

Journal of the Senate

SECOND REGULAR SESSION

SIXTIETH DAY—THURSDAY, MAY 5, 2022

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

The Reverend Carl Gauck offered the following prayer:

“Let them praise the name of the Lord, for His name alone is exalted...” (Psalm 148:13)

Heavenly Father, fill us with Your grace so that we may live in peace with one another and together sing of Your love and mercy. Bind the heart of Your people in love for one another and end all forms of quarreling and anger that divides us. And bring us to find ways that are pleasing to You and helpful to our people. 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.

Senator White announced photographers from Nexstar Media Group 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	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—33		

Absent—Senators—None

Absent with leave—Senator Eigel—1

Vacancies—None

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 898, regarding Eagle Scout Keith DeWitt Stennis II, Jefferson City, which was adopted.

Senator Williams offered Senate Resolution No. 899, regarding Colby Crowder, Warrensburg, which was adopted.

Senator Williams offered Senate Resolution No. 900, regarding Christen Griffin, St. Louis, which was adopted.

Senator Williams offered Senate Resolution No. 901, regarding Bridget Pegg, St. Ann, which was adopted.

Senator Brattin offered Senate Resolution No. 902, regarding Brent Duncan, which was adopted.

Senator Brattin offered Senate Resolution No. 903, regarding Abbey Manning, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 845**, entitled:

An Act to repeal sections 50.800, 50.810, 50.815, 50.820, 115.306, and 473.742, RSMo, and to enact in lieu thereof four new sections relating to financial information provided to county officials.

With House Amendment Nos. 1, 2, and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 845, Page 1, In the Title, Lines 3-4, by deleting the words “financial information provided to county officials” and inserting in lieu thereof the words “county economic activity”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 845, Page 8, Section 473.742, Line 84, by inserting after all of said section and line the following:

“620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified company or qualified military project, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. The department shall respond to a written request, by or on behalf of a qualified manufacturing company, for a proposed benefit award under the provisions of this program within fifteen business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company or qualified military project, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company or qualified military project that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper

documentation of eligibility has been provided. The department shall certify or reject the qualifying company's plan outlined in their notice of intent as satisfying good faith efforts made to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (24) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company or qualified military project receiving benefits under this program shall provide an annual report of the number of jobs, along with minority jobs created or retained, and such other information as may be required by the department to document the basis for program benefits available no later than ninety days prior to the end of the qualified company's or industrial development authority's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company or qualified military project has not maintained the employee insurance as required, if the department after a review determines the qualifying company fails to satisfy other aspects of their notice of intent, including failure to make good faith efforts to employ, at a minimum, commensurate with the percentage of minority populations in the state of Missouri, as reported in the previous decennial census, the following: racial minorities, contractors who are racial minorities, and contractors that, in turn, employ at a minimum racial minorities commensurate with the percentage of minority populations in the state of

Missouri, as reported in the previous decennial census, or if the number of jobs is below the number required, the qualified company or qualified military project shall not receive tax credits or retain the withholding tax for the balance of the project period. **If a statewide state of emergency exists for more than sixteen months, a qualified company or industrial development authority shall be entitled to a one-time suspension of program deadlines equal to the number of months such statewide state of emergency existed with any partial month rounded to the next whole month. During such suspension, the qualified company or industrial development authority shall not be entitled to retain any withholding tax as calculated under subdivision (38) of section 620.2005 nor shall it earn any awarded tax credit or receive any tax credit under the program for the suspension period. The suspension period shall run consecutively and be available to a qualified company or industrial development authority that, during the statewide state of emergency, submitted a notice of intent that was approved or that was in year one or a subsequent year of benefits under a program agreement with the department. The suspension period that runs consecutively and may be available to a qualified company or industrial development authority as provided in this subsection may apply retroactively. Any qualified company or industrial development authority requesting a suspension pursuant to this subsection shall submit notice to the department on its provided form identifying the requested start and end dates of the suspension, not to exceed the maximum number of months available under this subsection. Such notice shall be submitted to the department not later than the end of the twelfth month following the termination of the statewide state of emergency. No suspension period shall start later than the date on which the statewide state of emergency was terminated. The department and the qualified company or the industrial development authority shall enter into a program agreement or shall amend an existing program agreement, as applicable, stating the deadlines following the suspension period and updating the applicable wage requirements.** Failure to timely file the annual report required under this section [shall] may result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company or qualified military project during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs; provided that, tax credits awarded under subsection 7 of section 620.2010 may be issued following the qualified company's acceptance of the department's proposal and pursuant to the requirements set forth in the written agreement between the department and the qualified company under subsection 4 of section 620.2010.

5. Any qualified company or qualified military project approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company or qualified military project approved for benefits under this program shall be subject to the provisions of sections 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the

state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. (1) The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 14 of this section:

(a) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred six million dollars in tax credits may be authorized;

(b) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred eleven million dollars in tax credits may be authorized;

(c) For fiscal years beginning on or after July 1, 2015, but ending on or before June 30, 2020, no more than one hundred sixteen million dollars in tax credits may be authorized for each fiscal year; and

(d) For all fiscal years beginning on or after July 1, 2020, no more than one hundred six million dollars in tax credits may be authorized for each fiscal year. The provisions of this paragraph shall not apply to tax credits issued to qualified companies under a notice of intent filed prior to July 1, 2020.

(2) For all fiscal years beginning on or after July 1, 2020, in addition to the amount of tax credits that may be authorized under paragraph (d) of subdivision (1) of this subsection, an additional ten million dollars in tax credits may be authorized for each fiscal year for the purpose of the completion of infrastructure projects directly connected with the creation or retention of jobs under the provisions of sections 620.2000 to 620.2020 and an additional ten million dollars in tax credits may be authorized for each fiscal year for a qualified manufacturing company based on a manufacturing capital investment as set forth in section 620.2010.

8. For all fiscal years beginning on or after July 1, 2020, the maximum total amount of withholding tax that may be authorized for retention for the creation of new jobs under the provisions of sections 620.2000 to 620.2020 by qualified companies with a project facility base employment of at least fifty shall not exceed seventy-five million dollars for each fiscal year. The provisions of this subsection shall not apply to withholding tax authorized for retention for the creation of new jobs by qualified companies with a project facility base employment of less than fifty.

9. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company or qualified military project under this program; provided that, the department may reserve up to twenty-one and one-half percent of the maximum annual amount of tax credits that may be authorized under subsection 7 of this section for award under subsection 7 of section 620.2010. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department or, for qualified military projects, annual verification of average salary for the jobs directly created by the qualified military project. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company or qualified military project meets the applicable minimum new job

requirements or, for benefits awarded under subsection 7 of section 620.2010, until the qualified company has satisfied the requirements set forth in the written agreement between the department and the qualified company under subsection 4 of section 620.2010. In the event the qualified company or qualified military project does not meet the applicable minimum new job requirements, the qualified company or qualified military project may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company or qualified military project at the project facility or other facilities.

10. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

11. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of commerce and insurance that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of commerce and insurance, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

12. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

13. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

14. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any

project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

15. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

16. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

17. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. 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, 2013, shall be invalid and void.

18. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under sections 620.2000 to 620.2020 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; 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 sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 845, Page 4, Section 50.820, Line 29, by inserting after all of said section and line the following:

“57.317. 1. (1) **Except in a noncharter county of the first classification with more than one hundred fifty thousand and less than two hundred thousand inhabitants**, the county sheriff in any county of the first or second classification shall receive an annual salary equal to eighty percent of the compensation of an associate circuit judge of the county.

(2) The county sheriff in any county of the third or fourth classification shall receive an annual salary computed as the following percentages of the compensation of an associate circuit judge of the county. If there is an increase in salary of less than ten thousand dollars, the increase shall take effect on January 1, 2022. If there is an increase of ten thousand dollars or more, the increase shall be paid over a period of five years in twenty percent increments per year. The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff from the prior year.

Assessed Valuation	Percentage
\$18,000,000 to 99,999,999	45%
100,000,000 to 249,999,999	50%
250,000,000 to 449,999,999	55%
450,000,000 to 899,999,999	60%
900,000,000 and over	65%

2. Two thousand dollars of the salary authorized in this section shall be payable to the sheriff only if the sheriff has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the sheriff’s office when approved by a professional association of the county sheriffs of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each sheriff who completes the training program and shall send a list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county sheriff in the same manner as other expenses as may be appropriated for that purpose.

3. The county sheriff in any county other than a charter county shall not receive an annual compensation less than the compensation described under this section.

Further amend the title and enacting clause accordingly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS #2** for **SCS** for **SB 745**, entitled:

An Act to repeal sections 44.032, 144.010, 144.011, 144.030, 386.266, 386.890, 393.1400, 393.1640, 393.1655, 442.404, and 610.021, RSMo, and to enact in lieu thereof fifteen new sections relating to public utilities, with a delayed effective date for a certain section.

With House Amendment Nos. 1 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 745, Page 46, Section 393.1656, Line 35, by inserting after all of said section and line the following:

“393.1715. 1. An electrical corporation may petition the commission for a determination of the ratemaking principles and treatment, as proposed by the electrical corporation, that will apply to the reflection in base rates of the electrical corporation’s capital and noncapital costs associated with the proposed retirement of one or more of the electrical corporation’s generating facilities. Without limiting the foregoing, such principles and treatment may also establish the retirement date and useful life parameters used to set depreciation rates for such facilities. Except as provided for in subsection 4 of this section, the ratemaking principles and treatment approved by the commission under this section for such facilities shall apply to the determination of the revenue requirement in each of the electrical corporation’s post-determination general rate proceedings until such time as such facility is fully depreciated on the electrical corporation’s books.

2. If the commission fails to issue a determination within two hundred fifteen days that a petition for determination of ratemaking principles and treatment is filed, the ratemaking principles and treatment proposed by the petitioning electrical corporation shall be deemed to have been approved by the commission.

3. Subject to the provisions of subsection 4 of this section, ratemaking principles and treatment approved by the commission, or deemed to have been approved under subsection 2 of this section, shall be binding for ratemaking purposes.

4. (1) An electrical corporation with ratemaking principles and treatment approved by the commission, or deemed to have been approved under subsection 2 of this section, shall monitor the major factors and circumstances relating to the facility to which such principles and treatment apply. Such factors and circumstances include, but are not limited to:

(a) Terrorist activity or an act of God;

(b) A significant change in federal or state tax laws;

(c) A significant change in federal utility laws or regulations or a significant change in generally accepted accounting principles;

(d) An unexpected, extended outage or shutdown of a major generating unit, other than any major generating unit shut down due to an extended outage at the time of the approval of the ratemaking principles

and treatment;

- (e) A significant change in the cost or reliability of power generation technologies;
- (f) A significant change in fuel prices and wholesale electric market conditions;
- (g) A significant change in the cost or effectiveness of emission control technologies;
- (h) A significant change in the price of emission allowances;
- (i) A significant change in the electrical corporation's load forecast;
- (j) A significant change in capital market conditions;
- (k) A significant change in the scope or effective dates of environmental regulations; or
- (l) A significant change in federal or state environmental laws.

(2) If the electrical corporation determines that one or more major factor or circumstance has changed in a manner that warrants a change in the approved ratemaking principles and treatment, then it shall file a notice in the docket in which the approved ratemaking principles and treatment were established within forty-five days of any such determination. In its notification, the electrical corporation shall:

(a) Explain and specify the changes it contends are appropriate to the ratemaking principles and treatment and the reasons for the proposed changes;

(b) Provide a description of the alternatives that it evaluated and the process that it went through in developing its proposed changes; and

(c) Provide detailed workpapers that support the evaluation and the process whereby proposed changes were developed.

(3) If a party has concerns regarding the proposed changes, that party shall file a notice of its concerns within thirty days of the electrical corporation's filing. If the parties agree on a resolution of the concerns, the agreement shall be submitted to the commission for approval. If the parties do not reach agreement on changes to the ratemaking principles and treatment within ninety days of the date the electrical corporation filed its notice, whether the previously approved ratemaking and treatment will be changed shall be determined by the commission. If a party to the docket in which the approved ratemaking principles and treatment were approved believes that one or more major factor or circumstance has changed in a manner that warrants a change in the approved ratemaking principles and treatment and if the electrical corporation does not agree the principles and treatment should be changed, such party shall file a notice in the docket in which the approved ratemaking principles and treatment were established within forty-five days of any such determination. In its notification, such party shall:

(a) Explain and specify the changes it contends are appropriate to the ratemaking principles and treatment and the reasons for the proposed changes;

(b) Provide a description of the alternatives that it evaluated and the process that it went through in developing its proposed changes; and

(c) Provide detailed workpapers that support the evaluation and the process whereby proposed changes were developed.

(4) If a party, including the electrical corporation, has concerns regarding the proposed changes, that party shall file a notice of its concerns within thirty days of the other party's filing. If the parties do not reach agreement on changes to the ratemaking principles and treatment within ninety days of the date the notice was filed, whether the previously approved ratemaking and treatment will be changed shall be determined by the commission.

5. A determination of ratemaking principles and treatment under this section does not preclude an electrical corporation from also petitioning the commission under either or both of sections 393.1700 and 393.1705, provided that any costs to which such ratemaking principles and treatment would have applied in the electrical corporation's general rate proceedings which become funded by securitized utility tariff bond proceeds from a securitized utility tariff bond issued under section 393.1700 shall not thereafter be reflected in the electrical corporation's base rates.

6. If determined by the commission to be just, reasonable, and necessary for the provision of safe and adequate service, the electrical corporation [may] **shall** be permitted to retain coal-fired generating assets in rate base and recover **prudently incurred** costs associated with operating the coal-fired assets [that remain in service to provide greater certainty that generating capacity will be available to provide essential service to customers, including during extreme weather events, and the commission shall not disallow any portion of such cost recovery on the basis that such coal-fired generating assets operate], **including** at a low capacity factor, or **that** are offline and providing capacity only[, during normal operating conditions] **in order to remain in service to customers for reliability during events such as extreme weather.**

7. The commission may promulgate rules necessary to implement the provisions of sections 393.1700 to 393.1715. 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, 2021, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute No.2 for Senate Committee Substitute for Senate Bill No. 745, Pages 20-21, Section 144.030, Lines 390-399, by deleting all of said lines and inserting in lieu thereof the following:

“(46) All purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that such systems:

(a) Are sold or leased to an end user; or

(b) Are used to produce, collect and transmit electricity for resale or retail.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Schatz referred **HB 1541**, with **SCS**, and **HB 2455**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **SB 820**, with **HCS**, as amended: Senators Burlison, Bean, Schatz, Schupp, and Beck.

PRIVILEGED MOTIONS

Senator Beck moved that the Senate refuse to concur in **SB 710**, with **HCS No. 2**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Cierpiot moved that **SS No. 2** for **SCS** for **SB 745**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS No. 2** for **SCS** for **SB 745**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 745

An Act to repeal sections 44.032, 144.010, 144.011, 144.030, 386.266, 386.890, 393.1400, 393.1640, 393.1655, 442.404, and 610.021, RSMo, and to enact in lieu thereof fifteen new sections relating to public utilities, with a delayed effective date for a certain section.

Was taken up.

Pursuant to Senate Rule 91, Senator Hegeman excused himself from voting on the adoption and 3rd reading of **HCS** for **SS No. 2** for **SCS** for **SB 745**, as amended.

Senator Cierpiot moved that **HCS** for **SS No. 2** for **SCS** for **SB 745**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Bean	Beck	Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Crawford	Eslinger	Gannon	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Razer	Riddle	Rizzo	Roberts
Rowden	Schatz	Thompson Rehder	Washington	White	Wieland	Williams—28

NAYS—Senators

Arthur	Moon	Mosley	Schupp—4
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Absent—Senators—None

Absent with leave—Senator Eigel—1

Excused from voting—Senator Hegeman—1

Vacancies—None

On motion of Senator Cierpiot, **HCS for SS No. 2 for SCS for SB 745**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Bean	Beck	Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Crawford	Eslinger	Gannon	Hoskins	Hough	Koenig	Luetkemeyer
May	O’Laughlin	Onder	Razer	Riddle	Rizzo	Roberts
Rowden	Schatz	Thompson Rehder	Washington	White	Wieland	Williams—28

NAYS—Senators

Arthur	Moon	Mosley	Schupp—4
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Absent—Senators—None

Absent with leave—Senator Eigel—1

Excused from voting—Senator Hegeman—1

Vacancies—None

The President declared the bill passed.

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

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

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

Bill ordered enrolled.

Senator Eslinger moved that the Senate refuse to concur in **SB 845**, with **HCS**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Hough assumed the Chair.

HOUSE BILLS ON THIRD READING

At the request of Senator Williams, **HCS for HB 2000**, with **SCS**, was placed on the Informal Calendar.

HCS for HB 2485, with **SCS**, entitled:

An Act to repeal sections 260.200 and 260.205, RSMo, and to enact in lieu thereof four new sections relating to promoting advanced recycling.

Was taken up by Senator O’Laughlin.

SCS for HCS for HB 2485, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2485

An Act to repeal sections 260.200, 260.205, 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof eight new sections relating to environmental regulation.

Was taken up.

Senator O’Laughlin moved that **SCS for HCS for HB 2485** be adopted.

Senator O’Laughlin offered **SS for SCS for HCS for HB 2485**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2485

An Act to repeal sections 260.200, 260.205, 260.373, 260.437, and 260.520, RSMo, and to enact in lieu thereof eight new sections relating to environmental regulation.

Senator O’Laughlin moved that **SS for SCS for HCS for HB 2485** be adopted, which motion prevailed.

Senator Crawford assumed the Chair.

Senator O’Laughlin moved that **SS for SCS for HCS for HB 2485** be read the 3rd time and passed.

At the request of Senator O’Laughlin, **SS for SCS for HCS for HB 2485** was placed on the Informal Calendar.

On motion of Senator Rowden, the Senate recessed until 4:35 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Luetkemeyer.

HOUSE BILLS ON THIRD READING

Senator O’Laughlin moved that **SS for SCS for HCS for HB 2485** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator O’Laughlin, **SS for SCS for HCS for HB 2485** was read the 3rd time and passed by the following vote:

YEAS—Senators

Bean	Bernskoetter	Brattin	Brown	Burlison	Cierpiot	Crawford
Eslinger	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	O’Laughlin
Onder	Riddle	Rowden	Schatz	Thompson Rehder	White	Wieland—21

NAYS—Senators

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

Absent—Senators—None

Absent with leave—Senators—2

Eigel Gannon

Vacancies—None

The President declared the bill passed.

On motion of Senator O’Laughlin, title to the bill was agreed to.

Senator O’Laughlin moved that the vote by which the bill passed be reconsidered.

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

At the request of Senator White, HCS for HB 1734, with SCS, was placed on the Informal Calendar.

At the request of Senator Arthur, HCS for HB 2151, with SCS, was placed on the Informal Calendar.

HJR 116, introduced by Representative Schnelting, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing Section 12 of Article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state department of the national guard.

Was taken up by Senator White.

On motion of Senator White, HJR 116 was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—2

Eigel Gannon

Vacancies—None

The President declared the bill passed.

On motion of Senator White, title to the joint resolution was agreed to.

Senator White moved that the vote by which the joint resolution passed be reconsidered.

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

HCS for HB 2151, with **SCS**, entitled:

An Act to repeal sections 208.044, 208.046, 208.053, 210.027, 210.102, 210.199, 210.203, 210.211, 210.221, 210.223, 210.231, 210.241, 210.245, 210.251, 210.254, 210.255, 210.256, 210.258, 210.275, 210.1007, and 210.1080, RSMo, and to enact in lieu thereof twenty new sections relating to services provided to children.

Was called from the Informal Calendar and taken up by Senator Arthur.

SCS for HCS for HB 2151, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2151

An Act to repeal sections 167.630, 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.135, 210.140, 210.147, 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, 210.762, 210.1007, 210.1080, 211.081, and 509.520, RSMo, and to enact in lieu thereof forty-five new sections relating to child protection, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Arthur moved that **SCS for HCS for HB 2151** be adopted.

Senator Arthur offered **SS for SCS for HCS for HB 2151**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2151

An Act to repeal sections 43.400, 161.217, 167.630, 208.044, 208.046, 208.053, 210.027, 210.102, 210.127, 210.135, 210.140, 210.147, 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, 210.762, 210.1007, 210.1080, 211.081, and 509.520, RSMo, and to enact in lieu thereof forty-six new sections relating to child protection, with penalty provisions and an emergency clause for a certain section.

Senator Arthur moved that **SS for SCS for HCS for HB 2151** be adopted.

Senator Arthur offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Page 73, Section 217.940, Line 1, by striking “This act establishes” and inserting in lieu thereof the following: “**Sections 217.940 to 217.947 shall be known and may be cited as**”.

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

Senator Razer offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Page 3, Section 43.400, Line 42, by inserting after all of said line the following:

“136.055. 1. **Except as provided in subsection 8 of this section**, any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred, six dollars and twelve dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title, six dollars;

(3) For each instruction permit, nondriver license, chauffeur’s, operator’s or driver’s license issued for a period of three years or less, six dollars and twelve dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed, six dollars;

(5) Notary fee or electronic transmission per processing, two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. 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 subsection 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, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations,

licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 10 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.

8. The fees described in subsection 1 of this section shall not be collected from any person who qualifies as a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6). Such person's status as a homeless child or youth or unaccompanied youth shall be verified by a letter signed by one of the following persons:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;

(2) A local education agency liaison for homeless children and youth designated under 42 U.S.C. Section 11432(g)(1)(J)(ii);

(3) A licensed attorney representing the minor in any legal matter; or

(4) A school social worker or counselor.”; and

Further amend said bill, page 78, section 217.947, line 13, by inserting after all of said line the following:

“302.178. 1. Any person between the ages of sixteen and eighteen years who is qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the director shall issue, an intermediate driver's license entitling the applicant, while having such license in his or her possession, to operate a motor vehicle of the appropriate class upon the highways of this state in conjunction with the requirements of this section. An intermediate driver's license shall be readily distinguishable from a license issued to those over the age of eighteen. All applicants for an intermediate driver's license shall:

(1) Successfully complete the examination required by section 302.173;

(2) Pay the fee required by subsection 4 of this section;

(3) Have had a temporary instruction permit issued pursuant to subsection 1 of section 302.130 for at least a six-month period or a valid license from another state; and

(4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a federal residential job training program, a driving instructor employed by a federal residential job training program, sign the application stating that the applicant has completed at least forty hours of supervised driving experience under a temporary instruction permit issued pursuant to subsection 1 of section 302.130, or, if the applicant is an emancipated minor, the person over twenty-one years of age who supervised such driving. For purposes of this section, the term “emancipated minor” means a person who is at least sixteen years of age,

but less than eighteen years of age, who:

- (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to section 451.080;
- (b) Has been declared emancipated by a court of competent jurisdiction;
- (c) Enters active duty in the Armed Forces;
- (d) Has written consent to the emancipation from the custodial parent or legal guardian; [or]
- (e) Through employment or other means provides for such person's own food, shelter and other cost-of-living expenses; **or**

(f) Qualifies as a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or as an unaccompanied youth as defined in 42 U.S.C. Section 11434a(6), and whose status as such is verified as provided under subsection 10 of this section;

(5) Have had no alcohol-related enforcement contacts as defined in section 302.525 during the preceding twelve months; and

(6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to section 302.302, within the preceding six months.

2. An intermediate driver's license grants the licensee the same privileges to operate that classification of motor vehicle as a license issued pursuant to section 302.177, except that no person shall operate a motor vehicle on the highways of this state under such an intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in subsection 1 of section 302.130; except the licensee may operate a motor vehicle without being accompanied if the travel is to or from a school or educational program or activity, a regular place of employment or in emergency situations as defined by the director by regulation.

3. Each intermediate driver's license shall be restricted by requiring that the driver and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt restriction shall not apply to a person operating a motorcycle. For the first six months after issuance of the intermediate driver's license, the holder of the license shall not operate a motor vehicle with more than one passenger who is under the age of nineteen who is not a member of the holder's immediate family. As used in this subsection, an intermediate driver's license holder's immediate family shall include brothers, sisters, stepbrothers or stepsisters of the driver, including adopted or foster children residing in the same household of the intermediate driver's license holder. After the expiration of the first six months, the holder of an intermediate driver's license shall not operate a motor vehicle with more than three passengers who are under nineteen years of age and who are not members of the holder's immediate family. The passenger restrictions of this subsection shall not be applicable to any intermediate driver's license holder who is operating a motor vehicle being used in agricultural work-related activities.

4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an intermediate driver's license shall be five dollars and such license shall be valid for a period of two years. **Such fee shall be waived for any person qualifying as an emancipated minor under subdivision (4) of subsection 1 of this section.**

5. Any intermediate driver's licensee accumulating six or more points in a twelve-month period may be required to participate in and successfully complete a driver-improvement program approved by the state

highways and transportation commission. The driver-improvement program ordered by the director of revenue shall not be used in lieu of point assessment.

6. (1) An intermediate driver's licensee who has, for the preceding twelve-month period, had no alcohol-related enforcement contacts, as defined in section 302.525 and no traffic convictions for which points are assessed, upon reaching the age of eighteen years or within the thirty days immediately preceding their eighteenth birthday may apply for and receive without further examination, other than a vision test as prescribed by section 302.173, a license issued pursuant to this chapter granting full driving privileges. Such person shall pay the required fee for such license as prescribed in section 302.177.

(2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday, such license shall remain valid for the five business days immediately following the expiration date. In no case shall a licensee whose intermediate driver's license expires on a Saturday, Sunday, or legal holiday be guilty of an offense of driving with an expired or invalid driver's license if such offense occurred within five business days immediately following an expiration date that occurs on a Saturday, Sunday, or legal holiday.

(3) The director of revenue shall deny an application for a full driver's license until the person has had no traffic convictions for which points are assessed for a period of twelve months prior to the date of application for license or until the person is eligible to apply for a six-year driver's license as provided for in section 302.177, provided the applicant is otherwise eligible for full driving privileges. An intermediate driver's license shall expire when the licensee is eligible and receives a full driver's license as prescribed in subdivision (1) of this section.

7. No person upon reaching the age of eighteen years whose intermediate driver's license and driving privilege is denied, suspended, cancelled or revoked in this state or any other state for any reason may apply for a full driver's license until such license or driving privilege is fully reinstated. Any such person whose intermediate driver's license has been revoked pursuant to the provisions of sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation from the director, pass the complete driver examination, apply for a new license, and pay the proper fee before again operating a motor vehicle upon the highways of this state.

8. A person shall be exempt from the intermediate licensing requirements if the person has reached the age of eighteen years and meets all other licensing requirements.

9. Any person who violates any of the provisions of this section relating to intermediate drivers' licenses or the provisions of section 302.130 relating to temporary instruction permits is guilty of an infraction, and no points shall be assessed to his or her driving record for any such violation.

10. A person's status as a homeless child or youth or unaccompanied youth under paragraph (f) of subdivision (4) of subsection 1 of this section shall be verified by a letter signed by one of the following persons:

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;

(2) A local education agency liaison for homeless children and youth designated under 42 U.S.C. Section 11432(g)(1)(J)(ii);

(3) A licensed attorney representing the minor in any legal matter; or

(4) A school social worker or counselor.

11. 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, 2000, shall be invalid and void.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing.

2. All digital images produced for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall not issue a license without a facial digital image of the license applicant, except as provided pursuant to subsection 7 of this section. A digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No digital image shall be taken wearing anything which cloaks the facial features of the individual.

5. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

6. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 7 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101, as section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a period exceeding

three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license. **No fee shall be required or collected from a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for a first nondriver's license card issued under this subsection. Such person's status as a homeless child or youth or unaccompanied youth shall be verified by a letter signed by one of the following persons:**

(1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;

(2) A local education agency liaison for homeless children and youth designated under 42 U.S.C. Section 11432(g)(1)(J)(ii);

(3) A licensed attorney representing the minor in any legal matter; or

(4) A school social worker or counselor.

7. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license. In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a United States citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

8. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

9. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

10. (1) Notwithstanding any biometric data restrictions contained in section 302.170, the department of revenue is hereby authorized to design and implement a secure digital driver's license program that

allows applicants applying for a driver's license in accordance with this chapter to obtain a secure digital driver's license in addition to the physical card-based license specified in this section.

(2) A digital driver's license as described in this subsection shall be accepted for all purposes for which a license, as defined in section 302.010, is used.

(3) The department may contract with one or more entities to develop the secure digital driver's license system. The department or entity may develop a mobile software application capable of being utilized through a person's electronic device to access the person's secure digital driver's license.

(4) The department shall suspend, disable, or terminate a person's participation in the secure digital driver's license program if:

(a) The person's driving privilege is suspended, revoked, denied, withdrawn, or cancelled as provided in this chapter; or

(b) The person reports that the person's electronic device has been lost, stolen, or compromised.

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

Further amend the title and enacting clause accordingly.

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

Senator Bean assumed the Chair.

Senator Schupp offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Pages 3-8, Section 160.077, by striking all of said section in the bill and inserting in lieu thereof the following:

"160.077. 1. This section shall be known and may be cited as the "Get the Lead Out of School Drinking Water Act".

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

(1) "Department", the Missouri department of health and senior services;

(2) "Disadvantaged school district", any school district that serves students from a county in which at least twenty-five percent of the households in such county are below the federal poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. Section 9902(2), as amended, or any school district in which more than seventy percent of students in the district qualify for a free or reduced price lunch under the

federal Richard B. Russell National School Lunch Act, 42 U.S.C. Section 1751 et seq.;

(3) “Drinking water outlet”, a potable water fixture that is used for drinking or food preparation. “Drinking water outlet” includes, but is not limited to:

(a) A water fountain, faucet, or tap that is used or potentially used for drinking or food preparation; and

(b) Ice-making and hot drink machines;

(4) “First draw”, a two-hundred-fifty-milliliter sample immediately collected from a drinking water outlet that has been turned on after a stagnation period of at least eight hours;

(5) “Parent”, a parent, guardian, or other person having control or custody of a child;

(6) “Private school”, the same definition as in section 166.700;

(7) “Public school”, the same definition as in section 160.011;

(8) “Remediation”, decreasing the lead concentration in water from a drinking water outlet to less than five parts per billion without relying solely on flushing practices, or using methods such as the replacement of lead-containing pipes, solder, fittings, or fixtures with lead-free components. Flushing as a stand alone action shall not be considered remediation;

(9) “School”, any public school, private school, or provider of an early childhood education program that receives state funding.

3. Beginning in the 2023-2024 school year and for each subsequent school year, each school shall provide drinking water with a lead concentration level below five parts per billion in sufficient amounts to meet the drinking water needs of all students and staff as provided in this section.

4. (1) On or before January 1, 2024, each school shall:

(a) Conduct an inventory of all drinking water outlets and all outlets that are used for dispensing water for cooking or for cleaning cooking and eating utensils in each of the school’s buildings;

(b) Develop a plan for testing each outlet inventoried under paragraph (a) of this subdivision and make such plan available to the public; and

(c) Upon request, provide general information on the health effects of lead contamination and additional informational resources for employees and parents of children at each school.

(2) Each school shall make buildings housing early childhood education programs, kindergartens, and elementary schools the priority when complying with paragraphs (a) and (b) of subdivision (1) of this subsection.

(3) Before August 1, 2024, or the first day on which students will be present in the building, whichever is later, each school shall:

(a) Perform all testing as required by subsection 5 of this section and within two weeks after receiving test results, make all testing results and any lead remediation plans available on the school’s website;

(b) Remove and replace any drinking water coolers or drinking water outlets that the United States Environmental Protection Agency has determined are not lead-free under the federal Lead

Contamination Control Act of 1988, as amended; except the school shall not be required to replace those drinking water outlets or water coolers that tested under the requirements of this section and have been determined to be dispensing drinking water with a lead concentration less than five part per billion; however, such drinking water outlet or water cooler shall be subject to all testing requirements and shall not be excluded from testing under subsection 10 of this section.

(4) If testing indicates that the water source is causing the contamination and until such time that the source of the contamination has been remediated, the school shall:

(a) Install a filter at each point at which the water supply enters the building;

(b) Install a filter that reduces lead in drinking water on each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection to ensure lead concentrations are below five parts per billion; or

(c) Provide purified water at each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection.

(5) If testing indicates that the internal building piping is causing the contamination and until such time that the source of the contamination has been remediated, the school shall:

(a) Install a filter that reduces lead in drinking water on each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection to ensure lead concentrations are below five parts per billion; or

(b) Provide purified water at each water outlet inventoried under paragraph (a) of subdivision (1) of this subsection.

(6) If a pipe, solder, fitting, or fixture is replaced as part of remediation, the replacement shall be lead-free, as such term is defined in 40 CFR 143.12, as amended.

(7) If a test result exceeds five parts per billion, the affected school shall:

(a) Contact parents and staff via written notification within seven business days after receiving the test result. The notification shall include at least:

a. The test results and a summary that explains such results;

b. A description of any remedial steps taken; and

c. A description of general health effects of lead contamination and community specific resources; and

(b) Provide bottled water if there is not enough water to meet the drinking water needs of the students, teachers, and staff.

(8) School districts shall submit such annual testing results to the department.

(9) This subsection shall not be construed to prevent a school from conducting more frequent testing than required under this section.

5. (1) Before August 1, 2024, or the first day on which students will be present in the building, whichever is later, and annually thereafter, each school shall conduct testing for lead by first-draw and follow-up flush samples of a random sampling of at least twenty-five percent of remediated drinking water outlets until all remediated sources have been tested as recommended by the 2018 version of the United States Environmental Protection Agency's "Training, Testing, and Taking

Action” program. The testing shall be conducted and the results analyzed for both types of tests by an entity or entities approved by the department.

(2) If, in the ten years prior to the 2023-2024 school year, a fixture tested above five parts per billion for lead, such fixture does not need to be repeat tested for lead, but instead remediation shall begin on such fixture.

6. (1) In addition to the apportionments payable to a school district under chapter 163, the department of natural resources, with support from the department of elementary and secondary education and the department of health and senior services, is hereby authorized to apportion to any school additional funding for the filtration, testing, and other remediation of drinking water systems required under this section, subject to appropriation.

(2) To the extent permitted by federal law, a school district may seek reimbursement or other funds for compliance incurred under this section under any applicable federal law including, but not limited to, the America’s Water Infrastructure Act of 2018 and the Water Infrastructure Finance and Innovation Act of 2014, 33 U.S.C. Section 3901, et seq.

(3) Disadvantaged school districts shall receive funding priority under this subsection.

7. The department, in conjunction with the department of elementary and secondary education, shall publish a report biennially based on the findings from the water testing conducted under this section. Such report shall be published on the department of natural resources website.

8. For public schools, the department shall ensure compliance with this section. Each school district shall be responsible for ensuring compliance within each school within the school district’s jurisdiction.

9. No school building constructed after January 4, 2014, as provided in the federal Reduction of Lead in Drinking Water Act (42 U.S.C. Section 300g-6), as amended, shall be required to install, maintain, or replace filters under paragraph (c) of subdivision (1) of subsection 4 of this section.

10. A school that tests and does not find a drinking water source with a lead concentration above the acceptable level as described in subsection 3 of this section shall be required to test only every five years.

11. The department may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section”; and

Further amend the title and enacting clause accordingly.

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

Senator May offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Page 11, Section 167.630, Line 29, 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, which motion prevailed.

Senator Beck offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Page 10, Section 161.217, Line 51, by inserting after all of said line the following:

“167.625. 1. This section shall be known and may be cited as “Will’s Law”.

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

(1) “Individualized emergency health care plan”, a document developed by a school nurse, in consultation with a student’s parent and other appropriate medical professionals, that is consistent with the recommendations of the student’s health care providers, that describes procedural guidelines that provide specific directions about what to do in a particular emergency situation, and that is signed by the parent and the school nurse or the school administrator or the administrator’s designee in the absence of the school nurse;

(2) “Individualized health care plan”, a document developed by a school nurse, in consultation with a student’s parent and other appropriate medical professionals who may be providing epilepsy or seizure disorder care to the student, that is consistent with the recommendations of the student’s health care providers, that describes the health services needed by the student at school, and that is signed by the parent and the school nurse or the school administrator or the administrator’s designee in the absence of the school nurse;

(3) “Parent”, a parent, guardian, or other person having charge, control, or custody of a student;

(4) “School”, any public elementary or secondary school or charter school;

(5) “School employee”, a person employed by a school;

(6) “Student”, a student who has epilepsy or a seizure disorder and who attends a school.

3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at school shall inform the school nurse or the school administrator or the administrator’s designee in the absence of the school nurse. The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student. The parent of the student shall annually provide to the school written authorization for the provision of epilepsy or seizure disorder care as described in the individualized plans.

(2) The individualized plans developed under subdivision (1) of this subsection shall be updated by the school nurse before the beginning of each school year and as necessary if there is a change in the health status of the student.

(3) Each individualized health care plan shall, and each individualized emergency health care plan may, include but not be limited to the following information:

(a) A notice about the student’s condition for all school employees who interact with the student;

(b) Written orders from the student’s physician or advanced practice nurse describing the epilepsy or seizure disorder care;

(c) The symptoms of the epilepsy or seizure disorder for that particular student and recommended care;

(d) Whether the student may fully participate in exercise and sports, and any contraindications to exercise or accommodations that shall be made for that particular student;

(e) Accommodations for school trips, after-school activities, class parties, and other school-related activities;

(f) Information for such school employees about how to recognize and provide care for epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when to call for assistance, emergency contact information, and parent contact information;

(g) Medical and treatment issues that may affect the educational process of the student;

(h) The student’s ability to manage, and the student’s level of understanding of, the student’s epilepsy or seizure disorder; and

(i) How to maintain communication with the student, the student’s parent and health care team, the school nurse or the school administrator or the administrator’s designee in the absence of the school nurse, and the school employees.

4. (1) The school nurse assigned to a particular school or the school administrator or the administrator’s designee in the absence of the school nurse shall coordinate the provision of epilepsy and seizure disorder care at that school and ensure that all school employees are trained every two years in the care of students with epilepsy and seizure disorders including, but not limited to, school employees working with school-sponsored programs outside of the regular school day, as provided in the student’s individualized plans.

(2) The training required under subdivision (1) of this subsection shall include an online or in-

person course of instruction approved by the department of health and senior services that is provided by a reputable, local, Missouri-based health care or nonprofit organization that supports the welfare of individuals with epilepsy and seizure disorders.

5. The school nurse or the school administrator or the administrator's designee in the absence of the school nurse shall obtain a release from a student's parent to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers. The release shall also authorize the school nurse or the school administrator or the administrator's designee in the absence of the school nurse to share medical information with other school employees in the school district as necessary. No sharing of information under this subsection shall be construed to be a violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub. L. 104-191), as amended, if a student's parent has provided a release under this subsection.

6. No school employee including, but not limited to, a school nurse, a school bus driver, a school bus aide, or any other officer or agent of a school shall be held liable for any good faith act or omission consistent with the provisions of this section, nor shall an action before the state board of nursing lie against a school nurse for any such action taken by a school employee trained in good faith by the school nurse under this section. "Good faith" shall not be construed to include willful misconduct, gross negligence, or recklessness."; and

Further amend said bill, page 81, Section B, line 2, by inserting after "families," the following: "**and to provide individualized care plans for students with epilepsy or seizure disorders who attend public schools, the enactment of section 167.625, and**" ; and further amend line 7, by inserting after "constitution," the following: "**the enactment of section 167.625, and**"; and

Further amend the title and enacting clause accordingly.

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

Senator Brattin offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2151, Page 78, Section 217.947, Line 13, 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] **There shall be a rebuttable presumption that an award of equal or approximately equal parenting time that maximizes time with each parent is in the best interests of the child. Such presumption is rebuttable by a preponderance of the evidence in accordance with all relevant factors, including, but not limited to, the factors contained in subdivisions (1) to (9) of this subsection. The presumption shall be rebutted if the court finds that the parents have reached an agreement on all issues related to custody, or if the court finds that a pattern of domestic violence has occurred as set out in subdivision (7) of this subsection. The court shall construct a parenting plan that is consistent with ensuring the child’s welfare and 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; **the willingness and ability of parents to cooperate in the rearing of their child; to maximize sharing information and minimize exposure of the child to parental conflict; and to utilize methods for resolving disputes regarding any major decision concerning the life of the child;**

(5) The child’s **needs**; adjustment to the child’s home, school, and community; **and the child’s physical, emotional, educational, and other needs. 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;**

(6) The mental and physical health of all individuals involved, including **the mental health or substance abuse history experienced by either parent;**

(7) Any history of abuse of any individuals involved, **including domestic and child abuse. In determining whether the presumption is rebutted by a pattern of domestic violence, the court shall consider the nature and context of the domestic violence and the implications of the domestic violence for parenting and for the child’s safety, well-being, and developmental needs.** 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, **whether physical, verbal, emotional, or psychological;**

[(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.]

(8) The distance between the residences of the parents seeking custody, including consideration of any relocation which has occurred or an intent to relocate; and

(9) The reasonable input of the child as to the child's custodian, if the court deems the child to be of sufficient ability, age, and maturity to express an independent, reliable preference and that such input is in the best interests of the child and will not be emotionally damaging, with due consideration of the influence that a parent may have on the child's input.

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 general assembly encourages the court to enter a temporary parenting plan as early as practicable in a proceeding under this chapter, including, but not limited to, at an initial case management conference, consistent with the provisions of subsection 2 of this section, and in doing so** 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 to the child. If no person related to the child by consanguinity or affinity is willing to accept custody, 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)] **(9)** 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 Brattin moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Bean assumed the Chair.

At the request of Senator Arthur, **HCS for HB 2151**, with **SCS, SS for SCS and SA 6** (pending), was placed on the Informal Calendar.

At the request of Senator White, **HCS for HBs 2116, 2097, 1690 and 2221**, with **SCS**, was placed on the Informal Calendar.

HB 2090, with **SCS**, introduced by Representative Griffith, entitled:

An Act to repeal section 33.100, RSMo, and to enact in lieu thereof one new section relating to state employee pay periods.

Was taken up by Senator Bernskoetter.

SCS for HB 2090, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2090

An Act to repeal sections 33.100, 36.020, 36.030, 36.050, 36.060, 36.070, 36.080, 36.090, 36.100, 36.120, 36.140, 36.250, 36.440, 36.510, 37.010, 105.950, 105.1114, and 288.220, RSMo, and to enact in lieu thereof seventeen new sections relating to the office of administration.

Was taken up.

Senator Bernskoetter moved that **SCS for HB 2090** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 2090, Page 1, In the Title, Lines 4-5, by striking “the office of administration” and inserting in lieu thereof the following: “the payment of funds from the state treasury”; and

Further amend said bill, page 24, section 288.220, line 49, by inserting after all of said line the following:

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

(1) “Eligible individual”, any individual or married couple who:

(a) Cannot be claimed as a dependent on any other taxpayer’s federal income tax return for a tax year beginning in the calendar year in which the individual’s tax year begins;

(b) Is not an estate or trust;

(c) Is not delinquent on child support obligations;

(d) Is a resident of the state, as defined in section 143.101; and

(e) Files a Missouri individual or combined individual income tax return for the tax year ending in calendar year 2021, and has filed such return with the state by October 17, 2022 or such return was postmarked by October 17, 2022;

(2) “Qualified taxpayer”, any individual subject to the state income tax imposed under chapter 143, excluding the withholding tax imposed under sections 143.191 to 143.265, who is an eligible individual as defined under this section;

(3) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

2. For the 2021 tax year, a qualified taxpayer shall be allowed to claim a one-time nonrefundable tax credit against the taxpayer’s state tax liability in an amount equal to the lesser of each qualified taxpayer’s Missouri income tax due for the tax year ending in calendar year 2021, or five hundred dollars in the case of individuals filing an individual Missouri income tax return, or one thousand dollars in the case of married couples filing a combined Missouri individual income tax return, whichever is less.

3. The department of revenue shall automatically adjust each qualified taxpayer’s tax return for the 2021 tax year and shall issue refunds, if necessary, to qualified taxpayers via check or electronic fund transfer.

4. No tax credit claimed under this section shall be carried forward to any subsequent tax year.

5. No tax credit claimed under this section shall be assigned, transferred, sold, or otherwise conveyed.

6. Notwithstanding any provision of this section to the contrary, the director of revenue shall not authorize more than five hundred million dollars in tax credits under this section. In the event the aggregate amount of tax credits claimed by qualified taxpayers exceeds five hundred million dollars, the value of the tax credit shall be reduced by the smallest uniform percentage such that the total of all tax credits issued under this section is equal to five hundred million dollars.

7. There is hereby created in the state treasury the “Tax Credit Offset Fund”, which shall consist of moneys appropriated by the general assembly. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely to issue tax credits pursuant to this section. Any moneys remaining in the fund at the end of the fiscal year ending on June 30, 2023, shall revert to the credit of the general revenue fund.

8. The department of revenue shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed

or adopted after August 28, 2022, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

Senator Rizzo offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for House Bill No. 2090, Page 1, Section 1, Line 14, by inserting after all of said line the following:

“(b) Has a Missouri adjusted gross income of less than one hundred fifty thousand dollars in the case of an individual filing an individual income tax return, or less than three hundred thousand dollars in the case of a married couple filing a combined income tax return;”; and further amend the remaining paragraphs accordingly.

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

Senator Hegeman moved that SA 1, as amended, be adopted, which motion prevailed.

Senator Rowden assumed the Chair.

Senator Hough assumed the Chair.

Senator Moon offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 2090, Page 22, Section 105.1114, Line 10, by inserting after all of said line the following:

“136.370. 1. Pursuant to chapter 143 and chapter 144, the director shall waive any interest or penalty assessed against any taxpayer when it is determined by the director, the administrative hearing commission, or a court of law that the negligence of an employee of the department resulted in undue delay, as defined by rule or regulation, in either assessing tax or notifying the taxpayer of the liability owed. Such waiver of interest or penalty shall be for that amount attributable to the period of delay and for any time that the penalty or interest is under appeal.

2. Notwithstanding any provision of law to the contrary, the director shall refund to a taxpayer the amount of sales and use tax assessments paid by such taxpayer when it is determined by the administrative hearing commission or a court of law that the negligence of or incorrect information provided by an employee of the department resulted in the taxpayer failing to collect and remit sales and use tax assessments that were required to be collected and for which the department subsequently audited the taxpayer. A taxpayer shall file a claim for refund no later than April 15, 2023, to receive a refund pursuant to this subsection.”; and

Further amend the title and enacting clause accordingly.

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

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 2090, Page 24, Section 288.220, Line 49, by inserting after all of said line the following:

“Section 1. No state employee shall be required to receive a vaccination against COVID-19 as a condition of commencing or continuing employment. This section shall not apply to any state employee who is employed by any facility that meets the definition of hospital in section 197.020, any long term care facility licensed under chapter 198, any entity that meets the definition of facility in section 199.170, or any facility certified by the Centers for Medicare and Medicaid Services.”; and

Further amend the title and enacting clause accordingly.

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

Senator Bernskoetter moved that **SCS** for **HB 2090**, as amended, be adopted, which motion prevailed.

Senator Bernskoetter moved that **SCS** for **HB 2090**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Schatz referred **SCS** for **HB 2090**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator White moved that **HCS** for **HB 1472**, with **SCS**, **SS** for **SCS**, **SA 4**, as amended, and **SA 2** to **SA 4** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator White, **SS** for **SCS** for **HCS** for **HB 1472** was withdrawn, rendering **SA 4**, as amended, and **SA 2** to **SA 4** moot.

Senator White offered **SS No. 2** for **SCS** for **HCS** for **HB 1472**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1472

An Act to repeal section 574.105, RSMo, and to enact in lieu thereof one new section relating to the offense of money laundering, with penalty provisions.

Senator White moved that **SS No. 2** for **SCS** for **HCS** for **HB 1472** be adopted, which motion prevailed.

On motion of Senator White, **SS No. 2** for **SCS** for **HCS** for **HB 1472** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Beck	Brattin	Brown	Burlison	Cierpiot	Crawford
Eslinger	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May
Moon	Mosley	O’Laughlin	Onder	Razer	Riddle	Rizzo
Roberts	Rowden	Schupp	Thompson Rehder	Washington	White	Wieland

NAYS—Senators—None

Absent—Senators

Bean Bernskoetter Schatz—3

Absent with leave—Senators

Eigel Gannon—2

Vacancies—None

The President declared the bill passed.

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

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

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

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SS** for **HB 2149**, as amended. Representatives: Shields, Evans, Black (137), Doll, Lewis (25).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 31**.

Concurrent resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SBs 775, 751 & 640**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2168**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 1606**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SBs 775, 751 & 640**, as amended.

Representatives: Kelly (141), Fitzwater, Dinkins, Young, Sharp (36).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **CCR** on **SS** for **SCS** for **HCS** for **HB 1720** be allowed to exceed the differences on sections 348.491 and 348.493.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **HCS** for **SS** for **SCS** for **SBs 681 & 662**, as amended, be allowed to exceed the differences on section 160.077.

HOUSE BILLS ON THIRD READING

At the request of Senator Luetkemeyer, **HB 2697**, **HB 1589**, **HB 1637** and **HCS** for **HB 2127**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Luetkemeyer, **HB 2088**, **HB 1705** and **HCS** for **HB 1699**, with **SCS**, was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Crawford moved that the Senate refuse to recede in **HCS** for **HB 2168**, with **SS** for **SCS**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Eslinger moved that the Senate refuse to recede in **HCS** for **HB 1606**, with **SS** for **SCS**, as amended, and grant the House a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

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

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SCS** for **SB 886**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

Senator Rowden assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 3017**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2022, and ending June 30, 2023.

Was taken up by Senator Hegeman.

SCS for HCS for HB 3017, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3017

An Act to appropriate money for capital improvement and other purposes for the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 2022, and ending June 30, 2023.

Was taken up.

Senator Hegeman moved that **SCS for HCS for HB 3017** be adopted, which motion prevailed.

Senator Schupp assumed the Chair.

On motion of Senator Hegeman, **SCS for HCS for HB 3017** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brown	Cierpiot	Crawford
Eslinger	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer	May
Mosley	O’Laughlin	Razer	Riddle	Rizzo	Roberts	Rowden
Schatz	Schupp	Thompson Rehder	Washington	White	Wieland	Williams—28

NAYS—Senators

Brattin	Burlison	Moon	Onder—4
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Absent—Senators—None

Absent with leave—Senators

Eigel	Gannon—2
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Vacancies—None

The President declared the bill passed.

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

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

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

HCS for HB 3018, with **SCS**, entitled:

An Act to appropriate money for the several departments and offices of state government and the several divisions and programs thereof: for the purchase of equipment; planning, expenses, and capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; grants, refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the

fiscal period beginning July 1, 2022 and ending June 30, 2023.

Was taken up by Senator Hegeman.

SCS for HCS for HB 3018, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3018

An Act to appropriate money for the several departments and offices of state government and the several divisions and programs thereof: for the purchase of equipment; planning, expenses, and capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; grants, refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the fiscal period beginning July 1, 2022 and ending June 30, 2023.

Was taken up.

Senator Hegeman moved that **SCS for HCS for HB 3018** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HCS for HB 3018** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Eigel	Gannon—2
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Vacancies—None

The President declared the bill passed.

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

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

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

HCS for HB 3019, with **SCS**, entitled:

An Act to appropriate money for the several departments and offices of state government and the several divisions and programs thereof for planning and capital improvements including but not limited to major

additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022 and ending June 30, 2023.

Was taken up by Senator Hegeman.

SCS for HCS for HB 3019, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3019

An Act to appropriate money for the several departments and offices of state government and the several divisions and programs thereof for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022 and ending June 30, 2023.

Was taken up.

Senator Hegeman moved that **SCS for HCS for HB 3019** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS for HCS for HB 3019** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brattin	Brown	Cierpiot
Crawford	Eslinger	Hegeman	Hoskins	Hough	Koenig	Luetkemeyer
May	Mosley	O’Laughlin	Razer	Riddle	Rizzo	Roberts
Rowden	Schatz	Schupp	Thompson Rehder	Washington	White	Wieland
Williams—29						

NAYS—Senators

Burlison	Moon	Onder—3
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Absent—Senators—None

Absent with leave—Senators

Eigel	Gannon—2
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Vacancies—None

The President declared the bill passed.

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

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

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

HCS for HB 3020, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, distributions, purchase of equipment,

planning expenses, capital improvement projects, including but not limited to major additions and renovation of facility components, and equipment or systems for the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022, and ending June 30, 2023.

Was taken up by Senator Hegeman.

SCS for HCS for **HB 3020**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3020

An Act to appropriate money for the expenses, grants, refunds, distributions, purchase of equipment, planning expenses, capital improvement projects, including but not limited to major additions and renovation of facility components, and equipment or systems for the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022, and ending June 30, 2023.

Was taken up.

Senator Hegeman moved that **SCS for HCS for HB 3020** be adopted.

Senator Hegeman offered **SS for SCS for HCS for HB 3020**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3020

An Act to appropriate money for the expenses, grants, refunds, distributions, purchase of equipment, planning expenses, capital improvement projects, including but not limited to major additions and renovation of facility components, and equipment or systems for the several departments and offices of state government and the several divisions and programs thereof, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the fiscal period beginning July 1, 2022, and ending June 30, 2023.

Senator Hegeman moved that **SS for SCS for HCS for HB 3020** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3020, Page 8, Section 20.187, Line 5, by striking the words “county with more than one million inhabitants” and inserting in lieu thereof the following: “city not within a county”.

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

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3020, Page 32, Section 20.839, Line 4, by striking “city not within a county” and inserting in lieu thereof the following: “**county with more than one million inhabitants**”.

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

Pursuant to Senate Rule 91, Senator Washington excused herself from voting on the adoption and 3rd reading of **SS** for **SCS** for **HCS** for **HB 3020**.

Senator Hegeman moved that **SS** for **SCS** for **HCS** for **HB 3020**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **HCS** for **HB 3020**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Brown	Cierpiot	Crawford
Eslinger	Hegeman	Hoskins	Hough	Luetkemeyer	May	Mosley
O’Laughlin	Razer	Riddle	Rizzo	Roberts	Rowden	Schatz
Schupp	Thompson Rehder	White	Wieland	Williams—26		

NAYS—Senators

Brattin	Burlison	Koenig	Moon	Onder—5
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Absent—Senators—None

Absent with leave—Senators

Eigel	Gannon—2
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Excused from voting—Senator Washington—1

Vacancies—None

The President declared the bill passed.

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

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

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

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SBs 775, 751 and 640**: Senators Thompson Rehder, Luetkemeyer, Eslinger, Schupp, and Washington.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 2168**, with **SS** for **SCS**, as amended: Senators Crawford, Wieland, Eslinger,

Roberts, and Mosley.

President Pro Tem Schatz appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 1606**, with **SS** for **SCS**, as amended: Eslinger, Crawford, Thompson Rehder, Razer, and Beck.

RESOLUTIONS

Senator Crawford offered Senate Resolution No. 904, regarding Marvin Manning, Stockton, which was adopted.

Senator Gannon offered Senate Resolution No. 905, regarding Warden Paul Blair, Farmington, which was adopted.

Senator Crawford offered Senate Resolution No. 906, regarding Jorja Louise Harrison, Urbana, which was adopted.

Senator Gannon offered Senate Resolution No. 907, regarding Denise Welker, Festus, which was adopted.

Senator Moon offered Senate Resolution No. 908, regarding Michele Hatfield, Hollister, which was adopted.

Senator Moon offered Senate Resolution No. 909, regarding Jim Hatfield, Hollister, which was adopted.

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

SENATE CALENDAR

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SIXTY-FIRST DAY—FRIDAY, MAY 5, 2022

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1859-Eggleston

HB 1692-Boggs

HCS for HB 2381

HB 1977-Kelley (127)

HJR 114-Coleman (32)

HCS for HB 1704

HB 1973-Gregory (51)

HCS for HB 2140

HCS for HB 2600

HB 2439-Hovis

HB 2160-Dinkins

HB 2660-Veit

HCS for HB 2638

HCS for HB 2136

HCS for HB 1489

HS for HB 2310

HCS for HB 2177
HB 1564-Griffith

HCS for HB 1559

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 649-Eigel, as
amended (In Fiscal Oversight)

SS for SCS for SB 741-Crawford, as
amended (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|--|
| 1. SB 1179-Hough | 13. SB 958-Bean, with SCS |
| 2. SB 994-Washington | 14. SB 694-Brattin |
| 3. SBs 961 & 733-Beck, with SCS | 15. SB 1063-Crawford |
| 4. SB 739-Eigel | 16. SB 963-Brown, with SCS |
| 5. SB 874-Arthur | 17. SB 978-Eslinger, with SCS |
| 6. SB 1040-Burlison | 18. SB 843-Moon, with SCS |
| 7. SB 1143-Brown | 19. SB 1178-White and Cierpiot, with SCS |
| 8. SB 685-May | 20. SB 1133-White, with SCS |
| 9. SB 833-Luetkemeyer | 21. SB 684-May |
| 10. SB 1023-Gannon | 22. SB 923-Brattin |
| 11. SB 809-Koenig, with SCS | 23. SJRs 52 & 53-Koenig, with SCS |
| 12. SB 800-Hegeman | 24. SB 839-Brattin, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 1686 (Brown)
(In Fiscal Oversight) | 7. HB 1962-Copeland (Eslinger) |
| 2. HCS for HJR 117 (Hegeman)
(In Fiscal Oversight) | 8. HB 2202-Fitzwater, with SCS (Cierpiot)
(In Fiscal Oversight) |
| 3. HCS for HB 2304, with SCS (O'Laughlin)
(In Fiscal Oversight) | 9. HCS for HB 1662 (Koenig) |
| 4. HCS for HB 1462, with SCS (Burlison)
(In Fiscal Oversight) | 10. HB 1738-Dogan, with SCS (Roberts) |
| 5. HCS for HB 1858 (O'Laughlin)
(In Fiscal Oversight) | 11. HB 2365-Shields (In Fiscal Oversight)
(Hegeman) |
| 6. HCS for HB 2587 (Hoskins)
(In Fiscal Oversight) | 12. HB 2331-Baker, with SCS (White) |
| | 13. HCS for HB 1590 (Hoskins)
(In Fiscal Oversight) |
| | 14. HCS for HB 1583 (Koenig) |
| | 15. HCS for HB 1597, with SCS (O'Laughlin) |

- | | |
|---|---|
| 16. HB 1860-Eggleston, with SCS
(Bernskoetter) (In Fiscal Oversight) | 22. HB 2325-Patterson (Bean)
(In Fiscal Oversight) |
| 17. HCS for HB 2382 (Koenig)
(In Fiscal Oversight) | 23. HB 2607-Rone (Bean) |
| 18. HB 2593-Lovasco, with SCS (Koenig) | 24. HCS for HB 2120, with SCS (Crawford)
(In Fiscal Oversight) |
| 19. HCS for HB 1732, with SCS (Crawford)
(In Fiscal Oversight) | 25. HB 1473-Pike (Onder) |
| 20. HCS for HB 2012, with SCS (White)
(In Fiscal Oversight) | 26. HB 1541-McGill, with SCS (Gannon)
(In Fiscal Oversight) |
| 21. HB 2694-Hudson, with SCS (Crawford)
(In Fiscal Oversight) | 27. HB 2455-Griffith, with SCS (White)
(In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 631-Hegeman, with SCS, SS for SCS &
SA 4 (pending) | SB 723-Hegeman, with SA 1 (pending) |
| SB 648-Rowden | SB 726-Onder, with SS & SA 6 (pending) |
| SB 650-Eigel | SB 732-Hoskins, with SCS |
| SB 654-Crawford, with SCS | 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 781-Moon, with SCS & SS for SCS
(pending) |
| SB 664-Bernskoetter | SB 850-Bean, with SCS & SS for SCS
(pending) |
| SB 665-Bernskoetter, with SS (pending) | SB 864-Hoskins, with SCS |
| SB 667-Burlison, with SS (pending) | SB 867-Koenig, with SCS |
| SB 671-White, with SCS, SS for SCS, SA 1
& point of order (pending) | SB 869-Koenig, with SS (pending) |
| SB 674-Hough, with SCS | SB 918-Burlison, with SCS, SS for SCS &
SA 1 (pending) |
| SBs 698 & 639-Gannon, et al, with SCS, | SB 938-White, with SCS & SS#2 for SCS &
SA 1 (pending) |
| SBs 698 & 639-Gannon, et al, with SCS,
SA 1 & SA 1 to SA 1 (pending) | SB 1153-Eslinger, with SCS |
| SBs 702, 636, 651, & 693-Eslinger, with SCS | |
| SB 713-Razer, with SCS | |

HOUSE BILLS ON THIRD READING

HCS for HB 1734, with SCS (White)
 HB 1856-Baker, with SCS (O’Laughlin)
 SS for SCS for HB 1878-Simmons, as
 amended (Crawford) (In Fiscal Oversight)
 HCS for HB 2000, with SCS (Williams)
 HB 2088, HB 1705 & HCS for HB 1699,
 with SCS (Luetkemeyer)
 SCS for HB 2090-Griffith, as amended
 (Bernskoetter) (In Fiscal Oversight)
 HCS for HBs 2116, 2097, 1690 & 2221,
 with SCS (White)

HCS for HB 2151, with SCS, SS for SCS &
 SA 6 (pending) (Arthur)
 SS for HB 2400-Houx, as amended
 (Hoskins) (In Fiscal Oversight)
 HCS for HBs 2502 & 2556, with SS, SA 1
 & SA 1 to SA 1 (pending) (Hegeman)
 HB 2697, HB 1589, HB 1637 & HCS for
 HB 2127, with SCS (Luetkemeyer)
 HCS for HJR 79, with SCS (Crawford)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SBs 681 & 662-O’Laughlin
 and Arthur, with HCS, as amended
 (House conferees allowed to exceed
 the differences)
 SS for SCS for SBs 775, 751 &
 640-Thompson Rehder and Schupp, with
 HCS, as amended (Senate requests
 House recede or grant conference)
 SB 820-Burlison, with HCS, as amended
 (Senate conferees allowed to exceed
 the differences)
 HCS for HB 1606, with SS for SCS, as
 amended (Eslinger)
 HCS for HB 1720, with SS for SCS, as
 amended (Bean) (Conferees allowed to
 exceed the differences)
 HB 2149-Shields, with SS, as amended
 (Eslinger) (Further conference granted)

HCS for HB 2168, with SS for SCS, as
 amended (Crawford)
 HCS for HB 3002, with SS for SCS (Hegeman)
 HCS for HB 3003, with SS for SCS (Hegeman)
 HCS for HB 3004, with SCS (Hegeman)
 HCS for HB 3005, with SCS (Hegeman)
 HCS for HB 3006, with SCS (Hegeman)
 HCS for HB 3007, with SCS (Hegeman)
 HCS for HB 3008, with SS for SCS (Hegeman)
 HCS for HB 3009, with SCS (Hegeman)
 HCS for HB 3010, with SS for SCS (Hegeman)
 HCS for HB 3011, with SS for SCS (Hegeman)
 HCS for HB 3012, with SS for SCS (Hegeman)
 HCS for HB 3013, with SCS (Hegeman)
 HCS for HB 3015, with SCS (Hegeman)

Requests to Recede or Grant Conference

SB 710-Beck, with HCS#2, as amended
(Senate requests House recede or
grant conference)

SB 845-Eslinger, with HCS, as amended
(Senate requests House 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
SR 783-Hough
HCR 52-Plocher (Rowden)

Reported from Committee

SR 594-Bernskoetter and Schupp

SR 626-Schatz

✓