

# Journal of the Senate

FIRST REGULAR SESSION

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**THIRTY-NINTH DAY - WEDNESDAY, MARCH 22, 2023**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Beck offered the following prayer:

Lord, make us an instrument of your peace: where there is hatred, let us sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. O divine Master, grant that we may not so much seek to be consoled as to console, to be understood as to understand, to be loved as to love. For it is in giving that we receive, It is in pardoning that we are pardoned. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Gannon	Hoskins	Hough	Koenig	Luetkemeyer	May
McCreery	Moon	Mosley	O'Laughlin	Razer	Rizzo	Rowden
Schroer	Thompson Rehder	Trent	Washington	Williams—33		

Absent—Senators—None

Absent with leave—Senator Roberts—1

Vacancies—None

The Lieutenant Governor was present.

## RESOLUTIONS

Senator May offered Senate Resolution No. 281, regarding the St. Louis Metropolitan Police Department, which was adopted.

Senator Black offered Senate Resolution No. 282, regarding George Laprade, Chillicothe, which was adopted.

Senator Trent offered Senate Resolution No. 283, regarding Walter "Walt" V. Newman, Springfield, which was adopted.

Senator Beck offered Senate Resolution No. 284, regarding Gotsch Intermediate School, which was adopted.

### **MESSAGES FROM THE HOUSE**

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

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 909**, entitled:

An Act to repeal section 260.205, RSMo, and to enact in lieu thereof one new section relating to solid waste disposal area permits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 117, 343, and 1091**, entitled:

An Act to repeal sections 190.255 and 195.206, RSMo, and to enact in lieu thereof three new sections relating to controlled substances, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 94**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1019**, entitled:

An Act to repeal sections 287.690, 287.900, 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, 287.920, 375.1275, and 379.316, RSMo, and to enact in lieu thereof fifteen new sections relating to property and casualty insurance, with penalty provisions and a delayed effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1010**, entitled:

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the disclosure of information regarding certain children.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HBs 556 and 581**, entitled:

An Act to repeal sections 313.800, 313.813, and 313.842, RSMo, and to enact in lieu thereof seventeen new sections relating to sports wagering, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 467**, entitled:

An Act to repeal sections 196.311, 196.316, 281.102, 323.100, and 413.225, RSMo, and to enact in lieu thereof five new sections relating to duties of the department of agriculture.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 132**, entitled:

An Act to amend chapter 42, RSMo, by adding thereto one new section relating to the Missouri veterans commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 475**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto four new sections relating to the Missouri geospatial advisory council.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 129**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto thirty new sections relating to the uniform deployed parents custody and visitation act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 130**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of a historic region.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 283**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to patient examinations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 644**, entitled:

An Act to repeal sections 192.945, 192.947, 195.207, and 261.265, RSMo, relating to hemp extract.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 923**, entitled:

An Act to repeal section 104.160, RSMo, and to enact in lieu thereof one new section relating to the Missouri department of transportation and highway patrol employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

### **MESSAGES FROM THE GOVERNOR**

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

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Tyler Seth Johnson, Republican, 2436 County Road 1770, West Plains, Howell County, Missouri 65775, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2025, and until his successor is duly appointed and qualified; vice, Tyler Seth Johnson, reappointed.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

William T. Kane, 11686 Fairway Circle, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri Dental Board, for a term ending October 16, 2026, and until his successor is duly appointed and qualified; vice, William T. Kane, reappointed.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Anita Marlay, Republican, 701 Graham Point, Camdenton, Camden County, Missouri 65020, as a member of the State Committee of Dietitians, for a term ending June 11, 2026, and until her successor is duly appointed and qualified; vice, Anita Marlay, reappointed.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Mark W. Nolte, 4634 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending September 30, 2026, and until his successor is duly appointed and qualified; vice, Mark W. Nolte, reappointed.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Theresa Michelle (Chelley) Odle, 104 Riverwalk Drive, Desloge, Saint Francois County, Missouri 63628, as a member of the Amber Alert System Oversight Committee, for a term ending October 20, 2025, and until her successor is duly appointed and qualified; vice, Chasity L. Anderson, resigned.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Lyle K. Querry, Democrat, 1516 North Charlton Road, Independence, Jackson County, Missouri 64056, as a member of the Jackson County Board of Election Commissioners, for a term ending April 4, 2026, and until his successor is duly appointed and qualified; vice, Vernon E. Scoville III, deceased.

Respectfully submitted,  
Michael L. Parson  
Governor

Also,

GOVERNOR  
STATE OF MISSOURI  
March 22, 2023

To the Senate of the 102<sup>nd</sup> General Assembly of the State of Missouri:

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

Richard H. Rocha, Republican, 405 West 68th Terrace, Kansas City, Jackson County, Missouri 64113, as a member of the Air Conservation Commission, for a term ending October 13, 2026, and until his successor is duly appointed and qualified; vice, Richard H. Rocha, reappointed.

Respectfully submitted,  
Michael L. Parson  
Governor

### REPORTS OF STANDING COMMITTEES

Senator O'Laughlin, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SJR 35** and **SB 247** begs leave to report that it has examined the same and finds that the joint resolution and bill have been truly perfected and that the printed copies furnished the Senators are correct.

### SENATE BILLS FOR PERFECTION

Senator Cierpiot moved that **SB 15** be taken up for perfection, which motion prevailed.

Senator Cierpiot offered **SS** for **SB 15**, entitled:

#### SENATE SUBSTITUTE FOR SENATE BILL NO. 15

An Act to repeal sections 135.025, 135.030, and 139.031, RSMo, and to enact in lieu thereof four new sections relating to property taxes.

Senator Cierpiot moved that **SS** for **SB 15** be adopted.

Senator Luetkemeyer offered **SA 1**:

#### SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 15, Page 4, Section 137.132, Line 24, by inserting after all of said line the following:

**“137.1050. 1. For the purposes of this section, the following terms shall mean:**

(1) **“Eligible credit amount”, the difference between an eligible taxpayer's real property tax liability on such taxpayer's homestead for a given tax year, minus the real property tax liability on such homestead in the year that the taxpayer became an eligible taxpayer;**

(2) **“Eligible taxpayer”, a Missouri resident who:**

(a) Is eligible for Social Security retirement benefits;

(b) Is an owner of record of a homestead or has a legal or equitable interest in such property as evidenced by a written instrument; and

(c) Is liable for the payment of real property taxes on such homestead;

(3) "Homestead", real property actually occupied by an eligible taxpayer as the primary residence. An eligible taxpayer shall not claim more than one primary residence.

2. Any county authorized to impose a property tax may grant a property tax credit to eligible taxpayers residing in such county in an amount equal to the taxpayer's eligible credit amount, provided that:

(1) Such county adopts an ordinance authorizing such credit; or

(2) (a) A petition in support of a referendum on such a credit is signed by at least five percent of the registered voters of such county voting in the last gubernatorial election and the petition is delivered to the governing body of the county, which shall subsequently hold a referendum on such credit.

(b) The ballot of submission for the question submitted to the voters pursuant to paragraph (a) of this subdivision shall be in substantially the following form:

Shall the County of \_\_\_\_\_ exempt senior citizens from increases in the property tax liability due on such seniors citizens' primary residence?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the credit shall be in effect.

3. A county granting an exemption pursuant to this section shall apply such exemption when calculating the eligible taxpayer's property tax liability for the tax year. The amount of the credit shall be noted on the statement of tax due sent to the eligible taxpayer by the county collector.

4. For the purposes of calculating property tax levies pursuant to section 137.073, the total amount of credits authorized by a county pursuant to this section shall be considered tax revenue, as such term is defined in section 137.073, actually received by the county."; and

Further amend the title and enacting clause accordingly.

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

Senator Fitzwater assumed the Chair.

Senator Trent offered SA 2:



SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 15, Page 1, In the Title, Line 4, by striking “property taxes” and inserting in lieu thereof the following: “taxation”; and

Further amend said bill, page 9, section 139.031, line 162, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in

manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term “product” includes telecommunications services and the term “manufacturing” shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term “manufacturing” has included and continues to include the production and transmission of “telecommunications services”, as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that

nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined [on January 1, 1980,] by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, **as amended**, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts **and accessories**, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas,

electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” shall mean:

(a) New or used farm tractors and such other new or used farm machinery and equipment, including utility vehicles used for any agricultural use, and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment and rotary mowers used for any agricultural purposes. For the purposes of this subdivision, “utility vehicle” shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels;

(b) Supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile; and

(c) One-half of each purchaser's purchase of diesel fuel therefor which is:

a. Used exclusively for agricultural purposes;

b. Used on land owned or leased for the purpose of producing farm products; and

c. Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved

by the Missouri public service commission. Sales and purchases made pursuant to the rate classification “residential” and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, “headquartered in this state” means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes

of this subdivision, “neutral site” means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, “motor vehicle” and “public highway” shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) “Direct costs”, costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) “Internet”, computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control



protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) “Internet access”, a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) “Tax”, any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege, service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under sections 67.1830 to 67.1846 or section 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

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

- (a) Are sold or leased to an end user; or
- (b) Are used to produce, collect and transmit electricity for resale or retail;

**(47) All sales of diapers. For the purposes of this subdivision, “diapers” shall mean absorbent garments worn by infants or toddlers who are not toilet-trained or by individuals who are incapable of controlling their bladder or bowel movements;**

**(48) All sales of feminine hygiene products. For the purposes of this subdivision, “feminine hygiene products” shall mean tampons, pads, liners, and cups.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an “affiliated person” means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.”; and

Further amend the title and enacting clause accordingly.

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

Senator McCreery offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 15, Page 1, In the Title, Line 4, by striking “property taxes” and inserting in lieu thereof the following: “taxation”; and

Further amend said bill and page, Section A, line 4, by inserting after all of said line the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture.

Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an

impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the

owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year. **For any fiscal year in which the total amount of tax credits authorized for programs approved pursuant to section 32.111 is less than ten million dollars, such amount not authorized may be authorized for programs approved pursuant to section 32.112 during the same fiscal year, provided that the total combined amount of tax credits for programs approved pursuant to sections 32.111 and 32.112 during the fiscal year does not exceed eleven million dollars.**

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.”; and

Further amend the title and enacting clause accordingly.

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

At the request of Senator Cierpiot, **SB 15**, with **SS** (pending) was placed on the Informal Calendar.

Senator Brattin moved that **SB 131**, with **SCS**, **SS No. 2** for **SCS**, **SA 3** and **SA 1 to SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1 to SA 3** was again taken up.

Senator Rizzo raised the point of order that when the bill was laid over Senator Mosely had closed on her amendment and requested a roll call vote be taken, therefore, when the bill was brought before the body, a roll call vote on **SA 1 to SA 3** should have preceded.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

At the request of Senator Brattin, **SS No. 2** for **SCS** for **SB 131** was withdrawn, rendering **SA 3** and **SA 1 to SA 3** moot.

Senator Brattin offered **SS No. 3** for **SCS** for **SB 131**, entitled:

SENATE SUBSTITUTE NO. 3 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 131

An Act to repeal section 144.064, RSMo, and to enact in lieu thereof two new sections relating to firearms tax relief.

Senator Brattin moved that **SS No. 3** for **SCS** for **SB 131** be adopted.

Senator Eigel offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 131, Page 1, In the Title, Lines 3-4, by striking “tax relief”; and

Further amend said bill and page, Section A, line 3, by inserting after all of said line the following:

**“1.486. 1. This section shall be known and may be cited as the “Anti-Red Flag Gun Seizure Act”.**

**2. As used in this section, “red flag law” means:**

**(1) Any gun control law, order, or measure that directs the temporary or permanent seizure of any firearm, firearm accessory, or ammunition of an individual without the adjudication of a contested court case; or**

**(2) Any federal statute, federal rule, federal executive order, or federal judicial order or finding or any state statute, state rule, state executive order, state judicial order or finding that:**

**(a) Prohibits a Missouri citizen from owning, possessing, transporting, transferring, or receiving any firearm, firearm accessory, or ammunition unless the individual has been convicted of a violent felony crime or is otherwise disqualified under section 455.050 or 571.070; or**

**(b) Orders the removal or requires the surrender of any firearm, firearm accessory, ammunition from a Missouri citizen unless the individual has been convicted of a violent felony crime, is otherwise disqualified under section 455.050 or 571.070, or is ordered to surrender any firearm as part of a criminal investigation by a law enforcement officer or agency.**

**3. Any federal order of protection, other judicial order issued by a federal court, or federal executive order that is a red flag law or otherwise directs the confiscation of any firearm, firearm accessory, or ammunition from any law-abiding citizen within the borders of this state shall be considered an infringement on the people's right to keep and bear arms, as guaranteed by Amendment II of the Constitution of the United States and Article I, Section 23 of the Constitution of Missouri, and an infringement upon a citizen's right to due process, as guaranteed by Amendments V and XIV of the Constitution of the United States and Article I, Section 10 of the Constitution of Missouri. Any such order shall not be enforced in this state.**

**4. No state agency, political subdivision, or state or local law enforcement agency shall receive any federal moneys for the purpose of enforcing any federal statute, federal rule, federal executive order, or federal judicial order or findings or for the purpose of enforcing any state statute, state rule, state executive order, or state judicial order or findings that would have the effect of enforcing a red flag law against a Missouri citizen.**

**5. No state entity or employee thereof, political subdivision or employee thereof, or other entity or person shall have the authority to enforce or attempt to enforce a red flag law regardless of the red flag law's origin or the authority of the issuing entity. This subsection shall not apply to any agent of the federal government enforcing a federal law or federal order.**

**6. (1) A political subdivision or state or local law enforcement agency that employs a law enforcement officer who knowingly acts to violate this section and enforce a red flag law under the color of any state statute, state rule, state executive order, or state judicial order or finding shall be liable to the party against whom the red flag law was enforced in an action at law, suit in equity, or other proper proceeding for redress and shall be subject to a civil penalty of fifty thousand dollars per occurrence.**

**(2) Any person injured under this section shall have standing to pursue an action for injunctive relief in the circuit court of the county in which the action allegedly occurred or in the circuit court of Cole County. The attorney general shall also have standing to bring an action to enforce the provisions of this section.**

**(3) The court shall hold a hearing on any motion for a temporary restraining order or preliminary injunction within thirty days of service of a petition for the same.**

**(4) In an action brought under this section by a party against whom the red flag law was enforced, a court may order injunctive or other equitable relief, recovery of damages, other legal remedies, and payment of reasonable attorney's fees, costs, and expenses of the party. The relief and remedies set forth shall not be deemed exclusive and shall be in addition to any other relief or remedies permitted by law. The court may award the prevailing party, if not the state of Missouri or a political subdivision thereof, reasonable attorney's fees and costs.**

**(5) Sovereign immunity shall not be an affirmative defense to any action brought under this section.”; and**

Further amend said bill, page 4, Section 144.064, line 25, by inserting after all of said line the following:

“Section B. Because immediate action is necessary to limit any overreach of the federal government's power and to protect citizens' rights to bear arms, the enactment of section 1.486 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1.486 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted.

Senator Rizzo raised the point of order that **SA 1** goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

Senator Brattin offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO  
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 131, Page 3, Section B, Line 89, by inserting immediately before “Section B.” the following:

“571.010. As used in this chapter, the following terms shall mean:

(1) “Antique, curio or relic firearm”, any firearm so defined by the National Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

(a) “Antique firearm” is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

(b) “Curio or relic firearm” is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least fifty years old, associated with a historical event, renown personage or major war;

(2) “Blackjack”, any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use;

(3) “Blasting agent”, any material or mixture, consisting of fuel and oxidizer that is intended for blasting, but not otherwise defined as an explosive under this section, provided that the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined;

(4) “Concealable firearm”, any firearm with a barrel less than sixteen inches in length, measured from the face of the bolt or standing breech;

(5) “Deface”, to alter or destroy the manufacturer's or importer's serial number or any other distinguishing number or identification mark;

(6) “Detonator”, any device containing a detonating charge that is used for initiating detonation in an explosive, including but not limited to, electric blasting caps of instantaneous and delay types, nonelectric blasting caps for use with safety fuse or shock tube and detonating cord delay connectors;

(7) “Explosive weapon”, any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury, or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon. For the purposes of this subdivision, the term “explosive” shall mean any chemical compound mixture or device, the primary or common purpose of which is to function by explosion, including but not limited to, dynamite and other high explosives, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or blasting agents;

(8) “Firearm”, any weapon that is designed or adapted to expel a projectile by the action of an explosive;

(9) “Firearm silencer”, any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm;



(10) “Gas gun”, any gas ejection device, weapon, cartridge, container or contrivance other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellant or temporary incapacitating substance;

(11) “Intoxicated”, substantially impaired mental or physical capacity resulting from introduction of any substance into the body;

(12) “Knife”, any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this chapter, “knife” does not include any ordinary pocketknife with no blade more than four inches in length;

(13) “Knuckles”, any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles;

(14) “Machine gun”, any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger;

(15) “Projectile weapon”, any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person;

(16) “Rifle”, any firearm designed [or adapted] to be **exclusively** fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger;

(17) “Short barrel”, a barrel length of less than sixteen inches for a rifle and eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than twenty-six inches;

(18) “Shotgun”, any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger;

(19) “Spring gun”, any fused, timed or nonmanually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death;

(20) “Switchblade knife”, any knife which has a blade that folds or closes into the handle or sheath, and:

(a) That opens automatically by pressure applied to a button or other device located on the handle; or

(b) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.

571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;

(4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or

(5) Knuckles; [or]

(6) [Any of the following in violation of federal law:]

[(a)] A machine gun;

[(b)] (7) A short-barreled rifle or shotgun;

[(c)] (8) A firearm silencer; or

[(d)] (9) A switchblade knife.

2. A person does not commit an offense pursuant to this section if his or her conduct involved any of the items in subdivisions (1) to [(5)] (9) of subsection 1 **of this section, and the item was possessed in conformity with any applicable state or federal law, or** the item was possessed in conformity with any applicable federal law, and the conduct:

(1) Was incident to the performance of official duty by the Armed Forces, National Guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

3. An offense pursuant to subdivision (1), (2), (3) or (6) of subsection 1 of this section is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of this section is a class A misdemeanor.”“.

Senator Brattin moved that the above amendment be adopted.

Senator Bean assumed the Chair.

At the request of Senator Brattin, **SB 131**, with **SCS, SS No. 3** for **SCS, SA 1** and **SA 1 to SA 1** (pending), was placed on the Informal Calendar.

Senator Thompson Rehder moved that **SB 40**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 40**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 40

An Act to repeal section 210.493, RSMo, and to enact in lieu thereof three new sections relating to background checks.

Was taken up.

Senator Thompson Rehder moved that **SCS** for **SB 40** be adopted.

Senator Thompson Rehder offered **SS** for **SCS** for **SB 40**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 40

An Act to repeal sections 43.539, 43.540, and 210.493, RSMo, and to enact in lieu thereof five new sections relating to background checks, with existing penalty provisions.

Senator Thompson Rehder moved that **SS** for **SCS** for **SB 40** be adopted.

Senator Arthur offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 40, Page 13, Section 43.540, Line 193, by inserting after all of said line the following:

**“162.068. 1. (1) As used in this section, “screened volunteer” means any individual who assists a school by providing uncompensated service, who may periodically be left alone with students, who has successfully completed a criminal background check before being left alone with a student, and who is allowed to access student education records only when necessary to assist the district and while supervised by staff members. “Screened volunteer” includes, but is not limited to, individuals who regularly assist in the office or library, mentor or tutor students, coach or supervise a school-sponsored activity before or after school, or chaperone students on an overnight trip.**

**(2) By July 1, 2012, every school district shall adopt a written policy on information that the district provides about former employees, both certificated and noncertificated, to other public schools. By July 1, 2014, every charter school shall adopt a written policy on information that the charter school provides about former employees, both certificated and noncertificated, to other public schools. Beginning January 1, 2024, such written policy and the information provided under such policy shall include information about screened volunteers.**

**(3) The policy described under this subsection shall include who is permitted to respond to requests for information from potential employers and the information the district or charter school would provide when responding to such a request. The policy shall require that notice of this provision be provided to all current employees and screened volunteers and to all potential employers who contact the school**

district or charter school regarding the possible employment of an employee **or the possible service of an individual as a screened volunteer**.

[(2)] (4) The policy described under this subsection shall require the district or charter school to disclose, to any public school that contacts such district or charter school about a former employee **or screened volunteer**, information regarding any violation of the published regulations of the board of education of the district or the governing body of the charter school by the former employee **or screened volunteer** if such violation related to sexual misconduct with a student and was determined to be an actual violation by the board of the district or the governing body of the charter school after a contested case due process hearing conducted pursuant to board policy.

2. Any school district or charter school that employs **or allows service as a screened volunteer by** a person about whom the children's division conducts an investigation involving allegations of sexual misconduct with a student and reaches a finding of substantiated shall immediately suspend the employment **or volunteer service** of such person, notwithstanding any other provision of law, but the district or charter school may return the person to [his or her] **such person's employment or service as a screened volunteer** if the child abuse and neglect review board's finding that the allegation is substantiated is reversed by a court on appeal and becomes final. Nothing shall preclude a school district or charter school from otherwise lawfully terminating the employment of any employee **or volunteer service of a screened volunteer** about whom there has been a finding of unsubstantiated resulting from an investigation by the children's division involving allegations of sexual misconduct with a student.

3. Any employee who is permitted to respond to requests for information regarding former employees **or screened volunteers** under a policy adopted by [his or her] **such employee's** school district or charter school under this section and who communicates only the information which such policy directs, and who acts in good faith and without malice shall be immune against any civil action for damages brought by the former employee **or screened volunteer** arising out of the communication of such information. If any such action is brought, the employee may, at [his or her] **such employee's** option, request the attorney general to defend [him or her] **such employee** in such suit and the attorney general shall provide such defense, except that if the attorney general represents the school district or the department of elementary and secondary education in a pending licensing matter under section 168.071 the attorney general shall not represent the school district employee.

4. Notwithstanding the provisions of subsection 2 of this section, if a district or charter school that has employed any employee **or allowed an individual to serve as a screened volunteer** whose job **or volunteer service** involves contact with children receives allegations of sexual misconduct, as provided in section 566.083, concerning the employee **or screened volunteer** and, as a result of such allegations or as a result of such allegations being substantiated by the child abuse and neglect review board, dismisses the employee **or screened volunteer** or allows the employee to resign in lieu of being fired **or allows the screened volunteer to discontinue volunteer service on such volunteer's own volition** and fails to disclose the allegations of sexual misconduct when furnishing a reference for the former employee **or screened volunteer** or responding to a potential employer's request for information regarding such employee **or screened volunteer**, the district or charter school shall be directly liable for damages to any student of a subsequent employing district or charter school who is found by a court of competent jurisdiction to be a victim of the former employee's **or screened volunteer's** sexual misconduct, and the district or charter school shall bear third-party liability to the employing district or charter school for any

legal liability, legal fees, costs, and expenses incurred by the employing district or charter school caused by the failure to disclose such information to the employing district or charter school.

5. If a school district or charter school has previously employed a person **or allowed an individual to serve as a screened volunteer** about whom the children's division has conducted an investigation involving allegations of sexual misconduct with a student and has reached a finding of substantiated and another public school contacts the district or charter school for a reference for the former employee **or screened volunteer**, the district or charter school shall disclose the results of the children's division's investigation to the public school.

6. Any school district or charter school employee **or screened volunteer**, acting in good faith, who reports alleged sexual misconduct on the part of a teacher or other school employee **or screened volunteer** shall not be discharged or otherwise discriminated against in any fashion because of such reporting.

7. Any school district or charter school shall, before offering employment **or allowing service as a screened volunteer** to any teacher **or individual** who was employed by **or served as a screened volunteer in** a Missouri school district or charter school, contact the department of elementary and secondary education to determine the school district or charter school that previously employed such employee **or allowed such individual to serve as a screened volunteer**. School districts and charter schools contacting the department under this subsection shall request, from the most recent, information as outlined in this section regarding the former employee **or screened volunteer**.

**8. Each school district and charter school shall report the information maintained by such school district and charter school under this section to the department of elementary and secondary education.**

**168.631. 1. This section shall be known and may be cited as “Emily's Law”.**

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

(1) **“Association”, a statewide athletic association or organization that receives any public moneys and that has at least one public school district as a member;**

(2) **“Employee”, any staff employed by an association;**

(3) **“Mandated reporter”, an individual with a legal obligation under sections 210.109 to 210.183 to report to the appropriate state department or local law enforcement agency any suspicion of abuse or neglect or any belief that an act that is prohibited under state law when committed on school property has been committed;**

(4) **“Screened volunteer”, the same definition as in section 162.068.**

**3. An individual who is an employee of an association shall be a mandated reporter as required under this section.**

**4. An association shall ensure that a criminal background check is conducted on any screened volunteer or person employed as a coach or a member of coaching staff after January 1, 2024, before hiring such individual as a coach or a member of a coaching staff or allowing such individual to serve as a screened volunteer.**

**5. In order to facilitate the criminal history background check described in subsection 4 of this section, the applicant shall submit a set of fingerprints collected pursuant to standards determined by the Missouri state highway patrol. The fingerprints shall be used by the state highway patrol to search the criminal history repository and shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.**

**6. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position as a coach, a member of a coaching staff, or a screened volunteer. The association shall distribute the fees collected for the state and federal criminal histories to the Missouri state highway patrol.**

**7. An association shall facilitate an annual check of persons employed as a coach or a member of coaching staff or any screened volunteers against criminal history records in the central repository under section 43.530, the sexual offender registry under sections 589.400 to 589.426, and child abuse central registry under sections 210.109 to 210.183.**

**8. An association may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530.**

**9. An association shall not employ a person as a coach or a member of coaching staff or allow a person to serve as a screened volunteer if, as a result of the criminal history background check mandated by this section, it is determined that such person has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, a crime involving moral turpitude, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence.**

**10. If, as a result of the criminal history background check mandated by this section, it is determined that a coach, a member of coaching staff, or a screened volunteer at an association has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, a crime involving moral turpitude, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such crimes shall be grounds for dismissal of such person from their position at the association.**

**11. Any person making a report to an association in conformity with this section shall not be subject to civil liability for such action.**

**12. A criminal background check and fingerprint collection conducted under subsection 4 of this section shall be valid for at least a period of one year.**

**13. If an association that has employed an individual as a coach or a member of coaching staff or allowed an individual to serve as a screened volunteer receives allegations of sexual misconduct, as provided in section 566.083, concerning the employee or screened volunteer, and, as a result of such allegations or as a result of such allegations being substantiated by the child abuse and neglect review board, dismisses the employee or screened volunteer or allows the employee to resign in lieu of being fired or allows the screened volunteer to discontinue volunteer service on such volunteer's own volition and fails to disclose the allegations of sexual misconduct when furnishing a reference**

for the former employee or screened volunteer or responding to a potential employer's request for information regarding such employee or screened volunteer, the association shall be directly liable for damages to any student who is subsequently found by a court of competent jurisdiction to be a victim of the former employee's or screened volunteer's sexual misconduct, and the association shall bear third-party liability to the employer of the employee or screened volunteer for any legal liability, legal fees, costs, and expenses incurred by the employer caused by the failure to disclose such information to the employer.

**14. If an association has previously employed a coach or a member of coaching staff or allowed an individual to serve as a screened volunteer about whom the children's division has conducted an investigation involving allegations of sexual misconduct with a student and has reached a finding of substantiated and a potential employer of the former employee contacts the association for a reference for the former employee or screened volunteer, the association shall disclose the results of the children's division's investigation to the potential employer.**

**15. Any employee or screened volunteer of an association, acting in good faith, who reports alleged sexual misconduct on the part of a coach, member of coaching staff, or screened volunteer shall not be discharged or otherwise discriminated against in any fashion because of such reporting.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Thompson Rehder moved that **SS for SCS for SB 40**, as amended, be adopted, which motion prevailed.

On motion of Senator Thompson Rehder, **SS for SCS for SB 40**, as amended, was declared perfected and ordered printed.

#### **REFERRALS**

President Pro Tem Rowden referred **SJR 35** and **SB 247** to the Committee on Fiscal Oversight.

President Pro Tem Rowden referred the above Gubernatorial appointments and reappointments to the Committee on Gubernatorial appointments.

#### **SENATE BILLS FOR PERFECTION**

Senator Carter moved that **SB 85**, with **SCS**, be taken up for perfection, which motion prevailed.

**SCS for SB 85**, entitled:

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 85**

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to local control school districts.

Was taken up.

Senator Carter moved that **SCS** for **SB 85** be adopted.

Senator Carter offered **SS** for **SCS** for **SB 85**, entitled:

SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NO. 85

An Act to repeal sections 160.518, 160.522, 161.092, and 163.042, RSMo, and to enact in lieu thereof four new sections relating to assessment of public elementary and secondary schools.

Senator Carter moved that **SS** for **SCS** for **SB 85** be adopted.

Senator Koenig offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 85, Pages 6-9, Section 160.522, by striking all of said section and inserting in lieu thereof the following:

“160.522. 1. **(1)** The department of elementary and secondary education shall produce or cause to be produced, at least annually, a school accountability report card for each public school district, each public school building in a school district, [and] each charter school [in the state], **and each virtual school authorized under section 161.670**. The report card shall be designed to satisfy state and federal requirements for the disclosure of statistics about students, staff, finances, academic achievement, and other indicators. The purpose of the report card shall be to provide educational statistics and accountability information for parents, taxpayers, school personnel, legislators, and the print and broadcast news media in a standardized, easily accessible form.

**(2) The report cards shall be maintained on the department's website and reachable by a clearly labeled link on the website homepage. Each school district, charter school, and virtual school shall also maintain the report card information for the district, charter school, or virtual school and all school attendance centers on the district, charter school, or virtual school website and reachable by a clearly labeled link on the website homepage. The report card webpage shall be formatted to easily allow linking to each school attendance center in each school district or charter school. The report card shall present a comprehensive summary of the district or school information formatted onto a single webpage to the maximum extent possible. The report card shall use a clear and logical menu structure. Additional detailed information about a district, charter school, attendance center, or virtual school shall be available from the report card webpage.**

**(3) School districts, charter schools, and virtual schools shall also provide the information in a printed document to the parent or legal guardian of each enrolled student within five school days of the start of each school year or within five school days of enrollment.**

2. **(1)** The department of elementary and secondary education shall develop a standard form for the school accountability report card. The information reported shall include, but not be limited to, the district's, **charter school's, or virtual school's** most recent accreditation rating[.]; enrollment[.]; rates of pupil attendance[.]; high school dropout rate and graduation rate[.]; the number and rate of suspensions of ten days or longer and expulsions of pupils[.]; the [district] ratio of students to administrators and



students to classroom **or virtual** teachers[.]; the average years of experience of professional staff and advanced degrees earned[.]; student achievement as measured through the assessment system developed pursuant to section 160.518[.]; student scores on the ACT, along with the percentage of graduates taking the test[.]; average teachers' and administrators' salaries compared to the state averages[.]; average per-pupil current expenditures for the district, **charter school, or virtual school** as a whole and by attendance center as reported to the department of elementary and secondary education[.]; the adjusted tax rate of the district, **charter school, or virtual school**; assessed valuation of the district[.]; percent of the district, **charter school, or virtual school** operating budget received from state, federal, and local sources[.]; the percent of students eligible for free or reduced-price lunch[.]; data on the percent of students continuing their education in postsecondary programs[.]; information about the job placement rate for students who complete district, **charter school, or virtual school** vocational education programs[.]; whether the school district currently has a state-approved gifted education program[.]; and the percentage and number of students who are currently being served in the district's, **charter school's, or virtual school's** state-approved gifted education program.

(2) **The report card shall include a comparison to the state average for all numerical fields amenable to an average and a comparison to the district, charter school, or virtual school average for school attendance center data. Prior year school attendance center data shall be available on the school's main webpage, and the report card shall include a link or links to data for each of the preceding ten school years, or all preceding years since the school's first year of operation if within the last ten years. Data shall be shown on clear and logical graphs and also available for public download and analysis in both common spreadsheet and portable document formats. The format shall allow districts, charter schools, attendance centers, and virtual schools to provide additional information about programs and activities of the district, charter school, attendance center, or virtual school.**

(3) **The report card webpage shall include a means by which any user may provide suggestions for improvement and provide feedback regarding the ease of use and understandability of the report card and whether the report card provides essential indicators aligned to key education priorities. The department shall establish an advisory group including parents, researchers, and educators to continuously review the feedback received from users, research the practices of school report cards in other jurisdictions, and make appropriate updates and revisions to the report card to improve its usefulness based on user feedback and best practices employed in school report cards.**

3. The report card shall permit the disclosure of data on a school-by-school basis, but the reporting shall not be personally identifiable to any student or education professional in the state.

4. The report card shall identify each school or attendance center that has been identified as a priority school under sections 160.720 and 161.092. The report also shall identify attendance centers that have been categorized under federal law as needing improvement or requiring specific school improvement strategies.

5. The report card shall not limit or discourage other methods of public reporting and accountability by local school districts, **charter schools, or virtual schools**. Districts, **charter schools, and virtual schools** shall provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December first annually or as soon thereafter as the

information is available to the district, **charter school, or virtual school**, giving preference to methods that incorporate the reporting into substantive official communications such as student report cards. The school district, **charter school, or virtual school** shall provide a printed copy of the district-level or [school-level] **attendance center** report card to any patron upon request and shall make reasonable efforts to supply businesses such as, but not limited to, real estate and employment firms with copies or other information about the reports [so that parents and businesses from outside the district who may be contemplating relocation have access].

6. For purposes of completing and distributing the annual report card as prescribed in this section, a school district may include the data from a charter school located within such school district, provided the local board of education or special administrative board for such district and the charter school reach mutual agreement for the inclusion of the data from the charter schools and the terms of such agreement are approved by the state board of education. The charter school shall not be required to be a part of the local educational agency of such school district and may maintain a separate local educational agency status.

**7. School districts and charter schools shall provide public reporting of information contained in subsection 2 of this section on an annual basis as provided in this section. The school district and charter school reports shall be distributed to all media outlets serving the district or charter school, and shall be made available to all district and charter school patrons, and to the department. Notwithstanding any provision of law to the contrary, any provision of information by local control school districts pursuant to the provisions of this section shall not be construed as authorizing the department of elementary and secondary education to use such information for the purposes of classification or accreditation of local control school districts. “**

Senator Koenig moved that the above amendment be adopted.

At the request of Senator Carter, **SB 85**, with **SCS, SS** for **SCS**, and **SA 1** (pending), was placed on the Informal Calendar.

Senator Crawford moved that **SB 181** be taken up for perfection, which motion prevailed.

Senator Crawford offered **SS** for **SB 181**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 181

An Act to repeal sections 287.690, 287.900, 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, 287.920, and 375.1275, RSMo, and to enact in lieu thereof fourteen new sections relating to property and casualty insurance, with a delayed effective date for certain sections.

Senator Crawford moved that **SS** for **SB 181** be adopted, which motion prevailed.

On motion of Senator Crawford, **SS** for **SB 181** was declared perfected and ordered printed.

Senator Rizzo moved that **SB 63** be taken up for perfection, which motion prevailed.

Senator Thompson Rehder assumed the Chair.

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

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 63, Page 1, Section 362.034, Line 2, by striking “, Section 1”;

and Further amend said bill and section, page 2, lines 42-43 by striking “, Section 1”.

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

On motion of Senator Rizzo, **SB 63**, as amended, was declared perfected and ordered printed.

Senator Beck moved that **SB 143** be taken up for perfection, which motion prevailed.

Senator Beck offered **SS** for **SB 143**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 143

An Act to repeal section 135.1610, RSMo, and to enact in lieu thereof three new sections relating to improving access to food.

Senator Beck moved that **SS** for **SB 143** be adopted.

Senator Arthur offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 143, Page 1, Section A, Line 4, by striking “food” and inserting in lieu thereof the following: “products essential for healthy living”; and

Further amend said bill, page 8, Section 135.1620, line 139, by inserting after all of said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately

in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law, sections 281.220 to 281.310, which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. For the purposes of this subdivision, subdivision (5) of this subsection, and section 144.054, as well as the definition in subdivision (9) of subsection 1 of section 144.010, the term “product” includes telecommunications services and the term “manufacturing” shall include the production, or production and transmission, of telecommunications services. The preceding sentence does not make a substantive change in the law and is intended to clarify that the term “manufacturing” has included and continues to include the production and transmission of “telecommunications services”, as enacted in this subdivision and subdivision (5) of this subsection, as well as the definition in subdivision (9) of subsection 1 of section 144.010. The preceding two sentences reaffirm legislative intent consistent with the interpretation of this subdivision and subdivision (5) of this subsection in *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), and accordingly abrogates the Missouri supreme court's interpretation of those exemptions in *IBM Corporation v. Director of Revenue*, 491 S.W.3d 535 (Mo. banc 2016) to the extent inconsistent with this section and *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002) and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005). The construction and application of this subdivision as expressed by the Missouri

supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption. The construction and application of this subdivision as expressed by the Missouri supreme court in *DST Systems, Inc. v. Director of Revenue*, 43 S.W.3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.W.3d 763 (Mo. banc 2002); and *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(18) All sales of insulin, and all sales, rentals, repairs, and parts of durable medical equipment, prosthetic devices, and orthopedic devices as defined [on January 1, 1980,] by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, **as amended**, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories including parts, and hospital beds and accessories and ambulatory aids including parts, and all sales or rental of manual and powered wheelchairs including parts **and accessories**, and stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters including parts, and reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" shall mean:

(a) New or used farm tractors and such other new or used farm machinery and equipment, including utility vehicles used for any agricultural use, and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment and rotary mowers used for any agricultural purposes. For the purposes of this subdivision, "utility vehicle" shall mean any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five hundred pounds or less, traveling on four or six wheels;

(b) Supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile; and

(c) One-half of each purchaser's purchase of diesel fuel therefor which is:

a. Used exclusively for agricultural purposes;

b. Used on land owned or leased for the purpose of producing farm products; and

c. Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;



(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to

be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state;

(44) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(45) All internet access or the use of internet access regardless of whether the tax is imposed on a provider of internet access or a buyer of internet access. For purposes of this subdivision, the following terms shall mean:

(a) "Direct costs", costs incurred by a governmental authority solely because of an internet service provider's use of the public right-of-way. The term shall not include costs that the governmental authority would have incurred if the internet service provider did not make such use of the public right-of-way. Direct costs shall be determined in a manner consistent with generally accepted accounting principles;

(b) "Internet", computer and telecommunications facilities, including equipment and operating software, that comprises the interconnected worldwide network that employ the transmission control protocol or internet protocol, or any predecessor or successor protocols to that protocol, to communicate information of all kinds by wire or radio;

(c) "Internet access", a service that enables users to connect to the internet to access content, information, or other services without regard to whether the service is referred to as telecommunications, communications, transmission, or similar services, and without regard to whether a provider of the service is subject to regulation by the Federal Communications Commission as a common carrier under 47 U.S.C. Section 201, et seq. For purposes of this subdivision, internet access also includes: the purchase, use, or sale of communications services, including telecommunications services as defined in section 144.010, to the extent the communications services are purchased, used, or sold to provide the service described in this subdivision or to otherwise enable users to access content, information, or other services offered over the internet; services that are incidental to the provision of a service described in this subdivision, when furnished to users as part of such service, including a home page, electronic mail, and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity; a home page electronic mail and instant messaging, including voice-capable and video-capable electronic mail and instant messaging, video clips, and personal electronic storage capacity that are provided independently or that are not packed with internet access. As used in this subdivision, internet access does not include voice, audio, and video programming or other products and services, except services described in this paragraph or this subdivision, that use internet protocol or any successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services described in this paragraph or this subdivision;

(d) "Tax", any charge imposed by the state or a political subdivision of the state for the purpose of generating revenues for governmental purposes and that is not a fee imposed for a specific privilege,

service, or benefit conferred, except as described as otherwise under this subdivision, or any obligation imposed on a seller to collect and to remit to the state or a political subdivision of the state any gross retail tax, sales tax, or use tax imposed on a buyer by such a governmental entity. The term tax shall not include any franchise fee or similar fee imposed or authorized under sections 67.1830 to 67.1846 or section 67.2689; Section 622 or 653 of the Communications Act of 1934, 47 U.S.C. Section 542 and 47 U.S.C. Section 573; or any other fee related to obligations of telecommunications carriers under the Communications Act of 1934, 47 U.S.C. Section 151, et seq., except to the extent that:

a. The fee is not imposed for the purpose of recovering direct costs incurred by the franchising or other governmental authority from providing the specific privilege, service, or benefit conferred to the payer of the fee; or

b. The fee is imposed for the use of a public right-of-way based on a percentage of the service revenue, and the fee exceeds the incremental direct costs incurred by the governmental authority associated with the provision of that right-of-way to the provider of internet access service.

Nothing in this subdivision shall be interpreted as an exemption from taxes due on goods or services that were subject to tax on January 1, 2016;

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

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

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

**(47) All sales of diapers. For the purposes of this subdivision, “diapers” shall mean absorbent garments worn by infants or toddlers who are not toilet-trained or by individuals who are incapable of controlling their bladder or bowel movements;**

**(48) All sales of feminine hygiene products. For the purposes of this subdivision, “feminine hygiene products” shall mean tampons, pads, liners, and cups.**

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an “affiliated person” means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.”; and

Further amend the title and enacting clause accordingly.

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

Senator Coleman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 143, Page 1, Section A, Line 3, by inserting after all of said line the following:

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

(1) “Local food pantry”, any food pantry that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

(b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;

(2) “Local homeless shelter”, any homeless shelter that is:

(a) Exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

(b) Providing temporary living arrangements, in the area in which the taxpayer claiming the tax credit under this section resides, for individuals and families who otherwise lack a fixed, regular, and adequate nighttime residence and lack the resources or support networks to obtain other permanent housing;

(3) “Local soup kitchen”, any soup kitchen that is:

(a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

(b) Providing prepared meals through an established congregate feeding operation to needy, low-income persons including, but not limited to, homeless persons in the area in which the taxpayer claiming the tax credit under this section resides;

(4) “Taxpayer”, an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. (1) Beginning on March 29, 2013, any donation of cash or food made to a local food pantry on or after January 1, 2013, unless such food is donated after the food's expiration date, shall be eligible for tax credits as provided by this section.

(2) Beginning on August 28, 2018, any donation of cash or food made to a local soup kitchen or local homeless shelter on or after January 1, 2018, unless such food is donated after the food's expiration date, shall be eligible for a tax credit as provided under this section.

(3) Any taxpayer who makes a donation that is eligible for a tax credit under this section shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the

extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent tax years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law. No taxpayer shall be able to claim more than one credit under this section for a single donation.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry, local soup kitchen, or local homeless shelter in any one fiscal year shall not exceed [one] **two** million seven hundred fifty thousand dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry, local soup kitchen, or local homeless shelter may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry, local soup kitchen, or local homeless shelter shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of August 28, 2018, and shall expire on December 31, [2026] **2027**, unless reauthorized by the general assembly; and

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

(3) The provisions of this subsection shall not be construed to limit or in any way impair a taxpayer's ability to redeem tax credits authorized on or before the date the program authorized under this section expires.”; and

Further amend the title and enacting clause accordingly.

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

Senator Beck moved that **SS** for **SB 143**, as amended, be adopted, which motion prevailed.

On motion of Senator Beck, **SS** for **SB 143**, as amended, was declared perfected and ordered printed.

Senator Brattin moved that **SB 131**, with **SCS**, **SS No. 3** for **SCS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** to **SA 1** was again taken up.

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

Senator Beck offered **SA 2**:

#### SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 131, Page 2, Section 135.098, Line 20, by inserting after “ammunition” the following: “**made in the United States and**”; and

Further amend said bill, page 4, section 144.064, line 11, by inserting after “ammunition” the following: “**made in the United States and**”; and further amend line 16, by inserting after “ammunition” the following: “**made in the United States**”.

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

Senator Hough offered **SA 3**:

#### SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 131, Page 4, Section 144.064, Line 25, by inserting after all of said line the following:

**“252.355. 1. Any person having paid an amount of sales tax during a calendar year that is equal or greater than the cost of a hunting or fishing permit shall be eligible to receive a hunting or fishing permit for such year free of charge.**

**2. A person applying for a hunting or fishing permit pursuant to this section shall submit proof of having paid sufficient amount of sales tax to qualify for a free permit pursuant to this section. The commission shall publish information on its website indicating the required amount of sales tax paid in order to qualify for a free hunting or fishing permit.**

**3. The commission shall issue each hunting and fishing permit upon receiving sufficient proof of sales tax paid, unless the individual requesting a permit pursuant to this section is otherwise prohibited from possessing a hunting permit or fishing permit by statute, rule, or regulation.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Brattin moved that **SS No. 3** for **SCS** for **SB 131**, as amended, be adopted, which motion prevailed.

On motion of Senator Brattin, **SS No. 3** for **SCS** for **SB 131**, as amended, was declared perfected and ordered printed.

Senator Bernskoetter moved that **SB 22** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Bernskoetter offered **SS** for **SB 22**, entitled:

**SENATE SUBSTITUTE FOR  
SENATE BILL NO. 22**

An Act to repeal sections 211.031, 211.071, 217.345, and 217.690, RSMo, and to enact in lieu thereof five new sections relating to criminal procedures involving juveniles, with an emergency clause for certain sections.

Senator Bernskoetter moved that **SS** for **SB 22** be adopted.

Senator Luetkemeyer offered **SA 1**:

**SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 22, Pages 5-9, Section 211.071, by striking all of said section from the bill; and

Further amend said bill, pages 9-10, section 211.600, by striking all of said section from the bill; and

Further amend said bill, pages 10-11, section 217.345, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Luetkemeyer moved that the above amendment be adopted.

Senator Bean assumed the Chair

At the request of Senator Bernskoetter, **SB 22**, with **SS**, and **SA 1** (pending), was placed on the Informal Calendar.

**REPORTS OF STANDING COMMITTEES**

Senator O'Laughlin, Chair of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 181**, **SB 63**, and **SS** for **SCS** for **SB 40** begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

**RESOLUTIONS**

Senator Hough offered Senate Resolution No. 285, regarding Sandy Howard, Springfield, which was adopted.



Senator Moon offered Senate Resolution No. 286, regarding the Missouri Trucking Association, which was adopted.

Senator Eslinger offered Senate Resolution No. 287, regarding Missouri's municipal utility lineworkers, which was adopted.

### **INTRODUCTION OF GUESTS**

Senator Luetkemeyer introduced to the Senate, 7<sup>th</sup> grade girl scout troop from Park Hill school district.

The President introduced to the Senate, Former Senator Wayne Wallingford and his wife Suzy; and Colonel John Clark and his wife Ann.

Senator Williams introduced to the Senate, Keyway center for diversion and reentry staff; and St. Louis community college chancellor, Jeff Pittman.

Senator Rizzo introduced to the Senate, Chief Strategy and Planning Officer for the North American subsidiary of FIFA, Amy Hopfinger.

Senator McCreery introduced to the Senate, Brad and Phyllis Hershey; and Emerson and Bradly McGee, Ladue; and Emerson and Bradly were made honorary pages.

Senator Eigel introduced to the Senate, 2023 MO Senate Arts Exhibit winner, Arianna Walker; her parents, Kristin and Brian; her sister, Abby; and her grandparents, Connie and Steve Walker, St. Charles.

Senator Brattin introduced to the Senate, Kristin, Noel, Natalie, Nicole and Nate Estes, Tipton; and UCM Marriage and Family Therapy Program director, Adriatik Likcani; Counselor, Nicole Larkin; staff, Allivia Zoern; Lauren Chamberlain; Amanda McCullough; Tim Welch; Riley Roling; Sarah Coldiron; Kailey Burgen; and Marcela Itah, Warrensburg; and Belton High School Theater Director, Tabitha Babcock; and Political Science teacher, Joni Harrell.

Senator Rizzo introduced to the Senate, Shawn Foster, Lee's Summit.

Senator Razer introduced to the Senate, South KC Chamber of Commerce President, Vickie Wolgast.

Senator Fitzwater introduced to the Senate, Caleb Arthur, Springfield.

On motion of Senator O'Laughlin the Senate adjourned under the rules.

### **SENATE CALENDAR**

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FORTIETH DAY—THURSDAY, MARCH 23, 2023

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### **FORMAL CALENDAR**

### **SECOND READING OF SENATE BILLS**

SB 456-Schroer  
SB 457-Schroer  
SB 458-Coleman

SB 459-Schroer  
SB 460-Brown (16)  
SB 461-Gannon

SB 462-Gannon	SB 509-Arthur
SB 463-Koenig	SB 510-Razer
SB 464-Luetkemeyer	SB 511-Crawford
SB 465-Schroer	SB 512-McCreery
SB 466-Schroer	SB 513-Hoskins
SB 467-Schroer	SB 514-Hoskins
SB 468-Roberts	SB 515-McCreery
SB 469-Hoskins	SB 516-McCreery
SB 470-Bernskoetter	SB 517-Roberts
SB 471-Bernskoetter	SB 518-Carter
SB 472-Bernskoetter	SB 519-Hoskins
SB 473-Hough	SB 520-Cierpiot
SB 474-Hough	SB 521-Crawford
SB 475-Fitzwater	SB 522-Brown (26)
SB 476-Trent	SB 523-Bernskoetter
SB 477-Brattin	SB 524-Bernskoetter
SB 478-Cierpiot	SB 525-Brattin
SB 479-Cierpiot	SB 526-Brattin
SB 480-Thompson Rehder	SB 527-Gannon
SB 481-Thompson Rehder	SB 528-Arthur
SB 482-Schroer	SB 529-Brown (16)
SB 483-Eigel	SB 530-Brown (16)
SB 484-Eigel	SB 531-Washington
SB 485-Roberts	SB 532-Coleman
SB 486-Williams	SB 533-Coleman
SB 487-Williams	SB 534-Black
SB 488-Coleman	SB 535-Fitzwater
SB 489-Schroer	SB 536-Fitzwater
SB 490-Schroer	SB 537-Fitzwater
SB 491-Cierpiot	SB 538-Fitzwater
SB 492-Trent	SB 539-Trent
SB 493-Crawford	SB 540-Eigel
SB 494-Eslinger	SB 541-Eigel
SB 495-Eslinger	SB 542-Eigel
SB 496-Eslinger	SB 543-Eigel
SB 497-Eigel	SB 544-Eigel
SB 498-Eigel	SB 545-Rowden
SB 499-Eigel	SB 546-Bean
SB 500-Eigel	SB 547-Black
SB 501-Eigel	SB 548-McCreery
SB 502-Schroer	SB 549-Fitzwater
SB 503-Thompson Rehder	SB 550-Eslinger
SB 504-Thompson Rehder	SB 551-Eslinger
SB 505-Thompson Rehder	SB 552-Eslinger
SB 506-Moon	SB 553-Eslinger
SB 507-Gannon	SB 554-McCreery
SB 508-Brown (26)	SB 555-Bean

SB 556-Beck	SB 603-Coleman
SB 557-Schroer	SB 604-McCreery
SB 558-Schroer	SB 605-McCreery
SB 559-Schroer	SB 606-Trent
SB 560-Schroer	SB 607-Trent
SB 561-Washington	SB 608-Gannon
SB 562-Washington	SB 609-Cierpiot
SB 563-Washington	SB 610-Eigel
SB 564-Luetkemeyer	SB 611-Eigel
SB 565-Koenig	SB 612-Roberts
SB 566-Coleman	SB 613-Arthur
SB 567-Cierpiot	SB 614-Thompson Rehder
SB 568-Black and Cierpiot	SB 615-Black
SB 569-Trent	SB 616-Black
SB 570-Bernskoetter	SB 617-Black
SB 571-Rowden	SB 618-Rizzo
SB 572-Schroer	SB 619-Mosley
SB 573-Schroer and Luetkemeyer	SB 620-Carter
SB 574-May	SB 621-Koenig
SB 575-Schroer	SB 622-Roberts
SB 576-Schroer	SB 623-McCreery
SB 577-O'Laughlin	SB 624-McCreery
SB 578-Trent	SB 625-Razer
SB 579-Washington	SB 626-May
SB 580-Washington	SB 627-Trent
SB 581-Washington	SB 628-Trent
SB 582-Washington	SB 629-Black
SB 583-Washington	SB 630-Bernskoetter
SB 584-Razer and McCreery	SB 631-Schroer
SB 585-Eigel	SB 632-Schroer
SB 586-Crawford	SB 633-Brown (16)
SB 587-Bean	SB 634-Black
SB 588-Hoskins	SB 635-Beck
SB 589-Koenig	SB 636-Brown (16)
SB 590-Brattin	SB 637-Schroer
SB 591-Bernskoetter	SB 638-Fitzwater
SB 592-Roberts	SB 639-Bernskoetter
SB 593-May	SB 640-Roberts
SB 594-Koenig	SB 641-Washington
SB 595-Thompson Rehder	SB 642-Eslinger
SB 596-Fitzwater	SB 643-Washington
SB 597-Fitzwater	SB 644-Koenig
SB 598-Brattin	SB 645-Fitzwater
SB 599-Bean	SB 646-Razer
SB 600-Schroer	SB 647-Bernskoetter
SB 601-Black	SB 648-Thompson Rehder
SB 602-Coleman	SB 649-Fitzwater

SB 650-Trent	SB 690-Roberts
SB 651-Eigel	SB 691-Razer
SB 653-Roberts	SB 692-Eigel
SB 654-Eigel	SB 693-Eigel
SB 655-Moon	SB 694-Eigel
SB 656-Fitzwater	SB 695-Bean
SB 657-Crawford	SB 696-Hoskins
SB 658-Eigel	SB 697-Hoskins
SB 659-McCreery	SB 698-Hoskins
SB 660-McCreery	SB 699-Brattin
SB 661-McCreery	SB 700-Luetkemeyer
SB 662-McCreery	SB 701-Schroer
SB 663-Cierpiot	SB 702-Beck
SB 664-Gannon	SB 703-Eslinger
SB 665-Gannon	SB 704-Eslinger
SB 666-Black	SB 705-Rizzo
SB 667-Eslinger	SB 706-Koenig
SB 668-Roberts	SB 707-Trent
SB 669-Arthur	SB 708- O'Laughlin, et al
SB 670-Arthur	SB 709-O'Laughlin
SB 671-Carter	SB 710-Moon and Carter
SB 672-Carter	SB 711-Eigel
SB 673-May	SB 712-Brown (26)
SB 674-May	SB 713-Washington
SB 675-Washington	SB 714-Washington
SB 676-Washington	SB 715-Washington
SB 677-Trent	SB 716-Washington
SB 678-Trent	SB 717-Fitzwater
SB 679-Trent	SB 718-Fitzwater
SB 680-Brown (26)	SB 719-Fitzwater
SB 681-Eigel	SB 720-Hoskins
SB 682-Eigel	SB 721-Roberts
SB 683-Trent	SB 722-Washington
SB 684-Luetkemeyer	SB 723-Washington
SB 685-Coleman	SJR 42-Carter, et al
SB 686-Coleman	SJR 43-Schroer
SB 687-Coleman	SJR 46-Black
SB 688-Bernskoetter	SJR 47-Rizzo
SB 689-McCreery	

#### HOUSE BILLS ON SECOND READING

HCS for HB 184  
HCS for HBs 640 & 729  
HCS for HB 417

HCS for HB 268  
HB 415-O'Donnell  
HCS for HBs 994, 52 & 984

HB 730-C. Brown  
HS for HCS for HB 186  
HCS for HB 655  
HCS for HB 154  
HCS for HBs 575 & 910  
HCS#2 for HB 713  
HCS for HBs 903, 465, 430 & 499  
HCS for HBs 702, 53, 213, 216, 306 & 359  
HCS for HJR 37  
HB 70-Dinkins  
HB 202-Francis  
HCS for HBs 133 & 583  
HCS for HB 253  
HB 402-Henderson  
HB 827-Christofanelli  
HB 677-Copeland  
HB 585-Owen  
HCS for HB 461  
HCS for HB 454  
HB 490-Sharpe (4)  
HCS for HBs 47 & 638  
HB 630-Knight

HCS for HBs 919 & 1081  
HCS for HB 668  
HCS for HBs 802, 807 & 886  
HB 131-Griffith (Bernskoetter)  
HCS for HB 587  
HCS for HB 715  
HB 81-Veit  
HCS for HB 909  
HCS for HBs 117, 343 & 1091  
HB 94-Schwadron  
HCS for HB 1019  
HB 1010-Christofanelli  
HCS for HBs 556 & 581  
HCS for HB 467  
HB 132-Griffith  
HCS for HB 475  
HB 129-Griffith  
HCS for HB 130  
HB 283-Kelly (141)  
HB 644-Francis  
HB 923-Hovis

### THIRD READING OF SENATE BILLS

1. SS for SCS for SB 8-Eigel  
(In Fiscal Oversight)
2. SS for SCS for SB 133-Moon  
(In Fiscal Oversight)
3. SJR 26-Fitzwater (In Fiscal Oversight)
4. SS#2 for SB 39-Thompson Rehder, et al  
(In Fiscal Oversight)
5. SS#2 for SCS for SBs 49, 236 &  
164-Moon, et al
6. SJR 35-Schroer (In Fiscal Oversight)
7. SB 247-Brown (16) (In Fiscal Oversight)
8. SS for SB 181-Crawford
9. SB 63-Roberts and Rizzo
10. SS for SCS for SB 40-Thompson Rehder

### SENATE BILLS FOR PERFECTION

1. SB 222-Trent
2. SB 157-Black, with SCS
3. SBs 56 & 61-Bean, with SCS
4. SJR 21-Roberts
5. SB 30-Luetkemeyer
6. SB 136-Eslinger
7. SB 140-Bean, with SCS
8. SB 213-Beck
9. SB 245-Arthur
10. SB 214-Beck
11. SB 80-Schroer
12. SB 227-Coleman
13. SB 88-Brown (26), with SCS
14. SB 79-Schroer, with SCS
15. SB 155-Black
16. SB 138-Eslinger

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| 17. SB 38-Williams, with SCS           | 20. SB 106-Arthur and Thompson Rehder,<br>with SCS |
| 18. SBs 167 & 171-Brown (26), with SCS | 21. SB 152-Trent                                   |
| 19. SB 198-Thompson Rehder             |  |

#### HOUSE BILLS ON THIRD READING

HCS for HJR 43 (Crawford)  
(In Fiscal Oversight)

HCS for HBs 115 & 99 (Eslinger)

#### INFORMAL CALENDAR

#### SENATE BILLS FOR PERFECTION

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|--|---|
| SB 5-Koenig, with SCS  | SB 92-Hoskins, with SCS                                       |
| SB 15-Cierpiot, with SS (pending)                            | SBs 93 & 135-Hoskins, with SCS & SS for<br>SCS (pending)      |
| SB 21-Bernskoetter, with SCS (pending)                       | SB 105-Cierpiot, with SS & SA 2 (pending)                     |
| SB 22-Bernskoetter, with SS &<br>SA 1 (pending)              | SB 110-Bernskoetter   |
| SB 35-May  | SB 112-Hough  |
| SB 44-Brattin  | SB 115-Brown (16)   |
| SBs 73 & 162-Trent, with SCS, SS for SCS<br>& SA 2 (pending) | SB 117-Luetkemeyer, with SS, SA 1 & SA 1<br>to SA 1 (pending) |
| SB 81-Coleman, with SCS                                      | SB 151-Fitzwater, with SA 2 (pending)                         |
| SB 85-Carter, with SCS, SS for SCS &<br>SA 1 (pending)       |   |

#### RESOLUTIONS

SR 22-Roberts

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