agency or private child placing agency; or

(6) The inmate is released from imprisonment.

217.944. 1. The division of child support enforcement shall collect support payments made pursuant to the assignment and forward them to the department for deposit into the inmate’s inmate banking account.

2. The department may accept monetary and property donations on behalf of the program.

3. All donations accepted by the department for the correctional center nursery program shall be used solely for any expenses relating to the operation and maintenance of the program.

4. No donations of property shall be made on behalf of one particular inmate or child to be used while incarcerated.

5. Financial donations, public assistance, or support for a specific inmate or child shall be made through the inmate banking system.

217.945. 1. There is hereby created in the state treasury the “Correctional Center Nursery Program Fund”, which shall consist of money collected under this section and section 217.944 as well as any appropriations made by the general assembly. The department shall obtain sufficient resources to initiate and maintain the program and may accept gifts, grants, and donations of any kind. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department for the purposes of operating and maintaining sections 217.940 to 217.947.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

217.946. Notwithstanding any other provision of law to contrary, neither the correctional center nursery program nor the department, with respect to the program, is subject to any regulation, licensing or oversight by the department of health and senior services, department of social services, children’s division, juvenile officer of any jurisdiction or the office of childhood unless the department voluntarily agrees to services, regulation, licensing, or oversight from any of the aforementioned entities.

217.947. The operation of a correctional center nursery program established under sections 217.940 to 217.947 and the presence of children of inmates participating in the correctional center nursery program shall not be considered a dangerous condition that would result in a waiver of sovereign immunity under section 537.600. The sovereign immunity provisions of section 537.600 and

any other statute regarding the sovereign immunity of the state or public entities in existence as of August 28, 2022, shall remain in effect and shall be applied in the same manner as such provisions were applied prior to the establishment of the correctional center nursery program under sections 217.940 to 217.947.”; and

Further amend the title and enacting clause accordingly.

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

Senator May offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 1, Section A, Line 11, by inserting after all of said line the following:

“170.307. 1. For school year 2022-23 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received mental health awareness training given any time during a pupil’s four years of high school.

2. Beginning in school year 2022-23, any public school or charter school serving grades nine through twelve shall provide enrolled students instruction in mental health awareness. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. Instruction shall be included in the district’s existing health or physical education curriculum. Instruction shall be based on a program established by the department of elementary and secondary education.

3. The department of elementary and secondary education shall promulgate rules to develop a model curriculum to be used by school districts to provide the instruction required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator May moved that the above amendment be adopted.

Senator Brattin raised the point of order that SA 2 is out of order as it goes beyond the scope of the underlying bill.

At the request of Senator May, SA 2 was withdrawn, rendering the point of order moot.

Senator Schupp offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 683, Page 52, Section 210.1080, Line 318, by inserting after all of said line the following:

“452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) “Custody” means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;

(2) “Joint legal custody” means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

(3) “Joint physical custody” means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

(4) “Third-party custody” means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. When the parties have not reached an agreement on all issues related to custody, the court shall consider all relevant factors and enter written findings of fact and conclusions of law, including, but not limited to, the following:

(1) The wishes of the child’s parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child’s best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child’s adjustment to the child’s home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child’s custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or

unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.031, 566.032, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.100, 566.101, 566.111, 566.151, 566.203, 566.206, 566.209, 566.211, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

(e) A violation of section 573.200;

(f) A violation of section 573.205; or

(g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation

may be awarded to a person related by consanguinity or affinity **within the second degree** to the child. If no person related to the child by consanguinity or affinity **within the second degree** is willing to accept custody **and deemed by the court to be suitable and able to provide an adequate and stable environment for the child**, then the court may award custody to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child. The court shall not presume that a parent, solely because of his or her sex, is more qualified than the other parent to act as a joint or sole legal or physical custodian for the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 8 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. After August 28, 2016, every court order establishing or modifying custody or visitation shall include the following language: "In the event of noncompliance with this order, the aggrieved party may file a verified motion for contempt. If custody, visitation, or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts that constitute a violation of the custody provisions of the judgment of dissolution, legal separation, or judgment of paternity. The circuit clerk will provide the aggrieved party with an explanation of the procedures for filing a family access motion and a simple form for use in filing the family access motion. A family access motion does not require the assistance of legal counsel to prepare and file."

11. No court shall adopt any local rule, form, or practice requiring a standardized or default parenting plan for interim, temporary, or permanent orders or judgments. Notwithstanding any other provision to the contrary, a court may enter an interim order in a proceeding under this chapter, provided that the interim

order shall not contain any provisions about child custody or a parenting schedule or plan without first providing the parties with notice and a hearing, unless the parties otherwise agree.

12. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. A court shall order that the reports and records made available under this subsection not include the address of the parent with custody if the parent with custody is a participant in the address confidentiality program under section 589.663. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

13. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

14. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

15. If the court finds that domestic violence or abuse as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Rowden raised the point of order that **SA 3** 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, who ruled it well taken.

Senator O’Laughlin moved that **SS** for **SCS** for **SB 683**, as amended, be adopted, which motion prevailed.

On motion of Senator O’Laughlin, **SS** for **SCS** for **SB 683**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON SECOND READING

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

HCS for HB 3001—Appropriations.

HCS for HB 3002—Appropriations.

HCS for HB 3003—Appropriations.

HCS for HB 3004—Appropriations.

HCS for HB 3005—Appropriations.

HCS for HB 3006—Appropriations.

HCS for HB 3007—Appropriations.

HCS for HB 3008—Appropriations.

HCS for HB 3009—Appropriations.

HCS for HB 3010—Appropriations.

HCS for HB 3011—Appropriations.

HCS for HB 3012—Appropriations.

HCS for HB 3013—Appropriations.

HCS for HB 3015—Appropriations.

HCS for HB 3020—Appropriations.

President Pro Tem Schatz assumed the Chair.

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 **SJR 39** and **SS for SCS for SB 756**, begs leave to report that it has examined the same and finds that the joint resolution and bill have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1600**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 35**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

On behalf of Senator Wieland, Chairman of the Committee on Insurance and Banking, Senator Crawford submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 1063**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 963**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Riddle, Chairman of the Committee on Professional Registration, Senator Burlison submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 978**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator White, Chairman of the Committee on Seniors, Families, Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Seniors, Families, Veterans and Military Affairs, to which was referred **SB 843**, 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, Veterans and Military Affairs, to which was referred **SB 1178**, 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, Veterans and Military Affairs, to which was referred **SB 1133**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator O'Laughlin, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 684**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cierpiot, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 923**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

REFERRALS

President Pro Tem Schatz referred **SS** for **SCS** for **SB 756** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Schatz referred **SR 761** and **SR 762** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Luetkemeyer offered Senate Resolution No. 769, regarding the Sixtieth Wedding Anniversary of Dr. Don and Wanda Barr, St. Joseph, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 770, regarding the Fiftieth Wedding Anniversary of Richard and Pat Spencer, St. Joseph, which was adopted.

Senator May offered Senate Resolution No. 771, regarding Woodside, the Charles S. And Mary Rannells House, Maplewood, which was adopted.

Senator Schatz offered Senate Resolution No. 772, regarding the Wildwood Historic Preservation Commission, which was adopted.

Senator Burlison offered Senate Resolution No. 773, regarding Jean Grabeel, Springfield, which was adopted.

INTRODUCTION OF GUESTS

Senator Luetkemeyer introduced to the Senate, Northland Regional Chamber of Commerce.

Senator Cierpiot introduced to the Senate, Former Representatives', Linda Bartlesmeyer; and Judy Berkstresser.

Senator Bernskoetter introduced to the Senate, Mrs. Ginger Luetkemeyer; Jonathan Lieb; Madie Haurdin; Emily Doggett; Charlie Scheperle; Jocelyn Scheppers; Willow Garwood; Larry Marion; and Caleb Bernskoetter.

Senator Thompson Rehder introduced to the Senate, Missouri Society of Anesthesiologist.

Senator Roberts introduced to the Senate, Association of Missouri Nurse Practicioners, Laura Kuenstring; Pamela Talley; Paige Bernau; Lucy Kokoi; Marie Turner; and Cindy Dortch.

Senator Schupp introduced to the Senate, Donna Jahnke; and doctoral students in education; and Stephanie Faulkingham.

Senator Williams introduced to the Senate, Rabbi Yosef Landa; Shiffy Landa; and Ha-im Landa.

Senator Washington introduced to the Senate, Kansas City Councilman, Melissa Robinson.

Senator Moon introduced to the Senate, Missouri Federation of Republican Women.

Senator Thompson Rehder introduced to the Senate, Ms. Molly Haynes, Springfield.

On motion of Senator White, the Senate adjourned until 11:00 a.m., Wednesday, April 13, 2022.

SENATE CALENDAR

FORTY-EIGHTH DAY—WEDNESDAY, APRIL 13, 2022

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 2120	HB 2697-Shaul
HCS for HB 2012	HB 2607-Rone
HJR 116-Schnelting	HCS for HB 1562
HCS for HJR 131	HB 2143-Kalberloh
HCS for HB 1597	HCS for HB 2032
HCS for HB 1472	HB 1954-Henderson
HCS for HB 2587	HB 1684-Black (137)
HCS for HB 2289	HB 2088-Grier
HCS for HB 1682	HB 1637-Schwadron

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 649-Eigel (In Fiscal Oversight)	SJR 39-Luetkemeyer
SS for SCS for SB 931-Koenig (In Fiscal Oversight)	SS for SCS for SB 756-White (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 997-Bernskoetter	8. SB 812-Eigel
2. SB 650-Eigel	9. SB 742-Crawford
3. SB 723-Hegeman	10. SB 918-Burlison, with SCS
4. SB 1153-Eslinger, with SCS	11. SB 984-Hegeman
5. SB 864-Hoskins, with SCS	12. SB 671-White, with SCS
6. SB 867-Koenig, with SCS	13. SB 741-Crawford, with SCS
7. SB 654-Crawford, with SCS	14. SB 674-Hough, with SCS

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| 15. SB 987-Bean | 28. SB 809-Koenig, with SCS |
| 16. SB 713-Razer, with SCS | 29. SB 800-Hegeman |
| 17. SB 781-Moon, with SCS | 30. SB 958-Bean, with SCS |
| 18. SB 1179-Hough | 31. SB 694-Brattin |
| 19. SB 994-Washington | 32. SB 1063-Crawford |
| 20. SBs 961 & 733-Beck, with SCS | 33. SB 963-Brown, with SCS |
| 21. SB 739-Eigel | 34. SB 978-Eslinger, with SCS |
| 22. SB 874-Arthur | 35. SB 843-Moon, with SCS |
| 23. SB 1040-Burlison | 36. SB 1178-White and Cierpiot, with SCS |
| 24. SB 1143-Brown | 37. SB 1133-White, with SCS |
| 25. SB 685-May | 38. SB 684-May |
| 26. SB 833-Luetkemeyer | 39. SB 923-Brattin |
| 27. SB 1023-Gannon | |

HOUSE BILLS ON THIRD READING

HCS for HB 1686 (Brown)
(In Fiscal Oversight)

HB 1697-Baker (Burlison)
HCS for HB 2005 (Bean)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 631-Hegeman, with SCS, SS for SCS &
SA 4 (pending) | SB 761-Brown, with SS & SA 2 (pending) |
| SB 648-Rowden | SB 762-Brown, with SS & SA 4 (pending) |
| SB 657-Cierpiot, with SS (pending) | SBs 777 & 808-Brattin, with SCS |
| SB 663-Bernskoetter, with SCS | SB 798-Mosley, with SA 1 & SA 1 to SA 1
(pending) |
| SB 664-Bernskoetter | SB 850-Bean, with SCS & SS for SCS
(pending) |
| SB 665-Bernskoetter, with SS (pending) | SB 869-Koenig, with SS (pending) |
| SB 667-Burlison, with SS (pending) | SB 938-White, with SCS & SS for SCS
(pending) |
| SBs 698 & 639-Gannon, et al, with SCS,
SA 1 & SA 1 to SA 1 (pending) | SB 968-Burlison, with SCS, SS for SCS &
SA 3 (pending) |
| SBs 702, 636, 651, & 693-Eslinger, with SCS | SJR 41-Roberts and Mosley |
| SB 726-Onder, with SS & SA 6 (pending) | |
| SB 732-Hoskins, with SCS | |

HOUSE BILLS ON THIRD READING

SS for SCS for HCS for HB 1552 (Koenig)
(In Fiscal Oversight)

CONSENT CALENDAR

House Bills

Reported 4/12

HB 1600-Chipman (Bernskoetter)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 2117, with SS#2, as amended (Bernskoetter)
(House requests Senate recede or grant conference)

RESOLUTIONS

SR 435-Schatz
SR 448-Eigel
SR 453-Eigel
SR 466-Eigel
SR 467-Eigel

SR 468-Hoskins
SR 469-Hoskins
SR 472-White
SR 496-Hoskins
HCR 52-Plocher (Rowden)

Reported from Committee

SCR 25-Burlison
SCR 35-Washington
SR 594-Bernskoetter and Schupp

SR 626-Schatz
SR 702-Rowden, with SCS

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