

SENATE SUBSTITUTE  
FOR  
HOUSE BILL NO. 202  
AN ACT

To repeal sections 60.401, 60.410, 60.421, 60.431, 60.441, 60.451, 60.471, 60.480, 60.491, 60.510, 135.775, 135.778, 143.022, 143.121, 192.945, 192.947, 195.203, 195.207, 195.740, 195.743, 195.746, 195.749, 195.752, 195.756, 195.758, 195.764, 195.767, 195.773, 196.311, 196.316, 261.265, 304.180, 323.100, 340.341, 340.345, 340.381, 340.384, 340.387, and 413.225, RSMo, and to enact in lieu thereof twenty-five new sections relating to environmental regulation.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 60.401, 60.410, 60.421, 60.431,  
 2 60.441, 60.451, 60.471, 60.480, 60.491, 60.510, 135.775,  
 3 135.778, 143.022, 143.121, 192.945, 192.947, 195.203, 195.207,  
 4 195.740, 195.743, 195.746, 195.749, 195.752, 195.756, 195.758,  
 5 195.764, 195.767, 195.773, 196.311, 196.316, 261.265, 304.180,  
 6 323.100, 340.341, 340.345, 340.381, 340.384, 340.387, and  
 7 413.225, RSMo, are repealed and twenty-five new sections  
 8 enacted in lieu thereof, to be known as sections 60.401, 60.410,  
 9 60.431, 60.441, 60.471, 60.480, 60.510, 68.080, 135.775,  
 10 135.778, 143.022, 143.121, 195.207, 196.311, 196.316, 256.800,  
 11 262.911, 304.180, 323.100, 340.341, 340.345, 340.381, 340.384,  
 12 340.387, and 413.225, to read as follows:

60.401. The systems of most recent system of state  
 2 plane coordinates which have has been established by the  
 3 National Ocean Survey/National Geodetic Survey National  
 4 Geodetic Survey, or its successors, based on the National  
 5 Spatial Reference System, or its successors, and known as  
 6 the State Plane Coordinate System, for defining and stating  
 7 the geographic positions or locations of points on the

8 surface of the earth within the state of Missouri [are  
9 hereafter to] shall be known [and designated] as the  
10 ["Missouri Coordinate System of 1927" and the "Missouri  
11 Coordinate System of 1983"] "Missouri State Plane Coordinate  
12 System".

60.410. [1. For the purpose of the use of this  
2 system, Missouri is divided into three separate zones, to be  
3 officially known as "The East Zone", "The Central Zone", and  
4 "The West Zone".

5 2. The area now included in the following counties  
6 shall constitute the east zone: Bollinger, Butler, Cape  
7 Girardeau, Carter, Clark, Crawford, Dent, Dunklin, Franklin,  
8 Gasconade, Iron, Jefferson, Lewis, Lincoln, Madison, Marion,  
9 Mississippi, Montgomery, New Madrid, Oregon, Pemiscot,  
10 Perry, Pike, Ralls, Reynolds, Ripley, St. Charles, Ste.  
11 Genevieve, St. Francois, St. Louis, St. Louis (city), Scott,  
12 Shannon, Stoddard, Warren, Washington and Wayne.

13 3. The area now included in the following counties  
14 shall constitute the central zone: Adair, Audrain, Benton,  
15 Boone, Callaway, Camden, Carroll, Chariton, Christian, Cole,  
16 Cooper, Dallas, Douglas, Greene, Grundy, Hickory, Howard,  
17 Howell, Knox, Laclede, Linn, Livingston, Macon, Maries,  
18 Mercer, Miller, Moniteau, Monroe, Morgan, Osage, Ozark,  
19 Pettis, Phelps, Polk, Pulaski, Putnam, Randolph, Saline,  
20 Schuyler, Scotland, Shelby, Stone, Sullivan, Taney, Texas,  
21 Webster and Wright.

22 4. The area now included in the following counties  
23 shall constitute the west zone: Andrew, Atchison, Barry,  
24 Barton, Bates, Buchanan, Caldwell, Cass, Cedar, Clay,  
25 Clinton, Dade, Daviess, DeKalb, Gentry, Harrison, Henry,  
26 Holt, Jackson, Jasper, Johnson, Lafayette, Lawrence,  
27 McDonald, Newton, Nodaway, Platte, Ray, St. Clair, Vernon  
28 and Worth.] The Missouri state plane coordinate system may

29 have one or more projection zone layers. Each layer of  
30 zones shall be covered by geodetically referenced mapping  
31 projections adopted and supported by the National Geodetic  
32 Survey as a component of the National Spatial Reference  
33 System. Each layer of zones shall be identified by the  
34 geodetic datum upon which they are defined, and each zone  
35 shall remain uniquely and consistently defined throughout  
36 its implementation within a particular layer.

60.431. The plane coordinate [values for] of a point  
2 on the earth's surface, to be used [to express the  
3 geographic] in expressing the position or location of [such]  
4 point in the appropriate zone of [this system] the Missouri  
5 state plane coordinate system, shall consist of two  
6 distances expressed in [U.S. Survey Feet] feet and decimals  
7 of a foot [when using the Missouri coordinate system of 1927  
8 and expressed in] or meters and decimals of a meter [when  
9 using the Missouri coordinate system of 1983]. When values  
10 are expressed in feet, the International foot (one  
11 international foot equals 0.3048 meters), shall be used as  
12 the standard foot for the Missouri state plane coordinate  
13 system. One of these distances, to be known as the "East x-  
14 coordinate", shall give the [position in an east-and-west  
15 direction;] distance east of the Y axis; the other, to be  
16 known as the "North y-coordinate", shall give the [position  
17 in a north-and-south direction] distance north of the X  
18 axis. The Y axis of any zone shall be parallel with the  
19 central meridian of that zone. The X axis of any zone shall  
20 be at right angles to the central meridian zone. These  
21 coordinates shall [be made to] depend upon and conform to  
22 plane rectangular coordinate values [for the monumented  
23 points of the North American Horizontal Geodetic Control  
24 Network, as published by the National Ocean Survey/National  
25 Geodetic Survey] as established, published or broadcast by

26 the National-Geodetic Survey, or its successors, and whose  
27 plane coordinates have been computed on the systems defined  
28 in sections 60.401 to ~~[60.481]~~ 60.496. Any such station or  
29 method may be used for establishing a survey connection to  
30 ~~[either]~~ the Missouri state plane coordinate system.

60.441. When any tract of land to be defined by a  
2 single description extends from one into another of the  
3 coordinate zones ~~[set out in section 60.410]~~, the positions  
4 of all points on its boundaries may be referred to as either  
5 of the zones and the zone which is used shall be  
6 specifically named in the description.

60.471. The use of the term "Missouri State Plane  
2 Coordinate System ~~[of 1927" or "Missouri Coordinate System~~  
3 ~~of 1983]"~~ on any map, report of survey, or other document  
4 shall be limited to coordinates based on the Missouri state  
5 plane coordinate system as defined in sections 60.401 to  
6 ~~[60.491]~~ 60.496.

60.480. Descriptions of tracts of land by reference to  
2 subdivisions, lines, or corners of the United States public  
3 land survey, or other original pertinent surveys, are hereby  
4 recognized as the basic and prevailing method for describing  
5 such tracts. Whenever coordinates of the Missouri state  
6 plane coordinate system are used in such descriptions they  
7 shall be construed as being supplementary to descriptions of  
8 such subdivisions, lines, or corners contained in official  
9 plats and field notes of record; and, in the event of any  
10 conflict, the descriptions by reference to the subdivisions,  
11 lines, or corners of the United States public land surveys,  
12 or other original pertinent surveys shall prevail over the  
13 description by coordinates.

60.510. The functions, duties and responsibilities of  
2 the department of agriculture shall be as follows:

3           (1) To restore, maintain, and preserve the land survey  
4 monuments, section corners, and quarter section corners  
5 established by the United States public land survey within  
6 Missouri, together with all pertinent field notes, plats and  
7 documents; and also to restore, establish, maintain, and  
8 preserve Missouri state and county boundary markers and  
9 other boundary markers considered by the department of  
10 agriculture to be of importance, or otherwise established by  
11 law;

12           (2) To design and cause to be placed at established  
13 public land survey corner sites, where practical,  
14 substantial monuments permanently indicating, with words and  
15 figures, the exact location involved, but if such monuments  
16 cannot be placed at the exact corner point, then witness  
17 corners of similar design shall be placed as [near by]  
18 nearby as possible, with words and figures indicating the  
19 bearing and distance to the true corner;

20           (3) To establish, maintain, and provide safe storage  
21 facilities for a comprehensive system of recordation of  
22 information respecting all monuments established by the  
23 United States public land survey within this state, and such  
24 records as may be pertinent to the department of  
25 agriculture's establishment or maintenance of other land  
26 corners, Missouri state plane coordinate system stations and  
27 accessories, and survey monuments in general;

28           (4) To provide the framework for all geodetic  
29 positioning activities in the state. The foundational  
30 elements include latitude, longitude, and elevation which  
31 contribute to informed decision making and impact on a wide  
32 range of important activities including mapping and  
33 geographic information systems, flood risk determination,  
34 transportation, land use and ecosystem management and use of

35 the Missouri state plane coordinate system, as established  
36 by sections 60.401 to ~~[60.491]~~ 60.496;

37 (5) To collect and preserve information obtained from  
38 surveys made by those authorized to establish land monuments  
39 or land boundaries, and to assist in the proper recording of  
40 the same by the duly constituted county officials, or  
41 otherwise;

42 (6) To furnish, upon reasonable request and tender of  
43 the required fees therefor, certified copies of records  
44 created or maintained by the department of agriculture  
45 which, when certified by the state land surveyor or a  
46 designated assistant, shall be admissible in evidence in any  
47 court in this state, as the original record; and

48 (7) To prescribe, and disseminate to those engaged in  
49 the business of land surveying, regulations designed to  
50 assist in uniform and professional surveying methods and  
51 standards in this state.

68.080. 1. There is hereby established in the state  
2 treasury the "Waterways and Ports Trust Fund". The fund  
3 shall consist of revenues appropriated to it by the general  
4 assembly.

5 2. The fund may also receive any gifts, contributions,  
6 grants, or bequests received from federal, private, or other  
7 sources.

8 3. The fund shall be a revolving trust fund exempt  
9 from the provisions of section 33.080 relating to the  
10 transfer of unexpended balances by the state treasurer to  
11 the general revenue fund of the state. All interest earned  
12 upon the balance in the fund shall be deposited to the  
13 credit of the fund.

14 4. Moneys in the fund shall be withdrawn only upon  
15 appropriation by the general assembly, to be administered by  
16 the state highways and transportation commission and the

17 department of transportation, in consultation with Missouri  
18 public ports, for the purposes in subsection 2 of section  
19 68.035 and for no other purpose. To be eligible to receive  
20 an appropriation from the fund, a project shall be:

21 (1) A capital improvement project implementing  
22 physical improvements designed to improve commerce or  
23 terminal and transportation facilities on or adjacent to the  
24 navigable rivers of this state;

25 (2) Located on land owned or held in long term lease  
26 by a Missouri port authority, or within a navigable river  
27 adjacent to such land, and within the boundaries of a port  
28 authority;

29 (3) Funded by alternate sources so that moneys from  
30 the fund comprise no more than eighty percent of the cost of  
31 the project;

32 (4) Selected and approved by the highways and  
33 transportation commission, in consultation with Missouri  
34 public ports, to support a statewide plan for waterborne  
35 commerce, in accordance with subdivision (1) of section  
36 68.065; and

37 (5) Capable of completion within two years of approval  
38 by the highways and transportation commission.

39 5. Appropriations made from the fund established in  
40 this section may be used as a local share in applying for  
41 other grant programs.

42 6. The provisions of this section shall terminate on  
43 August 28, 2033, pending the discharge of all warrant. On  
44 December 31, 2033, the fund shall be dissolved and the  
45 unencumbered balance shall be transferred to the general  
46 revenue fund.

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

3           (1) "Biodiesel blend", a blend of diesel fuel and  
4 biodiesel fuel of at least five percent and not more than  
5 twenty percent for on-road and off-road diesel-fueled  
6 vehicle use;

7           (2) "Biodiesel fuel", a renewable, biodegradable, mono  
8 alkyl ester combustible liquid fuel that is derived from  
9 agricultural and other plant oils or animal fats and that  
10 meets the most recent version of the ASTM International  
11 D6751 Standard Specification for Biodiesel Fuel Blend  
12 Stock. A fuel shall be deemed to be biodiesel fuel if the  
13 fuel consists of a pure B100 or B99 ratio. Biodiesel  
14 produced from palm oil is not biodiesel fuel for the  
15 purposes of this section unless the palm oil is contained  
16 within waste oil and grease collected within the United  
17 States;

18           (3) "B99", a blend of ninety-nine percent biodiesel  
19 fuel that meets the most recent version of the ASTM  
20 International D6751 Standard Specification for Biodiesel  
21 Fuel Blend Stock with a minimum of one-tenth of one percent  
22 and maximum of one percent diesel fuel that meets the most  
23 recent version of the ASTM International D975 Standard  
24 Specification for Diesel Fuel;

25           (4) "Department", the Missouri department of revenue;

26           (5) "Distributor", a person, firm, or corporation  
27 doing business in this state that:

28           (a) Produces, refines, blends, compounds, or  
29 manufactures motor fuel;

30           (b) Imports motor fuel into the state; or

31           (c) Is engaged in distribution of motor fuel;

32           (6) "Retail dealer", a person, firm, or corporation  
33 doing business in this state that owns or operates a retail  
34 service station in this state;

35 (7) "Retail service station", a location in this state  
36 from which biodiesel blend is sold to the general public and  
37 is dispensed directly into motor vehicle fuel tanks for  
38 consumption at retail.

39 2. For all tax years beginning on or after January 1,  
40 2023, a retail dealer that sells a biodiesel blend at a  
41 retail service station or a distributor that sells a  
42 biodiesel blend directly to the final user located in this  
43 state shall be allowed a tax credit to be taken against the  
44 retail dealer or distributor's state income tax liability.  
45 For any retail dealer or distributor with a tax year  
46 beginning prior to January 1, 2023, but ending during the  
47 2023 calendar year, such retail dealer or distributor shall  
48 be allowed a tax credit for the amount of biodiesel blend  
49 sold during the portion of such tax year that occurs during  
50 the 2023 calendar year. The amount of the credit shall be  
51 equal to:

52 (1) Two cents per gallon of biodiesel blend of at  
53 least five percent but not more than ten percent sold by the  
54 retail dealer at a retail service station or by a  
55 distributor directly to the final user located in this state  
56 during the tax year for which the tax credit is claimed; and

57 (2) Five cents per gallon of biodiesel blend in excess  
58 of ten percent but not more than twenty percent sold by the  
59 retail dealer at a retail service station or by a  
60 distributor directly to the final user located in this state  
61 during the tax year for which the tax credit is claimed.

62 3. Tax credits authorized under this section shall not  
63 be transferred, sold, or assigned. If the amount of the tax  
64 credit exceeds the taxpayer's state tax liability, the  
65 difference shall be refundable. The total amount of tax  
66 credits issued under this section for any given fiscal year  
67 shall not exceed sixteen million dollars.

68           4. In the event the total amount of tax credits  
69 claimed under this section exceeds the amount of available  
70 tax credits, the tax credits shall be apportioned among all  
71 eligible retail dealers and distributors claiming a tax  
72 credit by April fifteenth, or as directed by section  
73 143.851, of the fiscal year in which the tax credit is  
74 claimed.

75           5. The tax credit allowed by this section shall be  
76 claimed by such taxpayer at the time such taxpayer files a  
77 return and shall be applied against the income tax liability  
78 imposed by chapter 143, excluding the withholding tax  
79 imposed by sections 143.191 to 143.265, after reduction for  
80 all other credits allowed thereon. The department may  
81 require any documentation it deems necessary to administer  
82 the provisions of this section.

83           6. Notwithstanding any other provision of law to the  
84 contrary, if the maximum amount of tax credits authorized by  
85 this section are not claimed, the remaining amount of tax  
86 credits available to claim shall be applied to the tax  
87 credit in section 135.778 if the maximum amount of tax  
88 credits authorized by section 135.778 have been claimed.

89           7. Notwithstanding the provisions of section 32.057 to  
90 the contrary, the department may work with the division of  
91 weights and measures within the department of agriculture to  
92 validate that the biodiesel blend a retail dealer or  
93 distributor claims for the tax credit authorized under this  
94 section contains a sufficient percentage of biodiesel fuel.

95           8. The department shall promulgate rules to implement  
96 and administer the provisions of this section. Any rule or  
97 portion of a rule, as that term is defined in section  
98 536.010, that is created pursuant to the authority delegated  
99 in this section shall become effective only if it complies  
100 with and is subject to all of the provisions of chapter 536

101 and, if applicable, section 536.028. This section and  
102 chapter 536 are nonseverable and if any of the powers vested  
103 with the general assembly pursuant to chapter 536 to review,  
104 to delay the effective date, or to disapprove and annul a  
105 rule are subsequently held unconstitutional, then the grant  
106 of rulemaking authority and any rule proposed or adopted  
107 after January 2, 2023, shall be invalid and void.

108 9. Under section 23.253 of the Missouri sunset act:

109 (1) The provisions of the new program authorized under  
110 this section shall automatically sunset on December 31,  
111 2028, unless reauthorized by an act of the general assembly;

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

116 (3) This section shall terminate on September first of  
117 the calendar year immediately following the calendar year in  
118 which the program authorized under this section is sunset.

119 The termination of the program as described in this  
120 subsection shall not be construed to preclude any qualified  
121 taxpayer who claims any benefit under any program that is  
122 sunset under this subsection from claiming such benefit for  
123 all allowable activities related to such claim that were  
124 completed before the program was sunset or to eliminate any  
125 responsibility of the department to verify the continued  
126 eligibility of qualified individuals receiving tax credits  
127 and to enforce other requirements of law that applied before  
128 the program was sunset.

135.778. 1. For the purposes of this section, the  
2 following terms shall mean:

3 (1) "Biodiesel fuel", a renewable, biodegradable, mono  
4 alkyl ester combustible liquid fuel that is derived from  
5 agricultural and other plant oils or animal fats and that

6 meets the most recent version of the ASTM International  
7 D6751 Standard Specification for Biodiesel Fuel Blend  
8 Stock. A fuel shall be deemed to be biodiesel fuel if the  
9 fuel consists of a pure B100 or B99 ratio. Biodiesel  
10 produced from palm oil is not biodiesel fuel for the  
11 purposes of this section unless the palm oil is contained  
12 within waste oil and grease collected within the United  
13 States;

14 (2) "B99", a blend of ninety-nine percent biodiesel  
15 fuel that meets the most recent version of the ASTM  
16 International D6751 Standard Specification for Biodiesel  
17 Fuel Blend Stock with a minimum of one-tenth of one percent  
18 and maximum of one percent diesel fuel that meets the most  
19 recent version of the ASTM International D975 Standard  
20 Specification for Diesel Fuel;

21 (3) "Department", the Missouri department of revenue;

22 (4) "Missouri biodiesel producer", a person, firm, or  
23 corporation doing business in this state that produces  
24 biodiesel fuel in this state, is registered with the United  
25 States Environmental Protection Agency according to the  
26 requirements of 40 CFR Part 79, and has begun construction  
27 on such facility or has been selling biodiesel fuel produced  
28 at such facility on or before January 2, 2023.

29 2. For all tax years beginning on or after January 1,  
30 2023, a Missouri biodiesel producer shall be allowed a tax  
31 credit to be taken against the producer's state income tax  
32 liability. For any Missouri biodiesel producer with a tax  
33 year beginning prior to January 1, 2023, but ending during  
34 the 2023 calendar year, such Missouri biodiesel producer  
35 shall be allowed a tax credit for the amount of biodiesel  
36 fuel produced during the portion of such tax year that  
37 occurs during the 2023 calendar year. The amount of the tax  
38 credit shall be two cents per gallon of biodiesel fuel

39 produced by the Missouri biodiesel producer during the tax  
40 year for which the tax credit is claimed.

41 3. Tax credits authorized under this section shall not  
42 be transferred, sold, or assigned. If the amount of the tax  
43 credit exceeds the taxpayer's state tax liability, the  
44 difference shall be refundable. The total amount of tax  
45 credits issued under this section for any given fiscal year  
46 shall not exceed ~~four~~ five million five hundred thousand  
47 dollars, which shall be authorized on a first-come first-  
48 served basis.

49 4. ~~In the event the total amount of tax credits~~  
50 ~~claimed under this section exceeds the amount of available~~  
51 ~~tax credits, the tax credits shall be apportioned among all~~  
52 ~~eligible Missouri biodiesel producers claiming the credit by~~  
53 ~~April fifteenth, or as directed by section 143.851, of the~~  
54 ~~fiscal year in which the tax credit is claimed.~~

55 ~~5.]~~ The tax credit authorized under this section shall  
56 be claimed by such taxpayer at the time such taxpayer files  
57 a return and shall be applied against the income tax  
58 liability imposed by chapter 143, excluding the withholding  
59 tax imposed by sections 143.191 to 143.265, after reduction  
60 for all other credits allowed thereon. The department may  
61 require any documentation it deems necessary to administer  
62 the provisions of this section.

63 ~~6.]~~ 5. Notwithstanding any other provision of law to  
64 the contrary, if the maximum amount of tax credits  
65 authorized by this section are not claimed, the remaining  
66 amount of tax credits available to claim shall be applied to  
67 the tax credit in section 135.775 if the maximum amount of  
68 tax credits authorized by section 135.775 have been claimed.

69 ~~7.]~~ 6. The department shall promulgate rules to  
70 implement and administer the provisions of this section.  
71 Any rule or portion of a rule, as that term is defined in

72 section 536.010, that is created pursuant to the authority  
73 delegated in this section shall become effective only if it  
74 complies with and is subject to all of the provisions of  
75 chapter 536 and, if applicable, section 536.028. This  
76 section and chapter 536 are nonseverable and if any of the  
77 powers vested with the general assembly pursuant to chapter  
78 536 to review, to delay the effective date, or to disapprove  
79 and annul a rule are subsequently held unconstitutional,  
80 then the grant of rulemaking authority and any rule proposed  
81 or adopted after January 2, 2023, shall be invalid and void.

82 [8.] 7. Under section 23.253 of the Missouri sunset  
83 act:

84 (1) The provisions of the new program authorized under  
85 this section shall automatically sunset on December 31,  
86 2028, unless reauthorized by an act of the general assembly;

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

91 (3) This section shall terminate on September first of  
92 the calendar year immediately following the calendar year in  
93 which the program authorized under this section is sunset.  
94 The termination of the program as described in this  
95 subsection shall not be construed to preclude any qualified  
96 taxpayer who claims any benefit under any program that is  
97 sunset under this subsection from claiming such benefit for  
98 all allowable activities related to such claim that were  
99 completed before the program was sunset, or to eliminate any  
100 responsibility of the department to verify the continued  
101 eligibility of qualified individuals receiving tax credits  
102 and to enforce other requirements of law that applied before  
103 the program was sunset.

143.022. 1. As used in this section, "business  
2 income" means the income greater than zero arising from  
3 transactions in the regular course of all of a taxpayer's  
4 trade or business and shall be limited to the Missouri  
5 source net profit from the combination of the following:

6 (1) The total combined profit as properly reported to  
7 the Internal Revenue Service on each Schedule C, or its  
8 successor form, filed; [and]

9 (2) The total partnership and S corporation income or  
10 loss properly reported to the Internal Revenue Service on  
11 Part II of Schedule E, or its successor form;

12 (3) The total combined profit as properly reported to  
13 the Internal Revenue Service on each Schedule F, or its  
14 successor form, filed; and

15 (4) The total combined profit as properly reported to  
16 the Internal Revenue Service on each Form 4835, or its  
17 successor form, filed.

18 2. In addition to all other modifications allowed by  
19 law, there shall be subtracted from the federal adjusted  
20 gross income of an individual taxpayer a percentage of such  
21 individual's business income, to the extent that such  
22 amounts are included in federal adjusted gross income when  
23 determining such individual's Missouri adjusted gross income  
24 and are not otherwise subtracted or deducted in determining  
25 such individual's Missouri taxable income.

26 3. In the case of an S corporation described in  
27 section 143.471 or a partnership computing the deduction  
28 allowed under subsection 2 of this section, taxpayers  
29 described in subdivision (1) or (2) of this subsection shall  
30 be allowed such deduction apportioned in proportion to their  
31 share of ownership of the business as reported on the  
32 taxpayer's Schedule K-1, or its successor form, for the tax

33 period for which such deduction is being claimed when  
34 determining the Missouri adjusted gross income of:

35 (1) The shareholders of an S corporation as described  
36 in section 143.471;

37 (2) The partners in a partnership.

38 4. The percentage to be subtracted under subsection 2  
39 of this section shall be increased over a period of years.  
40 Each increase in the percentage shall be by five percent and  
41 no more than one increase shall occur in a calendar year.  
42 The maximum percentage that may be subtracted is twenty  
43 percent of business income. Any increase in the percentage  
44 that may be subtracted shall take effect on January first of  
45 a calendar year and such percentage shall continue in effect  
46 until the next percentage increase occurs. An increase  
47 shall only apply to tax years that begin on or after the  
48 increase takes effect.

49 5. An increase in the percentage that may be  
50 subtracted under subsection 2 of this section shall only  
51 occur if the amount of net general revenue collected in the  
52 previous fiscal year exceeds the highest amount of net  
53 general revenue collected in any of the three fiscal years  
54 prior to such fiscal year by at least one hundred fifty  
55 million dollars.

56 6. The first year that a taxpayer may make the  
57 subtraction under subsection 2 of this section is 2017,  
58 provided that the provisions of subsection 5 of this section  
59 are met. If the provisions of subsection 5 of this section  
60 are met, the percentage that may be subtracted in 2017 is  
61 five percent.

143.121. 1. The Missouri adjusted gross income of a  
2 resident individual shall be the taxpayer's federal adjusted  
3 gross income subject to the modifications in this section.

4           2. There shall be added to the taxpayer's federal  
5 adjusted gross income:

6           (1) The amount of any federal income tax refund  
7 received for a prior year which resulted in a Missouri  
8 income tax benefit. The amount added pursuant to this  
9 subdivision shall not include any amount of a federal income  
10 tax refund attributable to a tax credit reducing a  
11 taxpayer's federal tax liability pursuant to Public Law 116-  
12 136 or 116-260, enacted by the 116th United States Congress,  
13 for the tax year beginning on or after January 1, 2020, and  
14 ending on or before December 31, 2020, and deducted from  
15 Missouri adjusted gross income pursuant to section 143.171.  
16 The amount added under this subdivision shall also not  
17 include any amount of a federal income tax refund  
18 attributable to a tax credit reducing a taxpayer's federal  
19 tax liability under any other federal law that provides  
20 direct economic impact payments to taxpayers to mitigate  
21 financial challenges related to the COVID-19 pandemic, and  
22 deducted from Missouri adjusted gross income under section  
23 143.171;

24           (2) Interest on certain governmental obligations  
25 excluded from federal gross income by 26 U.S.C. Section 103  
26 of the Internal Revenue Code, as amended. The previous  
27 sentence shall not apply to interest on obligations of the  
28 state of Missouri or any of its political subdivisions or  
29 authorities and shall not apply to the interest described in  
30 subdivision (1) of subsection 3 of this section. The amount  
31 added pursuant to this subdivision shall be reduced by the  
32 amounts applicable to such interest that would have been  
33 deductible in computing the taxable income of the taxpayer  
34 except only for the application of 26 U.S.C. Section 265 of  
35 the Internal Revenue Code, as amended. The reduction shall  
36 only be made if it is at least five hundred dollars;

37           (3) The amount of any deduction that is included in  
38 the computation of federal taxable income pursuant to 26  
39 U.S.C. Section 168 of the Internal Revenue Code as amended  
40 by the Job Creation and Worker Assistance Act of 2002 to the  
41 extent the amount deducted relates to property purchased on  
42 or after July 1, 2002, but before July 1, 2003, and to the  
43 extent the amount deducted exceeds the amount that would  
44 have been deductible pursuant to 26 U.S.C. Section 168 of  
45 the Internal Revenue Code of 1986 as in effect on January 1,  
46 2002;

47           (4) The amount of any deduction that is included in  
48 the computation of federal taxable income for net operating  
49 loss allowed by 26 U.S.C. Section 172 of the Internal  
50 Revenue Code of 1986, as amended, other than the deduction  
51 allowed by 26 U.S.C. Section 172(b)(1)(G) and 26 U.S.C.  
52 Section 172(i) of the Internal Revenue Code of 1986, as  
53 amended, for a net operating loss the taxpayer claims in the  
54 tax year in which the net operating loss occurred or carries  
55 forward for a period of more than twenty years and carries  
56 backward for more than two years. Any amount of net  
57 operating loss taken against federal taxable income but  
58 disallowed for Missouri income tax purposes pursuant to this  
59 subdivision after June 18, 2002, may be carried forward and  
60 taken against any income on the Missouri income tax return  
61 for a period of not more than twenty years from the year of  
62 the initial loss; and

63           (5) For nonresident individuals in all taxable years  
64 ending on or after December 31, 2006, the amount of any  
65 property taxes paid to another state or a political  
66 subdivision of another state for which a deduction was  
67 allowed on such nonresident's federal return in the taxable  
68 year unless such state, political subdivision of a state, or  
69 the District of Columbia allows a subtraction from income

70 for property taxes paid to this state for purposes of  
71 calculating income for the income tax for such state,  
72 political subdivision of a state, or the District of  
73 Columbia;

74 (6) For all tax years beginning on or after January 1,  
75 2018, any interest expense paid or accrued in a previous  
76 taxable year, but allowed as a deduction under 26 U.S.C.  
77 Section 163, as amended, in the current taxable year by  
78 reason of the carryforward of disallowed business interest  
79 provisions of 26 U.S.C. Section 163(j), as amended. For the  
80 purposes of this subdivision, an interest expense is  
81 considered paid or accrued only in the first taxable year  
82 the deduction would have been allowable under 26 U.S.C.  
83 Section 163, as amended, if the limitation under 26 U.S.C.  
84 Section 163(j), as amended, did not exist.

85 3. There shall be subtracted from the taxpayer's  
86 federal adjusted gross income the following amounts to the  
87 extent included in federal adjusted gross income:

88 (1) Interest received on deposits held at a federal  
89 reserve bank or interest or dividends on obligations of the  
90 United States and its territories and possessions or of any  
91 authority, commission or instrumentality of the United  
92 States to the extent exempt from Missouri income taxes  
93 pursuant to the laws of the United States. The amount  
94 subtracted pursuant to this subdivision shall be reduced by  
95 any interest on indebtedness incurred to carry the described  
96 obligations or securities and by any expenses incurred in  
97 the production of interest or dividend income described in  
98 this subdivision. The reduction in the previous sentence  
99 shall only apply to the extent that such expenses including  
100 amortizable bond premiums are deducted in determining the  
101 taxpayer's federal adjusted gross income or included in the  
102 taxpayer's Missouri itemized deduction. The reduction shall

103 only be made if the expenses total at least five hundred  
104 dollars;

105 (2) The portion of any gain, from the sale or other  
106 disposition of property having a higher adjusted basis to  
107 the taxpayer for Missouri income tax purposes than for  
108 federal income tax purposes on December 31, 1972, that does  
109 not exceed such difference in basis. If a gain is  
110 considered a long-term capital gain for federal income tax  
111 purposes, the modification shall be limited to one-half of  
112 such portion of the gain;

113 (3) The amount necessary to prevent the taxation  
114 pursuant to this chapter of any annuity or other amount of  
115 income or gain which was properly included in income or gain  
116 and was taxed pursuant to the laws of Missouri for a taxable  
117 year prior to January 1, 1973, to the taxpayer, or to a  
118 decedent by reason of whose death the taxpayer acquired the  
119 right to receive the income or gain, or to a trust or estate  
120 from which the taxpayer received the income or gain;

121 (4) Accumulation distributions received by a taxpayer  
122 as a beneficiary of a trust to the extent that the same are  
123 included in federal adjusted gross income;

124 (5) The amount of any state income tax refund for a  
125 prior year which was included in the federal adjusted gross  
126 income;

127 (6) The portion of capital gain specified in section  
128 135.357 that would otherwise be included in federal adjusted  
129 gross income;

130 (7) The amount that would have been deducted in the  
131 computation of federal taxable income pursuant to 26 U.S.C.  
132 Section 168 of the Internal Revenue Code as in effect on  
133 January 1, 2002, to the extent that amount relates to  
134 property purchased on or after July 1, 2002, but before July  
135 1, 2003, and to the extent that amount exceeds the amount

136 actually deducted pursuant to 26 U.S.C. Section 168 of the  
137 Internal Revenue Code as amended by the Job Creation and  
138 Worker Assistance Act of 2002;

139 (8) For all tax years beginning on or after January 1,  
140 2005, the amount of any income received for military service  
141 while the taxpayer serves in a combat zone which is included  
142 in federal adjusted gross income and not otherwise excluded  
143 therefrom. As used in this section, "combat zone" means any  
144 area which the President of the United States by Executive  
145 Order designates as an area in which Armed Forces of the  
146 United States are or have engaged in combat. Service is  
147 performed in a combat zone only if performed on or after the  
148 date designated by the President by Executive Order as the  
149 date of the commencing of combat activities in such zone,  
150 and on or before the date designated by the President by  
151 Executive Order as the date of the termination of combatant  
152 activities in such zone;

153 (9) For all tax years ending on or after July 1, 2002,  
154 with respect to qualified property that is sold or otherwise  
155 disposed of during a taxable year by a taxpayer and for  
156 which an additional modification was made under subdivision  
157 (3) of subsection 2 of this section, the amount by which  
158 additional modification made under subdivision (3) of  
159 subsection 2 of this section on qualified property has not  
160 been recovered through the additional subtractions provided  
161 in subdivision (7) of this subsection;

162 (10) For all tax years beginning on or after January  
163 1, 2014, the amount of any income received as payment from  
164 any program which provides compensation to agricultural  
165 producers who have suffered a loss as the result of a  
166 disaster or emergency, including the:

167 (a) Livestock Forage Disaster Program;

168 (b) Livestock Indemnity Program;

169 (c) Emergency Assistance for Livestock, Honeybees, and  
170 Farm-Raised Fish;

171 (d) Emergency Conservation Program;

172 (e) Noninsured Crop Disaster Assistance Program;

173 (f) Pasture, Rangeland, Forage Pilot Insurance Program;

174 (g) Annual Forage Pilot Program;

175 (h) Livestock Risk Protection Insurance Plan;

176 (i) Livestock Gross Margin Insurance Plan;

177 (11) For all tax years beginning on or after January  
178 1, 2018, any interest expense paid or accrued in the current  
179 taxable year, but not deducted as a result of the limitation  
180 imposed under 26 U.S.C. Section 163(j), as amended. For the  
181 purposes of this subdivision, an interest expense is  
182 considered paid or accrued only in the first taxable year  
183 the deduction would have been allowable under 26 U.S.C.  
184 Section 163, as amended, if the limitation under 26 U.S.C.  
185 Section 163(j), as amended, did not exist; and

186 (12) One hundred percent of any retirement benefits  
187 received by any taxpayer as a result of the taxpayer's  
188 service in the Armed Forces of the United States, including  
189 reserve components and the National Guard of this state, as  
190 defined in 32 U.S.C. Sections 101(3) and 109, and any other  
191 military force organized under the laws of this state.

192 4. There shall be added to or subtracted from the  
193 taxpayer's federal adjusted gross income the taxpayer's  
194 share of the Missouri fiduciary adjustment provided in  
195 section 143.351.

196 5. There shall be added to or subtracted from the  
197 taxpayer's federal adjusted gross income the modifications  
198 provided in section 143.411.

199 6. In addition to the modifications to a taxpayer's  
200 federal adjusted gross income in this section, to calculate  
201 Missouri adjusted gross income there shall be subtracted

202 from the taxpayer's federal adjusted gross income any gain  
203 recognized pursuant to 26 U.S.C. Section 1033 of the  
204 Internal Revenue Code of 1986, as amended, arising from  
205 compulsory or involuntary conversion of property as a result  
206 of condemnation or the imminence thereof.

207 7. (1) As used in this subsection, "qualified health  
208 insurance premium" means the amount paid during the tax year  
209 by such taxpayer for any insurance policy primarily  
210 providing health care coverage for the taxpayer, the  
211 taxpayer's spouse, or the taxpayer's dependents.

212 (2) In addition to the subtractions in subsection 3 of  
213 this section, one hundred percent of the amount of qualified  
214 health insurance premiums shall be subtracted from the  
215 taxpayer's federal adjusted gross income to the extent the  
216 amount paid for such premiums is included in federal taxable  
217 income. The taxpayer shall provide the department of  
218 revenue with proof of the amount of qualified health  
219 insurance premiums paid.

220 8. (1) Beginning January 1, 2014, in addition to the  
221 subtractions provided in this section, one hundred percent  
222 of the cost incurred by a taxpayer for a home energy audit  
223 conducted by an entity certified by the department of  
224 natural resources under section 640.153 or the  
225 implementation of any energy efficiency recommendations made  
226 in such an audit shall be subtracted from the taxpayer's  
227 federal adjusted gross income to the extent the amount paid  
228 for any such activity is included in federal taxable  
229 income. The taxpayer shall provide the department of  
230 revenue with a summary of any recommendations made in a  
231 qualified home energy audit, the name and certification  
232 number of the qualified home energy auditor who conducted  
233 the audit, and proof of the amount paid for any activities  
234 under this subsection for which a deduction is claimed. The

235 taxpayer shall also provide a copy of the summary of any  
236 recommendations made in a qualified home energy audit to the  
237 department of natural resources.

238 (2) At no time shall a deduction claimed under this  
239 subsection by an individual taxpayer or taxpayers filing  
240 combined returns exceed one thousand dollars per year for  
241 individual taxpayers or cumulatively exceed two thousand  
242 dollars per year for taxpayers filing combined returns.

243 (3) Any deduction claimed under this subsection shall  
244 be claimed for the tax year in which the qualified home  
245 energy audit was conducted or in which the implementation of  
246 the energy efficiency recommendations occurred. If  
247 implementation of the energy efficiency recommendations  
248 occurred during more than one year, the deduction may be  
249 claimed in more than one year, subject to the limitations  
250 provided under subdivision (2) of this subsection.

251 (4) A deduction shall not be claimed for any otherwise  
252 eligible activity under this subsection if such activity  
253 qualified for and received any rebate or other incentive  
254 through a state-sponsored energy program or through an  
255 electric corporation, gas corporation, electric cooperative,  
256 or municipally owned utility.

257 9. The provisions of subsection 8 of this section  
258 shall expire on December 31, 2020.

259 10. (1) As used in this subsection, the following  
260 terms mean:

261 (a) "Beginning farmer", a taxpayer who:

262 a. Has filed at least one but not more than ten  
263 Internal Revenue Service Schedule F (Form 1040) Profit or  
264 Loss From Farming forms since turning eighteen years of age;

265 b. Is approved for a beginning farmer loan through the  
266 USDA Farm Service Agency Beginning Farmer direct or  
267 guaranteed loan program;

268 c. Has a farming operation that is determined by the  
269 department of agriculture to be new production agriculture  
270 but is the principal operator of a farm and has substantial  
271 farming knowledge; or

272 d. Has been determined by the department of  
273 agriculture to be a qualified family member;

274 (b) "Farm owner", an individual who owns farmland and  
275 disposes of or relinquishes use of all or some portion of  
276 such farmland as follows:

277 a. A sale to a beginning farmer;

278 b. A lease or rental agreement not exceeding ten years  
279 with a beginning farmer; or

280 c. A crop-share arrangement not exceeding ten years  
281 with a beginning farmer;

282 (c) "Qualified family member", an individual who is  
283 related to a farm owner within the fourth degree by blood,  
284 marriage, or adoption and who is purchasing or leasing or is  
285 in a crop-share arrangement for land from all or a portion  
286 of such farm owner's farming operation.

287 (2) (a) In addition to all other subtractions  
288 authorized in this section, a taxpayer who is a farm owner  
289 who sells all or a portion of such farmland to a beginning  
290 farmer may subtract from such taxpayer's Missouri adjusted  
291 gross income an amount to the extent included in federal  
292 adjusted gross income as provided in this subdivision.

293 (b) Subject to the limitations in paragraph (c) of  
294 this subdivision, the amount that may be subtracted shall be  
295 equal to the portion of capital gains received from the sale  
296 of such farmland that such taxpayer receives in the tax year  
297 for which such taxpayer subtracts such capital gain.

298 (c) A taxpayer may subtract the following amounts and  
299 percentages per tax year in total capital gains received  
300 from the sale of such farmland under this subdivision:

301 a. For the first two million dollars received, one  
302 hundred percent;

303 b. For the next one million dollars received, eighty  
304 percent;

305 c. For the next one million dollars received, sixty  
306 percent;

307 d. For the next one million dollars received, forty  
308 percent; and

309 e. For the next one million dollars received, twenty  
310 percent.

311 (d) The department of revenue shall prepare an annual  
312 report reviewing the costs and benefits and containing  
313 statistical information regarding the subtraction of capital  
314 gains authorized under this subdivision for the previous tax  
315 year including, but not limited to, the total amount of all  
316 capital gains subtracted and the number of taxpayers  
317 subtracting such capital gains. Such report shall be  
318 submitted before February first of each year to the  
319 committee on agriculture policy of the Missouri house of  
320 representatives and the committee on agriculture, food  
321 production and outdoor resources of the Missouri senate, or  
322 the successor committees.

323 (3) (a) In addition to all other subtractions  
324 authorized in this section, a taxpayer who is a farm owner  
325 who enters a lease or rental agreement for all or a portion  
326 of such farmland with a beginning farmer may subtract from  
327 such taxpayer's Missouri adjusted gross income an amount to  
328 the extent included in federal adjusted gross income as  
329 provided in this subdivision.

330 (b) Subject to the limitation in paragraph (c) of this  
331 subdivision, the amount that may be subtracted shall be  
332 equal to the portion of cash rent income received from the  
333 lease or rental of such farmland that such taxpayer receives

334 in the tax year for which such taxpayer subtracts such  
335 income.

336 (c) No taxpayer shall subtract more than twenty-five  
337 thousand dollars per tax year in total cash rent income  
338 received from the lease or rental of such farmland under  
339 this subdivision.

340 (4) (a) In addition to all other subtractions  
341 authorized in this section, a taxpayer who is a farm owner  
342 who enters a crop-share arrangement on all or a portion of  
343 such farmland with a beginning farmer may subtract from such  
344 taxpayer's Missouri adjusted gross income an amount to the  
345 extent included in federal adjusted gross income as provided  
346 in this subdivision.

347 (b) Subject to the limitation in paragraph (c) of this  
348 subdivision, the amount that may be subtracted shall be  
349 equal to the portion of income received from the crop-share  
350 arrangement on such farmland that such taxpayer receives in  
351 the tax year for which such taxpayer subtracts such income.

352 (c) No taxpayer shall subtract more than twenty-five  
353 thousand dollars per tax year in total income received from  
354 the lease or rental of such farmland under this subdivision.

355 (5) The department of agriculture shall, by rule,  
356 establish a process to verify that a taxpayer is a beginning  
357 farmer for purposes of this section and shall provide  
358 verification to the beginning farmer and farm seller of such  
359 farmer's and seller's certification and qualification for  
360 the exemption provided in this subsection.

195.207. 1. As used in [sections] section 192.945 [, 261.265, 261.267,] and this section, the term "hemp extract"  
shall mean an extract from a cannabis plant or a mixture or  
preparation containing cannabis plant material that:

(1) Is composed of no more than three-tenths percent  
tetrahydrocannabinol by weight;

7 (2) Is composed of at least five percent cannabidiol  
8 by weight; and

9 (3) Contains no other psychoactive substance.

10 2. Notwithstanding any other provision of this  
11 chapter, an individual who has been issued a valid hemp  
12 extract registration card under section 192.945, or is a  
13 minor under a registrant's care, and possesses or uses hemp  
14 extract is not subject to the penalties described in this  
15 chapter for possession or use of the hemp extract if the  
16 individual:

17 (1) Possesses or uses the hemp extract only to treat  
18 intractable epilepsy as defined in section 192.945;

19 (2) Originally obtained the hemp extract from a sealed  
20 container with a label indicating the hemp extract's place  
21 of origin and a number that corresponds with a certificate  
22 of analysis;

23 (3) Possesses, in close proximity to the hemp extract,  
24 a certificate of analysis that:

25 (a) Has a number that corresponds with the number on  
26 the label described in subdivision (2) of this subsection;

27 (b) Indicates the hemp extract's ingredients including  
28 its percentages of tetrahydrocannabinol and cannabidiol by  
29 weight;

30 (c) Is created by a laboratory that is not affiliated  
31 with the producer of the hemp extract and is licensed in the  
32 state where the hemp extract was produced; and

33 (d) Is transmitted by the laboratory to the department  
34 of health and senior services; and

35 (4) Has a current hemp extract registration card  
36 issued by the department of health and senior services under  
37 section 192.945.

38 3. Notwithstanding any other provision of this  
39 chapter, an individual who possesses hemp extract lawfully

40 under subsection 2 of this section and administers hemp  
41 extract to a minor suffering from intractable epilepsy is  
42 not subject to the penalties described in this chapter for  
43 administering the hemp extract to the minor if:

44 (1) The individual is the minor's parent or legal  
45 guardian; and

46 (2) The individual is registered with the department  
47 of health and senior services as the minor's parent under  
48 section 192.945.

49 4. An individual who has been issued a valid hemp  
50 extract registration card under section 192.945, or is a  
51 minor under a registrant's care, may possess up to twenty  
52 ounces of hemp extract pursuant to this section. Subject to  
53 any rules or regulations promulgated by the department of  
54 health and senior services, an individual may apply for a  
55 waiver if a physician provides a substantial medical basis  
56 in a signed, written statement asserting that, based on the  
57 patient's medical history, in the physician's professional  
58 judgment, twenty ounces is an insufficient amount to  
59 properly alleviate the patient's medical condition or  
60 symptoms associated with such medical condition.

196.311. Unless otherwise indicated by the context,  
2 when used in sections 196.311 to 196.361:

3 (1) "Consumer" means any person who purchases eggs for  
4 [his or her] such person's own family use or consumption; or  
5 any restaurant, hotel, boardinghouse, bakery, or other  
6 institution or concern which purchases eggs for serving to  
7 guests or patrons thereof, or for its own use in cooking,  
8 baking, or manufacturing their products;

9 (2) "Container" means any box, case, basket, carton,  
10 sack, bag, or other receptacle. "Subcontainer" means any  
11 container when being used within another container;

12           (3) "Dealer" means any person who purchases eggs from  
13 the producers thereof, or another dealer, for the purpose of  
14 selling such eggs to another dealer, a processor, or  
15 retailer;

16           (4) "Denatured" means eggs (a) made unfit for human  
17 food by treatment or the addition of a foreign substance, or  
18 (b) with one-half or more of the shell's surface covered by  
19 a permanent black, dark purple or dark blue dye;

20           (5) "Director" means the director of the department of  
21 agriculture;

22           (6) "Eggs" means the shell eggs of a domesticated  
23 chicken, turkey, duck, quail, goose, or guinea that are  
24 intended for human consumption;

25           (7) "Inedible eggs" means eggs which are defined as  
26 such in the rules and regulations of the director adopted  
27 under sections 196.311 to 196.361, which definition shall  
28 conform to the specifications adopted therefor by the United  
29 States Department of Agriculture;

30           (8) "Person" means and includes any individual, firm,  
31 partnership, exchange, association, trustee, receiver,  
32 corporation or any other business organization, and any  
33 member, officer or employee thereof;

34           (9) "Processor" means any person engaged in breaking  
35 eggs or manufacturing or processing egg liquids, whole egg  
36 meats, yolks, whites, or any mixture of yolks and whites,  
37 with or without the addition of other ingredients, whether  
38 chilled, frozen, condensed, concentrated, dried, powdered or  
39 desiccated;

40           (10) "Retailer" means any person who sells eggs to a  
41 consumer;

42           (11) "Sell" means offer for sale, expose for sale,  
43 have in possession for sale, exchange, barter, or trade.

196.316. 1. All persons engaged in buying, selling,  
2 trading or trafficking in, or processing eggs, except those  
3 listed in section 196.313, shall be required to be licensed  
4 under sections 196.311 to 196.361. Such persons shall file  
5 an annual application for such license on forms to be  
6 prescribed by the director, and shall obtain an annual  
7 license for each separate place of business from the  
8 director. The following types of licenses shall be issued:

9 (1) A "retailer's license" shall be required of any  
10 person defined as a retailer in section 196.311. A holder  
11 of a retailer's license shall not, by virtue of such  
12 license, be permitted or authorized to buy eggs from any  
13 person other than a licensed dealer, and any retailer  
14 desiring to buy eggs from persons other than licensed  
15 dealers shall obtain a dealer's license in addition to a  
16 retailer's license. Fees for such license shall not exceed  
17 one hundred dollars annually per license;

18 (2) A "dealer's license" shall be required of any  
19 person defined as a dealer in section 196.311. A holder of  
20 a dealer's license shall not, by virtue of such license, be  
21 authorized or permitted to sell eggs to consumers, and any  
22 dealer desiring to sell eggs to consumers shall obtain a  
23 retailer's license in addition to a dealer's license. Fees  
24 for such license shall not exceed one hundred seventy-five  
25 dollars annually per license;

26 (3) A "processor's license" shall be required of any  
27 person defined as a processor in section 196.311. A holder  
28 of a processor's license shall not, by virtue of such  
29 license, be authorized or permitted to sell eggs in the  
30 shell to other persons, and any person desiring to sell eggs  
31 in the shell to other persons shall obtain a dealer's  
32 license in addition to a processor's license. Fees for such

33 license shall not exceed two hundred fifty dollars annually  
34 per license.

35 [2. The annual license fee shall be:

36	(1) Retailers	\$ 5.00
37	(2) Dealers—License fees for dealers shall be	
38	determined on the basis of cases (30 dozen	
39	per case) of eggs sold in the shell in any	
40	one week, as follows:	
41	(a) 1 to 25 cases	\$ 5.00
42	(b) 26 to 50 cases	12.50
43	(c) 51 to 100 cases	25.00
44	(d) more than 100 cases	50.00
45	(3) Processors—License fees for processors shall	
46	be determined on the basis of cases (30 dozen	
47	per case) of eggs, or the equivalent in	
48	liquid or frozen eggs, processed in any one	
49	day, as follows:	
50	(a) Less than 50 cases	\$ 25.00
51	(b) More than 50 and less than 250 cases	50.00
52	(c) More than 250 and less than 1000 cases	75.00
53	(d) More than 1000 cases	100.00]

54 3. All licenses shall be conspicuously posted in the  
55 place of business to which it applies. The license year  
56 shall be twelve months, or any fraction thereof, beginning  
57 July first and ending June thirtieth.

58 4. No license shall be transferable, but it may be  
59 moved from one place to another by the consent of the  
60 director.

61 5. All moneys received from license fees collected  
62 hereunder shall be deposited in the state treasury to the

63 credit of the agriculture protection fund created in section  
64 261.200.

256.800. 1. This section shall be known and may be  
2 cited as the "Flood Resiliency Act".

3 2. As used in this section, unless the context  
4 otherwise requires, the following terms shall mean:

5 (1) "Director", the director of the department of  
6 natural resources;

7 (2) "Flood resiliency measures", structural  
8 improvements, studies, and activities employed to improve  
9 flood resiliency in local to regional or multi-  
10 jurisdictional areas;

11 (3) "Flood resiliency project", a project containing  
12 planning, design, construction, or renovation of flood  
13 resiliency measures or the conduct of studies or activities  
14 in support of flood resiliency measures;

15 (4) "Partner", a political subdivision, entity, or  
16 person working in conjunction with a promoter to facilitate  
17 the completion of a flood resiliency project;

18 (5) "Plan", a preliminary report describing the need  
19 for, and implementation of, flood resiliency measures;

20 (6) "Promoter", any political subdivision of the  
21 state, or any levee district or drainage district organized  
22 or incorporated in the state.

23 3. (1) There is hereby established in the state  
24 treasury a fund to be known as the "Flood Resiliency  
25 Improvement Fund", which shall consist of all moneys  
26 deposited in such fund from any source, whether public or  
27 private. The state treasurer shall be custodian of the  
28 fund. In accordance with sections 30.170 and 30.180, the  
29 state treasurer may approve disbursements. The fund shall  
30 be a dedicated fund and moneys in the fund shall be used  
31 solely for the purposes of this section. Notwithstanding

32 the provisions of section 33.080 to the contrary, any moneys  
33 remaining in the fund at the end of the biennium shall not  
34 revert to the credit of the general revenue fund. The state  
35 treasurer shall invest moneys in the fund in the same manner  
36 as other funds are invested. Any interest and moneys earned  
37 on such investments shall be credited to the fund.

38 (2) Upon appropriation, the department of natural  
39 resources shall use moneys in the fund created by this  
40 subsection for the purposes of carrying out the provisions  
41 of this section including, but not limited to, the provision  
42 of grants or other financial assistance and, if limitations  
43 or conditions are imposed, only upon such other limitations  
44 or conditions specified in the instrument that appropriates,  
45 grants, bequeaths, or otherwise authorizes the transmission  
46 of moneys to the fund.

47 4. In order to increase flood resiliency along the  
48 Missouri and Mississippi Rivers and their tributaries and  
49 improve statewide flood forecasting and monitoring ability,  
50 there is hereby established a "Flood Resiliency Program".  
51 The program shall be administered by the department of  
52 natural resources. The state may participate with a  
53 promoter in the development, construction, or renovation of  
54 a flood resiliency project if the promoter has a plan which  
55 has been submitted to and approved by the director, or the  
56 state may promote a flood resiliency project and initiate a  
57 plan on its own accord.

58 5. The plan shall include a description of the flood  
59 resiliency project, the need for the project, the flood  
60 resiliency measures to be implemented, the partners to be  
61 involved in the project, and other such information as the  
62 director may require to adequately evaluate the merit of the  
63 project.

64           6. The director shall only approve a plan upon a  
65 determination that long-term flood mitigation is needed in  
66 that area of the state and that such a plan proposes flood  
67 resiliency measures that will provide long-term flood  
68 resiliency.

69           7. Promoters with approved flood resiliency plans and  
70 their partners shall be eligible to receive any gifts,  
71 contributions, grants, or bequests from federal, state,  
72 private, or other sources for costs associated with flood  
73 resiliency projects that are part of such plans.

74           8. Promoters with approved flood resiliency plans and  
75 their partners may be granted moneys from the flood  
76 resiliency improvement fund under subsection 3 of this  
77 section for eligible costs associated with flood resiliency  
78 projects that are part of such plans.

79           9. The department of natural resources is hereby  
80 granted authority to promulgate rules to implement this  
81 section. Any rule or portion of a rule, as that term is  
82 defined in section 536.010, that is created under the  
83 authority delegated in this section shall become effective  
84 only if it complies with and is subject to all of the  
85 provisions of chapter 536 and, if applicable, section  
86 536.028. This section and chapter 536 are nonseverable, and  
87 if any of the powers vested with the general assembly  
88 pursuant to chapter 536 to review, to delay the effective  
89 date, or to disapprove and annul a rule are subsequently  
90 held unconstitutional, then the grant of rulemaking  
91 authority and any rule proposed or adopted after August 28,  
92 2023, shall be invalid and void.

262.911. 1. The department of economic development  
2 shall promote Missouri hardwood forest products and educate  
3 the public on the value and benefits of such hardwood  
4 products. The department may contract with any statewide

5 association dedicated to the promotion of Missouri hardwood  
6 forest products to satisfy the requirements of this section.

7 2. (1) There is hereby created in the state treasury  
8 the "Missouri Hardwood Forest Product Promotion Fund", which  
9 shall consist of any grants, gifts, devises, bequests, and  
10 moneys appropriated by the general assembly to the fund.  
11 The state treasurer shall be custodian of the fund. In  
12 accordance with sections 30.170 and 30.180, the state  
13 treasurer may approve disbursements. The fund shall be a  
14 dedicated fund and, upon appropriation, moneys in this fund  
15 shall be used solely to promote and educate about Missouri  
16 hardwood forest products as provided in this section.

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

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

25 3. Under section 23.253 of the Missouri sunset act:

26 (1) The provisions of the new program authorized under  
27 this section shall automatically sunset six years after the  
28 effective date of this section unless reauthorized by an act  
29 of the general assembly; and

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

34 (3) This section shall terminate on September first of  
35 the calendar year immediately following the calendar year in  
36 which the program authorized under this section is sunset.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

28	Distance in feet
29	between the extremes of
30	any group of two or
31	more consecutive axles,
32	measured to the nearest
33	foot, except where
34	indicated otherwise

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	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000

58	24	40,000	54,000	58,000	63,000	68,500
59	25	40,000	54,500	58,500	63,500	69,000
60	26	40,000	55,500	59,500	64,000	69,500
61	27	40,000	56,000	60,000	65,000	70,000
62	28	40,000	57,000	60,500	65,500	71,000
63	29	40,000	57,500	61,500	66,000	71,500
64	30	40,000	58,500	62,000	66,500	72,000
65	31	40,000	59,000	62,500	67,500	72,500
66	32	40,000	60,000	63,500	68,000	73,000
67	33	40,000	60,000	64,000	68,500	74,000
68	34	40,000	60,000	64,500	69,000	74,500
69	35	40,000	60,000	65,500	70,000	75,000
70	36		60,000	66,000	70,500	75,500
71	37		60,000	66,500	71,000	76,000
72	38		60,000	67,500	72,000	77,000
73	39		60,000	68,000	72,500	77,500
74	40		60,000	68,500	73,000	78,000
75	41		60,000	69,500	73,500	78,500
76	42		60,000	70,000	74,000	79,000
77	43		60,000	70,500	75,000	80,000
78	44		60,000	71,500	75,500	80,000
79	45		60,000	72,000	76,000	80,000
80	46		60,000	72,500	76,500	80,000
81	47		60,000	73,500	77,500	80,000

82	48		60,000	74,000	78,000	80,000
83	49		60,000	74,500	78,500	80,000
84	50		60,000	75,500	79,000	80,000
85	51		60,000	76,000	80,000	80,000
86	52		60,000	76,500	80,000	80,000
87	53		60,000	77,500	80,000	80,000
88	54		60,000	78,000	80,000	80,000
89	55		60,000	78,500	80,000	80,000
90	56		60,000	79,500	80,000	80,000
91	57		60,000	80,000	80,000	80,000

92 Notwithstanding the above table, two consecutive sets of  
93 tandem axles may carry a gross load of thirty-four thousand  
94 pounds each if the overall distance between the first and  
95 last axles of such consecutive sets of tandem axles is  
96 thirty-six feet or more.

97 4. Whenever the state highways and transportation  
98 commission finds that any state highway bridge in the state  
99 is in such a condition that use of such bridge by vehicles  
100 of the weights specified in subsection 3 of this section  
101 will endanger the bridge, or the users of the bridge, the  
102 commission may establish maximum weight limits and speed  
103 limits for vehicles using such bridge. The governing body  
104 of any city or county may grant authority by act or  
105 ordinance to the commission to enact the limitations  
106 established in this section on those roadways within the  
107 purview of such city or county. Notice of the weight limits  
108 and speed limits established by the commission shall be

109 given by posting signs at a conspicuous place at each end of  
110 any such bridge.

111 5. Nothing in this section shall be construed as  
112 permitting lawful axle loads, tandem axle loads or gross  
113 loads in excess of those permitted under the provisions of  
114 P.L. 97-424 codified in Title 23 of the United States Code  
115 (23 U.S.C. Section 101, et al.), as amended.

116 6. Notwithstanding the weight limitations contained in  
117 this section, any vehicle or combination of vehicles  
118 operating on highways other than the interstate highway  
119 system may exceed single axle, tandem axle and gross weight  
120 limitations in an amount not to exceed two thousand pounds.  
121 However, total gross weight shall not exceed eighty thousand  
122 pounds, except as provided in subsections 9, 10, 12, 13, and  
123 14 of this section.

124 7. Notwithstanding any provision of this section to  
125 the contrary, the commission shall issue a single-use  
126 special permit, or upon request of the owner of the truck or  
127 equipment shall issue an annual permit, for the transporting  
128 of any crane or concrete pump truck or well-drillers'  
129 equipment. The commission shall set fees for the issuance  
130 of permits and parameters for the transport of cranes  
131 pursuant to this subsection. Notwithstanding the provisions  
132 of section 301.133, cranes, concrete pump trucks, or well-  
133 drillers' equipment may be operated on state-maintained  
134 roads and highways at any time on any day.

135 8. Notwithstanding the provision of this section to  
136 the contrary, the maximum gross vehicle limit and axle  
137 weight limit for any vehicle or combination of vehicles  
138 equipped with an idle reduction technology may be increased  
139 by a quantity necessary to compensate for the additional  
140 weight of the idle reduction system as provided for in 23  
141 U.S.C. Section 127, as amended. In no case shall the

142 additional weight increase allowed by this subsection be  
143 greater than five hundred fifty pounds. Upon request by an  
144 appropriate law enforcement officer, the vehicle operator  
145 shall provide proof that the idle reduction technology is  
146 fully functional at all times and that the gross weight  
147 increase is not used for any purpose other than for the use  
148 of idle reduction technology.

149         9. Notwithstanding any provision of this section or  
150 any other law to the contrary, the total gross weight of any  
151 vehicle or combination of vehicles hauling milk from a farm  
152 to a processing facility or livestock may be as much as, but  
153 shall not exceed, eighty-five thousand five hundred pounds  
154 while operating on highways other than the interstate  
155 highway system. The provisions of this subsection shall not  
156 apply to vehicles operated and operating on the Dwight D.  
157 Eisenhower System of Interstate and Defense Highways.

158         10. Notwithstanding any provision of this section or  
159 any other law to the contrary, any vehicle or combination of  
160 vehicles hauling grain or grain coproducts during times of  
161 harvest may be as much as, but not exceeding, ten percent  
162 over the maximum weight limitation allowable under  
163 subsection 3 of this section while operating on highways  
164 other than the interstate highway system. The provisions of  
165 this subsection shall not apply to vehicles operated and  
166 operating on the Dwight D. Eisenhower System of Interstate  
167 and Defense Highways.

168         11. Notwithstanding any provision of this section or  
169 any other law to the contrary, the commission shall issue  
170 emergency utility response permits for the transporting of  
171 utility wires or cables, poles, and equipment needed for  
172 repair work immediately following a disaster where utility  
173 service has been disrupted. Under exigent circumstances,  
174 verbal approval of such operation may be made either by the

175 department of transportation motor carrier compliance  
176 supervisor or other designated motor carrier services  
177 representative. Utility vehicles and equipment used to  
178 assist utility companies granted special permits under this  
179 subsection may be operated and transported on state-  
180 maintained roads and highways at any time on any day. The  
181 commission shall promulgate all necessary rules and  
182 regulations for the administration of this section. Any  
183 rule or portion of a rule, as that term is defined in  
184 section 536.010, that is created under the authority  
185 delegated in this section shall become effective only if it  
186 complies with and is subject to all of the provisions of  
187 chapter 536 and, if applicable, section 536.028. This  
188 section and chapter 536 are nonseverable and if any of the  
189 powers vested with the general assembly pursuant to chapter  
190 536 to review, to delay the effective date, or to disapprove  
191 and annul a rule are subsequently held unconstitutional,  
192 then the grant of rulemaking authority and any rule proposed  
193 or adopted after August 28, 2014, shall be invalid and void.

194 12. Notwithstanding any provision of this section to  
195 the contrary, emergency vehicles designed to be used under  
196 emergency conditions to transport personnel and equipment  
197 and to support the suppression of fires and mitigate  
198 hazardous situations may have a maximum gross vehicle weight  
199 of eighty-six thousand pounds inclusive of twenty-four  
200 thousand pounds on a single steering axle; thirty-three  
201 thousand five hundred pounds on a single drive axle; sixty-  
202 two thousand pounds on a tandem axle; or fifty-two thousand  
203 pounds on a tandem rear-drive steer axle; except that, such  
204 emergency vehicles shall only operate on the Dwight D.  
205 Eisenhower National System of Interstate and Defense  
206 Highways.

207           13. Notwithstanding any provision of this section to  
208 the contrary, a vehicle operated by an engine fueled  
209 primarily by natural gas may operate upon the public  
210 highways of this state in excess of the vehicle weight  
211 limits set forth in this section by an amount that is equal  
212 to the difference between the weight of the vehicle  
213 attributable to the natural gas tank and fueling system  
214 carried by that vehicle and the weight of a comparable  
215 diesel tank and fueling system. In no event shall the  
216 maximum gross vehicle weight of the vehicle operating with a  
217 natural gas engine exceed eighty-two thousand pounds.

218           14. Notwithstanding any provision of law to the  
219 contrary, local log trucks and local log truck tractors, as  
220 defined in section 301.010, may be operated with a weight  
221 not exceeding twenty-two thousand four hundred pounds on one  
222 axle or a weight not exceeding forty-four thousand eight  
223 hundred pounds on any tandem axle, except the front steering  
224 axle shall not exceed fifteen thousand pounds or the gross  
225 vehicle weight rating set by the manufacturer, and may have  
226 a total weight of up to one hundred ~~five~~ nine thousand six  
227 hundred pounds. Provided however, when operating on the  
228 national system of interstate and defense highways described  
229 in 23 U.S.C. Section 103, as amended, or outside the radius  
230 from the forested site specified in section 301.010 with an  
231 extended distance local log truck permit, the vehicle shall  
232 not exceed the weight limits otherwise specified in this  
233 section.

          323.100. 1. The director of the department of  
2 agriculture shall annually inspect and test all liquid  
3 meters used for the measurement and retail sale of liquefied  
4 petroleum gas and shall condemn all meters which are found  
5 to be inaccurate. All meters shall meet the tolerances and  
6 specifications of the National Institute of Standards and

7 Technology Handbook 44, 1994 edition and supplements  
8 thereto. It is unlawful to use a meter for retail  
9 measurement and sale which has been condemned. All  
10 condemned meters shall be conspicuously marked "inaccurate",  
11 and the mark shall not be removed or defaced except upon  
12 authorization of the director of the department of  
13 agriculture or [his] the director's authorized  
14 representative. It is the duty of each person owning or in  
15 possession of a meter to pay to the director of the  
16 department of agriculture at the time of each test a testing  
17 fee [of ten dollars. On January 1, 2014, the testing fee  
18 shall be twenty-five dollars. On January 1, 2015, the  
19 testing fee shall be set at fifty dollars. On January 1,  
20 2016, and annually thereafter,]. The director shall  
21 ascertain the total expenses for administering this section  
22 and shall set the testing fee at a rate to cover the  
23 expenses for the ensuing year but not to exceed [seventy-  
24 five] four hundred dollars.

25 2. On the first day of October, 2014, and each year  
26 thereafter, the director of the department of agriculture  
27 shall submit a report to the general assembly that states  
28 the current testing fee, the expenses for administering this  
29 section for the previous calendar year, any proposed change  
30 to the testing fee, and estimated expenses for administering  
31 this section during the ensuing year. The proposed change  
32 to the testing fee shall not yield revenue greater than the  
33 total cost of administering this section during the ensuing  
34 year.

35 3. Beginning August 28, 2013, and each year  
36 thereafter, the director of the department of agriculture  
37 shall publish the testing fee schedule on the departmental  
38 website. The website shall be updated within thirty days of

39 a change in the testing fee schedule set forth in this  
40 section.

340.341. 1. The department shall adopt and promulgate  
2 rules establishing standards for determining eligible  
3 students for loan repayment pursuant to sections 340.335 to  
4 340.350. Such standards shall include, but are not limited  
5 to the following:

6 (1) Citizenship or lawful permanent residency in the  
7 United States;

8 (2) Residence in the state of Missouri;

9 (3) Enrollment as a full-time veterinary medical  
10 student in the final year of a course of study offered by an  
11 approved educational institution in Missouri;

12 (4) Application for loan repayment.

13 2. The department shall not grant repayment for more  
14 than ~~six~~ twelve veterinarians each year.

340.345. 1. A loan payment provided for an individual  
2 pursuant to a written contract under the large animal  
3 veterinary medicine loan repayment program shall consist of  
4 payment on behalf of the individual of the principal,  
5 interest and related expenses on government and commercial  
6 loans received by the individual for tuition, fees, books,  
7 laboratory and living expenses incurred by the individual.

8 2. For each year of obligated services that an  
9 individual contracts to serve in an area of defined need,  
10 the department may pay up to ~~twenty~~ thirty thousand  
11 dollars on behalf of the individual for loans described in  
12 subsection 1 of this section.

13 3. The department may enter into an agreement with the  
14 holder of the loans for which repayments are made under the  
15 large animal veterinary medicine loan repayment program to  
16 establish a schedule for the making of such payments if the

17 establishment of such a schedule would result in reducing  
18 the costs to the state.

19 4. Any qualifying communities providing a portion of a  
20 loan repayment shall be considered first for placement.

340.381. 1. Sections 340.381 to 340.396 establish a  
2 student loan forgiveness program for approved veterinary  
3 students who practice in areas of defined need. Such  
4 program shall be known as the "Dr. Merrill Townley and Dr.  
5 Dan Brown Large Animal Veterinary Student Loan Program".

6 2. There is hereby created in the state treasury the  
7 "Veterinary Student Loan Payment Fund", which shall consist  
8 of general revenue appropriated to the large animal  
9 veterinary student loan program, voluntary contributions to  
10 support or match program activities, money collected under  
11 section 340.396, any private grant, gift, donation, devise,  
12 or bequest of moneys, funds, real or personal property, or  
13 other assets, and funds received from the federal  
14 government. The state treasurer shall be custodian of the  
15 fund and shall approve disbursements from the fund in  
16 accordance with sections 30.170 and 30.180. Upon  
17 appropriation, money in the fund shall be used solely for  
18 the administration of sections 340.381 to 340.396.  
19 Notwithstanding the provisions of section 33.080 to the  
20 contrary, any moneys remaining in the fund at the end of the  
21 biennium shall not revert to the credit of the general  
22 revenue fund. The state treasurer shall invest moneys in  
23 the fund in the same manner as other funds are invested.  
24 Any interest and moneys earned on such investments shall be  
25 credited to the fund.

340.384. 1. Eligible students may apply to the  
2 department for financial assistance under the provisions of  
3 sections 340.381 to 340.396. If, at the time of application  
4 for a loan, a student has formally applied for acceptance at

5 the college, receipt of financial assistance is contingent  
6 upon acceptance and continued enrollment at the college. A  
7 qualified applicant may receive financial assistance up to  
8 ~~twenty~~ thirty thousand dollars for each academic year he  
9 or she remains a student in good standing at the college,  
10 provided that the cumulative total shall not exceed ~~eighty~~  
11 one hundred twenty thousand dollars per qualified  
12 applicant. An eligible student may apply for financial  
13 assistance under this section at any point in his or her  
14 educational career at the college, however any such  
15 financial assistance shall only be awarded for current or  
16 future academic years, as applicable, and shall not be  
17 awarded for any academic year completed prior to the time of  
18 application.

19 2. Up to ~~six~~ twelve qualified applicants per  
20 academic year may be awarded loans under the provisions of  
21 sections 340.381 to 340.396. The department may increase  
22 beyond twelve the number of qualified applicants that may be  
23 awarded such loans per academic year if the amount of any  
24 additional moneys from private grants, gifts, donations,  
25 devises, or bequests of moneys, funds, real or personal  
26 property, or other assets deposited in the veterinary  
27 student loan payment fund allows the full funding of such  
28 increase in the number of applicants. Priority for loans  
29 shall be given to eligible students who have established  
30 financial need. All financial assistance shall be made from  
31 funds credited to the veterinary student loan payment fund.

340.387. 1. The department of agriculture may enter  
2 into a contract with each qualified applicant receiving  
3 financial assistance under the provisions of sections  
4 340.381 to 340.396. Such contract shall specify terms and  
5 conditions of loan forgiveness through qualified employment

6 as well as terms and conditions for repayment of the  
7 principal and interest.

8 2. The department shall establish schedules for  
9 repayment of the principal and interest on any financial  
10 assistance made under the provisions of sections 340.381 to  
11 340.396. Interest at a rate set by the department, with the  
12 advice of the advisory panel created in section [340.341]  
13 340.375, shall be charged from the time of the payment of  
14 financial assistance on all financial assistance made under  
15 the provisions of sections 340.381 to 340.396, but the  
16 interest and principal of the total financial assistance  
17 granted to a qualified applicant at the time of the  
18 successful completion of a doctor of veterinary medicine  
19 degree program shall be forgiven through qualified  
20 employment.

21 3. For each year of qualified employment that an  
22 individual contracts to serve in an area of defined need,  
23 the department shall forgive up to [twenty] thirty thousand  
24 dollars and accrued interest thereon on behalf of the  
25 individual for financial assistance provided under sections  
26 340.381 to 340.396.

413.225. 1. There is established a fee for  
2 registration, inspection and calibration services performed  
3 by the division of weights and measures. The fees are due  
4 at the time the service is rendered and shall be paid to the  
5 director by the person receiving the service. The director  
6 shall collect fees according to the following schedule and  
7 shall deposit them with the state treasurer into the  
8 agriculture protection fund as set forth in section 261.200:

9 (1) [From August 28, 2013, until the next January  
10 first, laboratory fees for metrology calibrations shall be  
11 at the rate of sixty dollars per hour for tolerance testing  
12 or precision calibration. Time periods over one hour shall

13 be computed to the nearest one-quarter hour. On the first  
14 day of January, 2014, and each year thereafter,] The  
15 director of agriculture shall ascertain the total receipts  
16 and expenses for the metrology calibrations during the  
17 preceding year and shall fix a fee schedule for the ensuing  
18 year [at a rate per hour] as will yield revenue not more  
19 than the total cost of operating the metrology laboratory  
20 during the ensuing year, but not to exceed [one hundred  
21 twenty-five] five hundred dollars per calibration;

22 (2) All device test fees charged shall include, but  
23 not be limited to, the following devices:

- 24 (a) Small scales;
- 25 (b) Vehicle scales;
- 26 (c) Livestock scales;
- 27 (d) Hopper scales;
- 28 (e) Railroad scales;
- 29 (f) Monorail scales;
- 30 (g) In-motion scales including but not limited to  
31 vehicle, railroad and belt conveyor scales;
- 32 (h) Taximeters;
- 33 (i) [Timing devices;
- 34 (j) Fabric-measuring devices;
- 35 (k) Wire- and cordage-measuring devices;
- 36 (l)] Milk for quantity determination;
- 37 [(m)] (j) Vehicle tank meters;
- 38 [(n)] (k) Compressed natural gas meters;
- 39 [(o)] (l) Liquefied natural gas meters;
- 40 [(p)] (m) Electrical charging stations; and
- 41 [(q)] (n) Hydrogen fuel meters;

42 (3) Devices that require participation in on-site  
43 field evaluations for National Type Evaluation Program  
44 Certification and all tests of in-motion scales shall be  
45 charged a fee, plus mileage from the inspector's official

46 domicile to and from the inspection site. The time shall  
47 begin when the state inspector performing the inspection  
48 arrives at the site to be inspected and shall end when the  
49 final report is signed by the owner/operator and the  
50 inspector departs;

51 (4) Every person shall register each location of such  
52 person's place of business where devices or instruments are  
53 used to ascertain the moisture content of grains and seeds  
54 offered for sale, processing or storage in this state with  
55 the director and shall pay a registration fee for each  
56 location so registered and a fee for each additional device  
57 or instrument at such location. Thereafter, by January  
58 thirty-first of each year, each person who is required to  
59 register pursuant to this subdivision shall pay an annual  
60 fee for each location so registered and an additional fee  
61 for each additional machine at each location. The fee on  
62 newly purchased devices shall be paid within thirty days  
63 after the date of purchase. Application for registration of  
64 a place of business shall be made on forms provided by the  
65 director and shall require information concerning the make,  
66 model and serial number of the device and such other  
67 information as the director shall deem necessary. Provided,  
68 however, this subsection shall not apply to moisture-  
69 measuring devices used exclusively for the purpose of  
70 obtaining information necessary to manufacturing processes  
71 involving plant products. In addition to fees required by  
72 this subdivision, a fee shall be charged for each device  
73 subject to retest.

74 2. On the first day of January, 1995, and each year  
75 thereafter, the director of agriculture shall ascertain the  
76 total receipts and expenses for the testing of weighing and  
77 measuring devices referred to in subdivisions (2), (3), and  
78 (4) of subsection 1 of this section and shall fix the fees

79 [or rate per hour] for such weighing and measuring devices  
80 to derive revenue not more than the total cost of the  
81 operation.

82 3. On the first day of October, 2014, and each year  
83 thereafter, the director of the department of agriculture  
84 shall submit a report to the general assembly that states  
85 the current laboratory fees for metrology calibration, the  
86 expenses for administering this section for the previous  
87 calendar year, any proposed change to the laboratory fee  
88 structure, and estimated expenses for administering this  
89 section during the ensuing year. The proposed change to the  
90 laboratory fee structure shall not yield revenue greater  
91 than the total cost of administering this section during the  
92 ensuing year.

93 4. Beginning August 28, 2013, and each year  
94 thereafter, the director of the department of agriculture  
95 shall publish the laboratory fee schedule on the  
96 departmental website. The website shall be updated within  
97 thirty days of a change in the laboratory fee schedule set  
98 forth in this section.

99 5. Retests for any device within the same calendar  
100 year will be charged at the same rate as the initial test.  
101 Devices being retested in the same calendar year as a result  
102 of rejection and repair are exempt from the requirements of  
103 this subsection.

104 6. All device inspection fees shall be paid at the  
105 time of service or within thirty days of the issuance of the  
106 original invoice. Any fee not paid within [ninety] thirty  
107 days after the date of the original invoice will be cause  
108 for the director to deem the device as incorrect and it may  
109 be condemned and taken out of service, and may be seized by  
110 the director until all fees are paid.

111           7. No fee provided for by this section shall be  
112 required of any person owning or operating a moisture-  
113 measuring device or instrument who uses such device or  
114 instrument solely in agricultural or horticultural  
115 operations on such person's own land, and not in performing  
116 services, whether with or without compensation, for another  
117 person.

2           [60.421. 1. As established for use in the  
3 east zone, the Missouri coordinate system of  
4 1927 or the Missouri coordinate system of 1983  
5 shall be named; and, in any land description in  
6 which it is used, it shall be designated the  
7 "Missouri Coordinate System of 1927, East Zone"  
8 or "Missouri Coordinate System of 1983, East  
9 Zone".

10           2. As established for use in the central  
11 zone, the Missouri coordinate system of 1927 or  
12 the Missouri coordinate system of 1983 shall be  
13 named; and, in any land description in which it  
14 is used, it shall be designated the "Missouri  
15 Coordinate System of 1927, Central Zone" or  
16 "Missouri Coordinate System of 1983, Central  
17 Zone".

18           3. As established for use in the west  
19 zone, the Missouri coordinate system of 1927 or  
20 the Missouri coordinate system of 1983 shall be  
21 named; and, in any land description in which it  
22 is used, it shall be designated the "Missouri  
23 Coordinate System of 1927, West Zone" or  
"Missouri Coordinate System of 1983, West Zone".]

2           [60.451. 1. For the purpose of more  
3 precisely defining the Missouri coordinate  
4 system of 1927, the following definition by the  
5 United States Coast and Geodetic Survey is  
6 adopted:

7           (1) The Missouri coordinate system of  
8 1927, east zone, is a transverse Mercator  
9 projection of the Clarke spheroid of 1866,  
10 having a central meridian 90 degrees - 30  
11 minutes west of Greenwich, on which meridian the  
12 scale is set at one part in fifteen thousand too  
13 small. The origin of coordinates is at the  
14 intersection of the meridian 90 degrees - 30  
15 minutes west of Greenwich and the parallel 35  
16 degrees - 50 minutes north latitude. This  
17 origin is given the coordinates:  $x = 500,000$   
18 feet and  $y = 0$  feet;

19           (2) The Missouri coordinate system of  
20 1927, central zone, is a transverse Mercator  
21 projection of the Clarke spheroid of 1866,  
22 having a central meridian 92 degrees - 30  
23 minutes west of Greenwich, on which meridian the  
scale is set at one part in fifteen thousand too

24 small. The origin of coordinates is at the  
25 intersection of the meridian 92 degrees - 30  
26 minutes west of Greenwich and the parallel of 35  
27 degrees - 50 minutes north latitude. This  
28 origin is given the coordinates:  $x = 500,000$   
29 feet and  $y = 0$  feet;

30 (3) The Missouri coordinate system of  
31 1927, west zone, is a transverse Mercator  
32 projection of the Clarke spheroid of 1866,  
33 having a central meridian 94 degrees - 30  
34 minutes west of Greenwich, on which meridian the  
35 scale is set at one part in seventeen thousand  
36 too small. The origin of coordinates is at the  
37 intersection of the meridian 94 degrees - 30  
38 minutes west of Greenwich and the parallel 36  
39 degrees - 10 minutes north latitude. This  
40 origin is given the coordinates:  $x = 500,000$   
41 feet and  $y = 0$  feet.

42 2. For purposes of more precisely defining  
43 the Missouri coordinate system of 1983, the  
44 following definition by the National Ocean  
45 Survey/National Geodetic Survey is adopted:

46 (1) The Missouri coordinate system 1983,  
47 east zone, is a transverse Mercator projection  
48 of the North American Datum of 1983 having a  
49 central meridian 90 degrees - 30 minutes west of  
50 Greenwich, on which meridian the scale is set at  
51 one part in fifteen thousand too small. The  
52 origin of coordinates is at the intersection of  
53 the meridian 90 degrees - 30 minutes west of  
54 Greenwich and the parallel 35 degrees - 50  
55 minutes north latitude. This origin is given  
56 the coordinates:  $x = 250,000$  meters and  $y = 0$   
57 meters;

58 (2) The Missouri coordinate system 1983,  
59 central zone, is a transverse Mercator  
60 projection of the North American Datum of 1983  
61 having a central meridian 92 degrees - 30  
62 minutes west of Greenwich, on which meridian the  
63 scale is set at one part in fifteen thousand too  
64 small. The origin of coordinates is at the  
65 intersection of the meridian 92 degrees - 30  
66 minutes west of Greenwich and the parallel of 35  
67 degrees - 50 minutes north latitude. This  
68 origin is given the coordinates:  $x = 500,000$   
69 meters and  $y = 0$  meters;

70 (3) The Missouri coordinate system 1983,  
71 west zone, is a transverse Mercator projection  
72 of the North American Datum of 1983 having a  
73 central meridian 94 degrees - 30 minutes west of  
74 Greenwich, on which meridian the scale is set at  
75 one part in seventeen thousand too small. The  
76 origin of coordinates is at the intersection of  
77 the meridian 94 degrees - 30 minutes west of  
78 Greenwich and the parallel 36 degrees - 10  
79 minutes north latitude. This origin is given  
80 the coordinates:  $x = 850,000$  meters and  $y = 0$   
81 meters.

82 3. The position of either Missouri  
83 coordinate system shall be as marked on the  
84 ground by horizontal control stations  
85 established in conformity with the standards  
86 adopted by the department of agriculture for  
87 first-order and second-order work, whose  
88 geodetic positions have been rigidly adjusted on  
89 the appropriate datum and whose coordinates have  
90 been computed on the system defined in this  
91 section. Any such station may be used for  
92 establishing a survey connection with the  
93 Missouri coordinate system.]

2 [60.491. The Missouri coordinate system of  
3 1927 shall not be used after July, 1990; and the  
4 Missouri coordinate system of 1983 shall be the  
sole system after this date.]

2 [192.945. 1. As used in this section, the  
following terms shall mean:

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

5 (2) "Hemp extract", as such term is  
6 defined in section 195.207;

7 (3) "Hemp extract registration card", a  
8 card issued by the department under this section;

9 (4) "Intractable epilepsy", epilepsy that  
10 as determined by a neurologist does not respond  
11 to three or more treatment options overseen by  
12 the neurologist;

13 (5) "Neurologist", a physician who is  
14 licensed under chapter 334 and board certified  
15 in neurology;

16 (6) "Parent", a parent or legal guardian  
17 of a minor who is responsible for the minor's  
18 medical care;

19 (7) "Registrant", an individual to whom  
20 the department issues a hemp extract  
21 registration card under this section.

22 2. The department shall issue a hemp  
23 extract registration card to an individual who:

24 (1) Is eighteen years of age or older;

25 (2) Is a Missouri resident;

26 (3) Provides the department with a  
27 statement signed by a neurologist that:

28 (a) Indicates that the individual suffers  
29 from intractable epilepsy and may benefit from  
30 treatment with hemp extract; and

31 (b) Is consistent with a record from the  
32 neurologist concerning the individual contained  
33 in the database described in subsection 9 of  
34 this section;

35 (4) Pays the department a fee in an amount  
36 established by the department under subsection 6  
37 of this section; and

38 (5) Submits an application to the  
39 department on a form created by the department  
40 that contains:

41 (a) The individual's name and address;

42 (b) A copy of the individual's valid photo  
43 identification; and  
44 (c) Any other information the department  
45 considers necessary to implement the provisions  
46 of this section.

47 3. The department shall issue a hemp  
48 extract registration card to a parent who:  
49 (1) Is eighteen years of age or older;  
50 (2) Is a Missouri resident;  
51 (3) Provides the department with a  
52 statement signed by a neurologist that:  
53 (a) Indicates that a minor in the parent's  
54 care suffers from intractable epilepsy and may  
55 benefit from treatment with hemp extract; and  
56 (b) Is consistent with a record from the  
57 neurologist concerning the minor contained in  
58 the database described in subsection 9 of this  
59 section;  
60 (4) Pays the department a fee in an amount  
61 established by the department under subsection 6  
62 of this section; and  
63 (5) Submits an application to the  
64 department on a form created by the department  
65 that contains:  
66 (a) The parent's name and address;  
67 (b) The minor's name;  
68 (c) A copy of the parent's valid photo  
69 identification; and  
70 (d) Any other information the department  
71 considers necessary to implement the provisions  
72 of this section.

73 4. The department shall maintain a record  
74 of the name of each registrant and the name of  
75 each minor receiving care from a registrant.

76 5. The department shall promulgate rules  
77 to:  
78 (1) Implement the provisions of this  
79 section including establishing the information  
80 the applicant is required to provide to the  
81 department and establishing in accordance with  
82 recommendations from the department of public  
83 safety the form and content of the hemp extract  
84 registration card; and  
85 (2) Regulate the distribution of hemp  
86 extract from a cannabidiol oil care center to a  
87 registrant, which shall be in addition to any  
88 other state or federal regulations; and  
89 The department may promulgate rules to authorize  
90 clinical trials involving hemp extract.

91 6. The department shall establish fees  
92 that are no greater than the amount necessary to  
93 cover the cost the department incurs to  
94 implement the provisions of this section.

95 7. The registration cards issued under  
96 this section shall be valid for one year and  
97 renewable if at the time of renewal the  
98 registrant meets the requirements of either  
99 subsection 2 or 3 of this section.

100 8. The neurologist who signs the statement  
101 described in subsection 2 or 3 of this section  
102 shall:

103 (1) Keep a record of the neurologist's  
104 evaluation and observation of a patient who is a  
105 registrant or minor under a registrant's care  
106 including the patient's response to hemp  
107 extract; and

108 (2) Transmit the record described in  
109 subdivision (1) of this subsection to the  
110 department.

111 9. The department shall maintain a  
112 database of the records described in subsection  
113 8 of this section and treat the records as  
114 identifiable health data.

115 10. The department may share the records  
116 described in subsection 9 of this section with a  
117 higher education institution for the purpose of  
118 studying hemp extract.

119 11. Any rule or portion of a rule, as that  
120 term is defined in section 536.010, that is  
121 created under the authority delegated in this  
122 section shall become effective only if it  
123 complies with and is subject to all of the  
124 provisions of chapter 536 and, if applicable,  
125 section 536.028. This section and chapter 536  
126 are nonseverable and if any of the powers vested  
127 with the general assembly pursuant to chapter  
128 536 to review, to delay the effective date, or  
129 to disapprove and annul a rule are subsequently  
130 held unconstitutional, then the grant of  
131 rulemaking authority and any rule proposed or  
132 adopted after July 14, 2014, shall be invalid  
133 and void.]

2 [192.947. 1. No individual or health care  
3 entity organized under the laws of this state  
4 shall be subject to any adverse action by the  
5 state or any agency, board, or subdivision  
6 thereof, including civil or criminal  
7 prosecution, denial of any right or privilege,  
8 the imposition of a civil or administrative  
9 penalty or sanction, or disciplinary action by  
10 any accreditation or licensing board or  
11 commission if such individual or health care  
12 entity, in its normal course of business and  
13 within its applicable licenses and regulations,  
14 acts in good faith upon or in furtherance of any  
15 order or recommendation by a neurologist  
16 authorized under section 192.945 relating to the  
17 medical use and administration of hemp extract  
18 with respect to an eligible patient.

19 2. The provisions of subsection 1 of this  
20 section shall apply to the recommendation,  
21 possession, handling, storage, transfer,  
22 destruction, dispensing, or administration of  
23 hemp extract, including any act in preparation  
24 of such dispensing or administration.

25 3. Notwithstanding the provisions of  
section 538.210 or any other law to the

26 contrary, any physician licensed under chapter  
27 334, any hospital licensed under chapter 197,  
28 any pharmacist licensed under chapter 338, any  
29 nurse licensed under chapter 335, or any other  
30 person employed or directed by any of the above,  
31 which provides care, treatment or professional  
32 services to any patient under section 192.945  
33 shall not be liable for any civil damages for  
34 acts or omissions unless the damages were  
35 occasioned by gross negligence or by willful or  
36 wanton acts or omissions by such physician,  
37 hospital, pharmacist, nurse, or person in  
38 rendering such care and treatment.]

2 [195.203. Notwithstanding any other  
3 provision of this chapter or chapter 579 to the  
4 contrary, any person who has a valid industrial  
5 hemp registration as provided under section  
6 195.746 may grow, harvest, cultivate, and  
7 process industrial hemp, as defined in section  
8 195.010, in accordance with the requirements of  
such sections.]

2 [195.740. For the purposes of sections  
3 195.740 to 195.773, the following terms shall  
4 mean:

5 (1) "Agricultural hemp propagule", any  
6 viable nonseed plant material used to cultivate  
7 industrial hemp including, but not limited to,  
8 transplants, cuttings, and clones;

9 (2) "Agricultural hemp seed", Cannabis  
10 sativa L. seed that meets any labeling, quality,  
11 or other standards set by the department of  
12 agriculture and that is intended for sale, is  
13 sold to, or is purchased by registered producers  
14 for planting;

15 (3) "Crop", industrial hemp grown under a  
16 single registration;

17 (4) "Department", the Missouri department  
18 of agriculture;

19 (5) "Indoor cultivation facility", any  
20 greenhouse or enclosed building or structure  
21 capable of continuous cultivation throughout the  
22 year that is not a residential building;

23 (6) "Industrial hemp plant monitoring  
24 system", a reporting system that includes, but  
25 is not limited to, testing, transfer reports,  
26 and data collection maintained by a producer or  
27 agricultural hemp propagule and seed permit  
28 holder and available to the department for  
29 purposes of monitoring viable industrial hemp  
30 cultivated as an agricultural product from  
31 planting to final sale or transfer as a publicly  
32 marketable hemp product;

33 (7) "Nonviable", plant material or  
34 agricultural hemp seed that is not capable of  
35 living or growing;

36 (8) "Produce", the cultivation and harvest  
of viable industrial hemp;

37 (9) "Producer", a person who is a Missouri  
38 resident, or an entity that is domiciled in this  
39 state, who grows or produces viable industrial  
40 hemp;

41 (10) "Publicly marketable product", any  
42 nonviable hemp material, including seed, stem,  
43 root, leaf, or floral material, that contains no  
44 material with a delta-9 tetrahydrocannabinol  
45 concentration exceeding three-tenths of one  
46 percent on a dry weight basis.]

2 [195.743. Viable industrial hemp shall be  
3 an agricultural product that is subject to  
4 regulation by the department, including  
5 compliance with an industrial hemp plant  
6 monitoring system.]

2 [195.746. 1. Any producer of industrial  
3 hemp shall obtain a registration from the  
4 department. Any producer of agricultural hemp  
5 shall ensure that all agricultural hemp  
6 propagules and agricultural hemp seed comply  
7 with any standards established by the department.

8 2. Any person who sells, distributes, or  
9 offers for sale any agricultural hemp propagule  
10 or agricultural hemp seed in the state shall  
11 obtain an agricultural hemp propagule and seed  
12 permit from the department. An agricultural  
13 hemp propagule and seed permit shall authorize a  
14 permit holder to sell, distribute, or offer for  
15 sale agricultural hemp propagules or  
16 agricultural hemp seed to registered producers  
17 or other permit holders. A permit holder is  
18 exempt from requirements in chapter 266 if he or  
19 she only sells, distributes, or offers for sale  
20 agricultural hemp propagules or agricultural  
21 hemp seed.

22 3. An application for an industrial hemp  
23 registration or agricultural hemp propagule and  
24 seed permit shall include:

25 (1) The name and address of the applicant;

26 (2) The name and address of the industrial  
27 hemp or agricultural hemp propagule or seed  
28 operation;

29 (3) For any industrial hemp registration,  
30 the global positioning system coordinates and  
31 legal description for the property used for the  
32 industrial hemp operation;

33 (4) The application fee, as determined by  
34 the department, in an amount sufficient to cover  
35 the administration, regulation, and enforcement  
36 costs associated with sections 195.740 to  
37 195.773; and

38 (5) Any other information the department  
39 deems necessary.

40 4. The department shall issue a  
41 registration under this section to an applicant  
42 who meets the requirements of this section and  
43 section 195.749 and who satisfactorily completes  
a state and federal fingerprint criminal history

44 background check under section 43.543. The  
45 department may charge an applicant an additional  
46 fee for the cost of the fingerprint criminal  
47 history background check in addition to the  
48 registration fee. If required by federal law,  
49 the department shall require an applicant for an  
50 agricultural hemp propagule and seed permit to  
51 comply with the fingerprint criminal history  
52 background check requirements of this subsection.

53 5. Upon issuance of a registration or  
54 permit, information regarding all producers and  
55 permit holders shall be forwarded to the  
56 Missouri state highway patrol.

57 6. An industrial hemp registration or  
58 agricultural hemp propagule and seed permit is:

59 (1) Nontransferable, except such  
60 registration or permit may be transferred to a  
61 person who otherwise meets the requirements of a  
62 registrant or permit holder, and the person may  
63 operate under the existing registration or  
64 permit until the registration or permit expires,  
65 at which time the renewal shall reflect the  
66 change of the registrant or permit holder;

67 (2) Valid for a three-year term unless  
68 revoked by the department; and

69 (3) Renewable as determined by the  
70 department, if the registrant or permit holder  
71 is found to be in good standing.

72 7. Each individual parcel of ground or  
73 indoor cultivation facility with a separate  
74 legal description shall be required to obtain a  
75 separate registration unless the parcels are  
76 contiguous and owned by the same person of  
77 record.]

[195.749. 1. The department may revoke,  
2 refuse to issue, or refuse to renew an  
3 industrial hemp registration or agricultural  
4 hemp propagule and seed permit and may impose a  
5 civil penalty of not less than five hundred  
6 dollars or more than fifty thousand dollars for  
7 violation of:

8 (1) A registration or permit requirement,  
9 term, or condition;

10 (2) Department rules relating to the  
11 production of industrial hemp or an agricultural  
12 hemp propagule and seed permit;

13 (3) Any industrial hemp plant monitoring  
14 system requirement; or

15 (4) A final order of the department that  
16 is specifically directed to the producer or  
17 permit holder's industrial hemp operations or  
18 activities.

19 2. A registration or permit shall not be  
20 issued to a person who in the ten years  
21 immediately preceding the application date has  
22 been found guilty of, or pled guilty to, a  
23 felony offense under any state or federal law  
24 regarding the possession, distribution,

25 manufacturing, cultivation, or use of a  
26 controlled substance.  
27 3. The department may revoke, refuse to  
28 issue, or refuse to renew an industrial hemp  
29 registration or agricultural hemp propaoule and  
30 seed permit for failing to comply with any  
31 provision of this chapter, or for a violation of  
32 any department rule relating to agricultural  
33 operations or activities other than industrial  
34 hemp production.]

2 [195.752. 1. Any person producing  
3 industrial hemp who does not have a valid  
4 industrial hemp registration issued under  
5 section 195.746 may be subject to an  
6 administrative fine of five hundred dollars and  
7 may be fined one thousand dollars per day until  
8 such person destroys the industrial hemp crop.  
9 The Missouri state highway patrol shall certify  
10 such destruction to the department.

11 2. Any person selling, distributing, or  
12 offering for sale any agricultural hemp  
13 propaoule or agricultural hemp seed in the state  
14 who does not have a valid agricultural hemp  
15 propaoule and seed permit issued under section  
16 195.746 may be subject to an administrative fine  
17 of five hundred dollars and may be fined one  
18 thousand dollars per day until such person  
obtains a valid permit.]

2 [195.756. Notwithstanding sections 281.050  
3 and 281.101 to the contrary, in the production  
4 of industrial hemp consistent with sections  
5 195.740 to 195.773, no retailer of pesticides as  
6 defined in 7 U.S.C. Section 136, or agricultural  
7 chemicals shall be liable for the sale,  
8 application, or handling of such products by a  
9 producer or applicator in any manner or for any  
10 purpose not approved by applicable state and  
11 federal agencies. No producer or applicator may  
12 use or apply pesticides or agricultural  
13 chemicals in the growing or handling of  
14 industrial hemp except as approved by state and  
federal law.]

2 [195.758. 1. Every producer or permit  
3 holder shall be subject to an industrial hemp  
4 plant monitoring system and shall keep  
5 industrial hemp crop and agricultural hemp  
6 propaoule and seed records as required by the  
7 department. The department may require an  
8 inspection or audit during any normal business  
9 hours for the purpose of ensuring compliance  
with:

- 10 (1) Any provision of sections 195.740 to
- 11 195.773;
- 12 (2) Department rules and regulations;
- 13 (3) Industrial hemp registration or
- 14 agricultural hemp propaoule and seed permit
- 15 requirements, terms, or conditions;

16 (4) Any industrial hemp plant monitoring  
17 system requirement; or  
18 (5) A final department order directed to  
19 the producer's or permit holder's industrial  
20 hemp or agricultural hemp propagule and seed  
21 operations or activities.

22 2. In addition to any inspection conducted  
23 under subsection 1 of this section, the  
24 department may inspect any industrial hemp crop  
25 during the crop's growth phase and take a  
26 representative sample for field analysis. If a  
27 crop contains an average delta-9  
28 tetrahydrocannabinol concentration exceeding  
29 three-tenths of one percent or the maximum  
30 concentration allowed under federal law,  
31 whichever is greater, on a dry weight basis, the  
32 department may retest the crop. If the second  
33 test indicates that a crop contains an average  
34 delta-9 tetrahydrocannabinol concentration  
35 exceeding three-tenths of one percent or the  
36 maximum concentration allowed under federal law,  
37 whichever is greater, on a dry weight basis, the  
38 department may order any producer to destroy the  
39 crop.

40 3. If such crop is not destroyed within  
41 fifteen days of the producer being notified by  
42 the department by certified mail that the crop  
43 contains concentrations exceeding those set  
44 forth in subsection 2 of this section, and  
45 directing the producer to destroy the crop, such  
46 producer shall be subject to a fine of five  
47 thousand dollars per day until such crop is  
48 destroyed. No such penalty or fine shall be  
49 imposed prior to the expiration of the fifteen-  
50 day notification period.

51 4. The Missouri state highway patrol may,  
52 at its own expense, perform aerial surveillance  
53 to ensure illegal industrial hemp plants are not  
54 being cultivated on or near legal, registered  
55 industrial hemp plantings.

56 5. The Missouri state highway patrol may  
57 coordinate with local law enforcement agencies  
58 to certify the destruction of illegal industrial  
59 hemp plants.

60 6. The department shall notify the  
61 Missouri state highway patrol and local law  
62 enforcement agencies of the need to certify that  
63 a crop of industrial hemp deemed illegal through  
64 field analysis has been destroyed.

65 7. Unless required by federal law, the  
66 department shall not regulate the sale or  
67 transfer of nonviable hemp including, but not  
68 limited to, stripped stalks, fiber, dried roots,  
69 nonviable leaf material, nonviable floral  
70 material, nonviable seeds, seed oils, floral and  
71 plant extracts, unadulterated forage, and other  
72 marketable agricultural hemp products to members  
73 of the general public both within and outside  
74 the state.]

2 [195.764. 1. The department may charge  
3 producers and permit holders reasonable fees as  
4 determined by the department for the purposes of  
5 administering sections 195.740 to 195.773. Fees  
6 charged for purposes of administering sections  
7 195.740 to 195.773 shall only be used to  
8 administer such sections, and shall not provide  
9 additional revenue for the department to use to  
10 administer any other program or provide staff to  
11 the department for any other program. All fees  
12 collected under sections 195.740 to 195.773  
13 shall be deposited in the industrial hemp fund  
14 created under this section for use by the  
15 department to administer sections 195.740 to  
16 195.773.]

17 2. There is hereby created in the state  
18 treasury the "Industrial Hemp Fund", which shall  
19 consist of any grants, gifts, donations,  
20 bequests, or money collected under sections  
21 195.740 to 195.773. The state treasurer shall  
22 be custodian of the fund. In accordance with  
23 sections 30.170 and 30.180, the state treasurer  
24 may approve disbursements. The fund shall be a  
25 dedicated fund and money in the fund shall be  
26 used solely by the department of agriculture for  
27 the purpose of administering such sections,  
28 including reimbursing the Missouri state highway  
29 patrol for the enforcement of such sections.  
30 Notwithstanding the provisions of section 33.080  
31 to the contrary, any moneys remaining in the  
32 fund at the end of the biennium shall not revert  
33 to the credit of the general revenue fund. The  
34 state treasurer shall invest moneys in the fund  
35 in the same manner as other funds are invested.  
36 Any interest and moneys earned on such  
investments shall be credited to the fund.]

2 [195.767. An institution of higher  
3 education may engage in the research and study  
4 of the growth, cultivation, or marketing of  
5 industrial hemp as authorized by Section 7606 of  
6 the federal Agricultural Act of 2014, Pub. L.  
7 113-79, or any successor law. Institutions of  
8 higher education shall not be required to obtain  
9 a registration for the production of industrial  
10 hemp from the department as set forth in  
11 sections 195.746 and 195.749.]

2 [195.773. 1. The department of  
3 agriculture shall execute its responsibilities  
4 relating to the cultivation of industrial hemp  
5 in the most cost-efficient manner possible,  
6 including in establishing permit and  
7 registration fees. For the purpose of testing  
8 industrial hemp for pesticides, the department  
9 shall explore the option of transporting samples  
10 from Missouri to departments of agriculture or  
11 testing laboratories in contiguous states, which  
12 participate in an agricultural pilot program  
authorized by the federal Agricultural Act of

13 2014, or any state program authorized by  
14 successor federal law. All transport between  
15 states shall be in compliance with the federal  
16 Agricultural Act of 2014, or any successor  
17 federal law, as well as any other applicable  
18 state and federal law.  
19 2. The department shall promulgate rules  
20 necessary to administer the provisions of  
21 sections 195.740 to 195.773. Any rule or  
22 portion of a rule, as that term is defined in  
23 section 536.010, that is created under the  
24 authority delegated in this section shall become  
25 effective only if it complies with and is  
26 subject to all of the provisions of chapter 536  
27 and, if applicable, section 536.028. This  
28 section and chapter 536 are nonseverable, and if  
29 any of the powers vested with the general  
30 assembly pursuant to chapter 536 to review, to  
31 delay the effective date, or to disapprove and  
32 annul a rule are subsequently held  
33 unconstitutional, then the grant of rulemaking  
34 authority and any rule proposed or adopted after  
35 August 28, 2018, shall be invalid and void.]

2 [261.265. 1. For purposes of this  
3 section, the following terms shall mean:  
4 (1) "Cannabidiol oil care center", the  
5 premises specified in an application for a  
6 cultivation and production facility license in  
7 which the licensee is authorized to distribute  
8 processed hemp extract to persons possessing a  
9 hemp extract registration card issued under  
10 section 192.945;  
11 (2) "Cultivation and production facility",  
12 the land and premises specified in an  
13 application for a cultivation and production  
14 facility license on which the licensee is  
15 authorized to grow, cultivate, process, and  
16 possess hemp and hemp extract;  
17 (3) "Cultivation and production facility  
18 license", a license that authorizes the licensee  
19 to grow, cultivate, process, and possess hemp  
20 and hemp extract, and distribute hemp extract to  
21 its cannabidiol oil care centers;  
22 (4) "Department", the department of  
23 agriculture;  
24 (5) "Grower", a nonprofit entity issued a  
25 cultivation and production facility license by  
26 the department of agriculture that produces hemp  
27 extract for the treatment of intractable  
28 epilepsy;  
29 (6) "Hemp":  
30 (a) All nonseed parts and varieties of the  
31 cannabis sativa plant, whether growing or not,  
32 that contain a crop-wide average  
33 tetrahydrocannabinol (THC) concentration that  
34 does not exceed the lesser of:  
35 a. Three-tenths of one percent on a dry  
weight basis; or

36           b. The percent based on a dry weight basis  
37 determined by the federal Controlled Substances  
38 Act under 21 U.S.C. Section 801, et seq.;

39           (b) Any cannabis sativa seed that is:  
40           a. Part of a growing crop;  
41           b. Retained by a grower for future  
42 planting; or  
43           c. For processing into or use as  
44 agricultural hemp seed.

45           This term shall not include industrial hemp  
46 commodities or products;

47           (7) "Hemp monitoring system", an  
48 electronic tracking system that includes, but is  
49 not limited to, testing and data collection  
50 established and maintained by the cultivation  
51 and production facility and is available to the  
52 department for the purposes of documenting the  
53 hemp extract production and retail sale of the  
54 hemp extract.

55           2. The department shall issue a  
56 cultivation and production facility license to a  
57 nonprofit entity to grow or cultivate the  
58 cannabis plant used to make hemp extract as  
59 defined in subsection 1 of section 195.207 or  
60 hemp on the entity's property if the entity has  
61 submitted to the department an application as  
62 required by the department under subsection 7 of  
63 this section, the entity meets all requirements  
64 of this section and the department's rules, and  
65 there are fewer than two licensed cultivation  
66 and production facilities operating in the state.

67           3. A grower may produce and manufacture  
68 hemp and hemp extract, and distribute hemp  
69 extract as defined in section 195.207 for the  
70 treatment of persons suffering from intractable  
71 epilepsy as defined in section 192.945  
72 consistent with any and all state or federal  
73 regulations regarding the production,  
74 manufacture, or distribution of such product.  
75 The department shall not issue more than two  
76 cultivation and production facility licenses for  
77 the operation of such facilities at any one time.

78           4. The department shall maintain a list of  
79 growers.

80           5. All growers shall keep records in  
81 accordance with rules adopted by the  
82 department. Upon at least three days' notice,  
83 the director of the department may audit the  
84 required records during normal business hours.  
85 The director may conduct an audit for the  
86 purpose of ensuring compliance with this section.

87           6. In addition to an audit conducted in  
88 accordance with subsection 5 of this section,  
89 the director may inspect independently, or in  
90 cooperation with the state highway patrol or a  
91 local law enforcement agency, any hemp crop  
92 during the crop's growth phase and take a  
93 representative composite sample for field  
94 analysis. If a crop contains an average

95 tetrahydrocannabinol (THC) concentration  
96 exceeding the lesser of:  
97 (1) Three-tenths of one percent on a dry  
98 weight basis; or  
99 (2) The percent based on a dry weight  
100 basis determined by the federal Controlled  
101 Substances Act under 21 U.S.C. Section 801, et  
102 seq.,  
103 the director may detain, seize, or embargo  
104 the crop.  
105 7. The department shall promulgate rules  
106 including, but not limited to:  
107 (1) Application requirements for  
108 licensing, including requirements for the  
109 submission of fingerprints and the completion of  
110 a criminal background check;  
111 (2) Security requirements for cultivation  
112 and production facility premises, including, at  
113 a minimum, lighting, physical security, video  
114 and alarm requirements;  
115 (3) Rules relating to hemp monitoring  
116 systems as defined in this section;  
117 (4) Other procedures for internal control  
118 as deemed necessary by the department to  
119 properly administer and enforce the provisions  
120 of this section, including reporting  
121 requirements for changes, alterations, or  
122 modifications of the premises;  
123 (5) Requirements that any hemp extract  
124 received from a legal source be submitted to a  
125 testing facility designated by the department to  
126 ensure that such hemp extract complies with the  
127 provisions of section 195.207 and to ensure that  
128 the hemp extract does not contain any  
129 pesticides. Any hemp extract that is not  
130 submitted for testing or which after testing is  
131 found not to comply with the provisions of  
132 section 195.207 shall not be distributed or used  
133 and shall be submitted to the department for  
134 destruction; and  
135 (6) Rules regarding the manufacture,  
136 storage, and transportation of hemp and hemp  
137 extract, which shall be in addition to any other  
138 state or federal regulations.  
139 8. Any rule or portion of a rule, as that  
140 term is defined in section 536.010, that is  
141 created under the authority delegated in this  
142 section shall become effective only if it  
143 complies with and is subject to all of the  
144 provisions of chapter 536 and, if applicable,  
145 section 536.028. This section and chapter 536  
146 are nonseverable, and if any of the powers  
147 vested with the general assembly under chapter  
148 536 to review, to delay the effective date, or  
149 to disapprove and annul a rule are subsequently  
150 held unconstitutional, then the grant of  
151 rulemaking authority and any rule proposed or  
152 adopted after July 14, 2014.

153           9. All hemp waste from the production of  
154 hemp extract shall either be destroyed, recycled  
155 by the licensee at the hemp cultivation and  
156 production facility, or donated to the  
157 department or an institution of higher education  
158 for research purposes, and shall not be used for  
159 commercial purposes.  
160           10. In addition to any other liability or  
161 penalty provided by law, the director may revoke  
162 or refuse to issue or renew a cultivation and  
163 production facility license and may impose a  
164 civil penalty on a grower for any violation of  
165 this section, or section 192.945 or 195.207.  
166 The director may not impose a civil penalty  
167 under this section that exceeds two thousand  
168 five hundred dollars.]