Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SIXTH DAY - TUESDAY, MAY 9, 2023

The Senate met pursuant to adjournment.

President Kehoe in the Chair.

Senator Schroer offered the following prayer:

Oh, Lord Almighty, hear our plea. As we gather here, we bow to Thee. We ask for guidance in this hour, and blessings on each legislative power. The wars abroad, they rage on still. Give strength to those with righteous will. May they fight for freedom's call, and bring an end to tyranny's thrall. In St. Louis, violence reigns, terrorizing the streets and causing pains. We pray for peace to come at last, and safety for those who face the blast. The officers who serve and protect are often left to face neglect. We ask that You shield them from harm, and grant a legislature that listens to the voice sounding the alarm. Lord, we ask for courage and might to resist special interests' blight. May we work for the greater good and serve our constituents as we should. May Your love and mercy guide us on our way, as we go forth to serve and live each day. With hearts filled with gratitude and praise, we lift our voices in thanksgiving and offer our humble ways. In Jesus' name, Amen.

The Pledge of Allegiance to the Flag was recited.

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

The Journal of the previous day was read and approved.

Photographers from the Columbia Missourian, Nexstar Media Group, St. Louis Public Radio, and KOMU 8 were given permission to take pictures in the Senate Chamber.

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

Present—Senators

Arthur	Bean	Beck	Bernskoetter	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	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—34	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

PETITIONS

Senator Schroer submitted the following:

Petition to the Honorable Members of the Missouri Senate,

We, the undersigned, bring to your attention the dire state of the St. Louis City Police Department (SLMPD) and its employees. We urge you to take action to establish State Control of the SLMPD and its employees.

The Ethical Society of Police stands in complete favor of State Control of the SLMPD and its employees. The current situation, where the department is under local control by the city government, has led to the loss of numerous good officers due to poor working conditions. This has left the department severely understaffed, leading to a rise in crime rates and putting the safety of citizens at risk.

It is clear that the city government has prioritized funding social service programs over supporting the St. Louis City Police Department (SLMPD). While social service programs are essential, they do not share nor work hand in hand with patrol officers. The city has diverted funds from the patrol budget, but the community has not seen positive results from these reinvestment. Instead, there has been a significant rise in crime rates, leading to a less safe and secure city.

Over the past 10 years, the local government has failed to provide any type of crime prevention plan or to adopt national practices pertaining to crime or policing. Instead, invoices for services and equipment have gone unpaid, and training has become a thing of the past. Recruiting efforts are nonexistent, and there is a lack of respect for SLMPD personnel, both civilian and commissioned. This has resulted in a demoralized police force, leading to an increase in crime rates.

The SLMPD should not be faced with the option of abandoning the city they love or increasing danger on the job. The city has reallocated funds intended for police patrol. The city has failed to pay bills relating to the police department, causing commanders to be subjected to collection phone calls from vendors pertaining to non-payment by the city. Violent crime has soared, and the city continues to top the most dangerous cities list.

The current level of 911 calls almost double the amount of city residences while the city fails to invest in 911 dispatchers, leaving calls to go unanswered, and people's lives at risk. The patrol budget has been gutted, leading to an understaffed and overworked police force.

We implore the Missouri Senate to take immediate action to establish State Control of the SLMPD and its employees. This will ensure that the department is adequately staffed, trained, and equipped to provide effective policing services to the citizens of St. Louis. We believe that this will lead to a safer and more secure city, which is in the best interest of all citizens.

Thank you for your attention to this matter.

Sincerely,
Donny Walters, President
The Ethical Society of Police
Representing 260 Police Officers

RESOLUTIONS

Senator May offered Senate Resolution No. 463, regarding Aubrey Atkins, which was adopted.

Senator May offered Senate Resolution No. 464, regarding Kelsea Myers, which was adopted.

Senator Brown (16) offered Senate Resolution No. 465, regarding Laurie Ann Buffington, Rolla, which was adopted.

Senator Brown (16) offered Senate Resolution No. 466, regarding Jalena Rene Lott, Newburg, which was adopted.

Senator Brown (16) offered Senate Resolution No. 467, regarding Vicky Diane Giacolone, Rolla, which was adopted.

Senator Brown (26) offered Senate Resolution No. 468, regarding Metal Finishing Equipment Company, Warrenton, which was adopted.

Senator Beck offered Senate Resolution No. 469, regarding Thomas F. McCarthy, Crestwood, 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 adopted **SS**, as amended, for **SCS** for **HCS** for **HB 417** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 417**, as amended.

Emergency Clause Adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS No. 3** for **HCS** for **HJR 43**, and has taken up and passed **CCS** for **SS No. 3** for **HCS** for **HJR 43**.

REPORTS OF STANDING COMMITTEES

Senator Thompson Rehder, Chair of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HCS** for **HB 779**, with **SCS**, **HCS** for **HB 1023**, and **HCS** for **HBs 948** and **915**, begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Crawford moved that **SB 101**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 101**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 101

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.

Was taken up.

Senator Crawford moved that **HCS** for **SB 101**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Gannon	Hoskins	Koenig	Luetkemeyer	McCreery	Mosley
O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Williams—30					

NAYS—Senator Moon—1

Absent—Senators

Hough	May	Washington—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Crawford, **HCS** for **SB 101** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Eslinger
Fitzwater	Gannon	Hoskins	Koenig	Luetkemeyer	May	McCreery
Mosley	O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer
Thompson Rehder	Trent	Washington	Williams—32			

NAYS—Senator Moon—1

Absent—Senator Hough—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Black moved that **SS** for **SB 75**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SB 75**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 75

An Act to repeal sections104.160, 104.380, 104.1039, 169.070, 169.141, 169.560, 169.596, and 169.715, RSMo, and to enact in lieu thereof eight new sections relating to retirement systems.

Was taken up.

Senator Black moved that **HCS** for **SS** for **SB 75**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bean	Bernskoetter	Black	Brown (16th Dist.)	Brown (26th Dist.)	Cierpiot
Coleman	Crawford	Eigel	Eslinger	Fitzwater	Gannon	Hoskins
Luetkemeyer	McCreery	Mosley	O'Laughlin	Razer	Rizzo	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—27	

NAYS—Senators

Brattin	Carter	Koenig	Moon—4

Absent—Senators

Beck	Hough	May—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Black, **HCS** for **SS** for **SB 75** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brown (16th Dist.)	Brown (26th Dist.)
Carter	Cierpiot	Coleman	Crawford	Eslinger	Fitzwater	Gannon
Hoskins	Luetkemeyer	McCreery	Mosley	O'Laughlin	Razer	Rizzo
Roberts	Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—28

NAYS—Senators

Brattin	Eigel	Koenig	Moon—4

Absent—Senators

Hough	May—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

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

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

Senator O′Laughlin moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Crawford moved that **SCS** for **SB 103**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 103**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 103

An Act to repeal sections 476.055, 485.060, 488.650, 509.520, and 565.240, RSMo, and to enact in lieu thereof eleven new sections relating to judicial proceedings, with penalty provisions.

Was taken up.

Senator Fitzwater assumed the Chair.

Senator Crawford moved that **HCS** for **SCS** for **SB 103**, as amended, be adopted.

President Kehoe assumed the Chair.

HCS for **SCS** for **SB 103**, as amended, was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brown (16th Dist.)	Cierpiot
Coleman	Crawford	Fitzwater	Gannon	Hoskins	Koenig	Luetkemeyer
May	McCreery	Mosley	O'Laughlin	Razer	Rizzo	Roberts
Rowden	Schroer	Thompson Rehder	Trent	Washington	Williams—27	

NAYS—Senators

Brattin	Brown (26th Dist.)	Carter	Eigel	Moon—5

Absent—Senator Hough—1

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Crawford, **HCS** for **SCS** for **SB 103** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators

Brattin	Brown (26th Dist.)	Carter	Eigel	Moon—5

Absent—Senators

Cierpiot	Hough—2

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

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

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

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Rowden appointed the following conference committee to act with a like committee from the House on **SB 109**, with **HCS**, as amended: Senators Bernskoetter, Thompson Rehder, Crawford, McCreery, and Washington.

PRIVILEGED MOTIONS

Senator Brown (16), on behalf of the conference committee appointed to act with a like committee from the House on **SB 28**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 28

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 28, with House Amendment Nos. 2, 3, 4, 5, 6, 7, and 8, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9, House Substitute Amendment No. 1 for House Amendment No. 9 as amended, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10 as amended, House Amendment Nos. 1, 2, and 3 to House Amendment No. 11, House Amendment No. 11 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 28, as amended;

2. That the Senate recede from its position on Senate Bill No. 28;

3. That the attached Conference Committee Substitute for Senate Bill No. 28 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Justin Brown (16)	/s/ Lane Roberts
/s/ Mike Bernskoetter	/s/ Chad Perkins
/s/ Mike Cierpiot	/s/ Ron Copeland
/s/ Brian Williams	/s/ Marlon Anderson
/s/ Greg Razer	/s/ Michael Burton

Senator Brown (16) moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Brown (16), **CCS** for **SB 28**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 28

An Act to repeal sections 37.725, 43.539, 43.540, 105.1500, 193.265, and 610.021, RSMo, and to enact in lieu thereof nine new sections relating to access to certain records, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brown (16th Dist.)	Brown (26th Dist.)
Carter	Cierpiot	Coleman	Crawford	Eigel	Fitzwater	Gannon
Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery	Mosley
O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Washington	Williams—31				

NAYS—Senators

Brattin Moon—2

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Brown (16), title to the bill was agreed to.

Senator Brown (16) moved that the vote by which the bill passed be reconsidered.

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

Senator Gannon moved that the Senate refuse to concur in **HCS** for **SB 47**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Thompson Rehder, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **SB 127**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 127

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 127, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House

Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 4, House Amendment Nos. 1 and 2 to House Amendment No. 5, and House Amendment No. 5 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 127, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 127;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 127 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Holly Thompson Rehder	/s/ Rick Francis
/s/ Travis Fitzwater	/s/ Cyndi Buchheit-Courtway
/s/ Jason Bean	Justin Sparks
/s/ Steve Roberts	/s/ Donna Baringer
/s/ Brian Williams	/s/ Eric Woods

Senator Thompson Rehder moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Fitzwater
Gannon	Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery
Mosley	O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer
Thompson Rehder	Trent	Washington	Williams—32			

NAYS—Senator Moon—1

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Thompson Rehder, **CCS** for **SS** for **SCS** for **SB 127**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 127

An Act to repeal sections 226.1150, 227.297, 227.299, 227.441, and 227.539, RSMo, and to enact in lieu thereof twenty-four new sections relating to state designations marked by the department of transportation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)

Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Fitzwater
Gannon	Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery
Mosley	O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer
Thompson Rehder	Trent	Washington	Williams—32			

NAYS—Senator Moon—1

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

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

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

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

Senator Bean, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SB 139**, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE BILL NO. 139

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 139, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9, House Amendment Nos. 1 and 2 to House Amendment No. 11, House Amendment No. 11 as amended, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 13, House Amendment No. 13 as amended, and House Amendment Nos. 14, 15, and 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Bill No. 139, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 139;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Bill No. 139 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Jason Bean	/s/ Dave Griffith
/s/ Denny Hoskins	/s/ Mazzie Boyd
/s/ Curtis Trent	/s/ Brian Seitz
/s/ Brian Williams	/s/ David Tyson Smith (46)
/s/ Greg Razer	/s/ Chantelle Nickson-Clark

Senator Bean moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Cierpiot	Coleman	Crawford	Eigel	Fitzwater
Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery	Mosley
O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Washington	Williams—31				

NAYS—Senator Moon—1

Absent—Senator Gannon—1

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Bean **CCS** for **SS** for **SB 139**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 139

An Act to repeal sections 9.138, 226.1150, 227.297, and 227.299, RSMo, and to enact in lieu thereof twenty new sections relating to state designations.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Coleman	Crawford	Eigel	Fitzwater	Gannon
Hoskins	Hough	Koenig	Luetkemeyer	May	McCreery	Mosley
O'Laughlin	Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder
Trent	Washington	Williams—31				

NAYS—Senator Moon—1

Absent—Senator Cierpiot—1

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

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

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

Senator O′Laughlin moved that motion lay on the table, which motion prevailed.

Senator Trent moved that the conferees on **SS** for **SB 222**, with **HCS**, as amended, be allowed to exceed the differences on Sections 29.005, 29.225, 29.235, and 610.021, which motion prevailed by a standing division vote.

Senator Fitzwater moved that **SS** for **SCS** for **SB 70**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 70**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 70

An Act to repeal sections 191.500, 191.505, 191.510, 191.515, 191.520, 191.525, 191.530, 191.535, 191.540, 191.545, 191.550, 191.600, 191.828, 191.831, 195.100, 334.043, 334.100, 334.506, 334.613, 334.735, 334.747, 335.203, 335.212, 335.215, 335.218, 335.221, 335.224, 335.227, 335.230, 335.233, 335.236, 335.239, 335.242, 335.245, 335.248, 335.251, 335.254, 335.257, 337.510, 337.615, 337.644, and 337.665, RSMo, and to enact in lieu thereof sixty-three new sections relating to professions requiring licensure.

Was taken up.

Senator Fitzwater moved that **HCS** for **SS** for **SCS** for **SB 70**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Coleman	Crawford	Eigel	Fitzwater	Gannon
Hoskins	Koenig	Luetkemeyer	May	McCreery	Mosley	O'Laughlin
Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder	Trent
Washington	Williams—30					

NAYS—Senator Moon—1

Absent—Senators

Cierpiot	Hough—2

Absent with leave—Senator Eslinger—1

Vacancies—None

On motion of Senator Fitzwater, **HCS** for **SS** for **SCS** for **SB 70** was read the 3rd time and passed by the following vote:

YEAS—Senators

Arthur	Bean	Beck	Bernskoetter	Black	Brattin	Brown (16th Dist.)
Brown (26th Dist.)	Carter	Coleman	Crawford	Eigel	Fitzwater	Gannon
Hoskins	Koenig	Luetkemeyer	May	McCreery	Mosley	O'Laughlin
Razer	Rizzo	Roberts	Rowden	Schroer	Thompson Rehder	Trent
Washington	Williams—30					

NAYS—Senator Moon—1

Absent—Senators

Cierpiot	Hough—2

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

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

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

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

On motion of Senator Thompson Rehder, **HCS** for **HBs 802**, **807**, and **886**, with **SCS**, **SA 1**, and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Thompson Rehder, the point of order was withdrawn.

At the request of Senator Brattin, **SA 1** was withdrawn.

Senator Thompson Rehder moved that **SCS** for **HCS** for **HBs 802**, **807**, and **886** be adopted.

Senator Brown (16) assumed the Chair.

President Kehoe assumed the Chair.

Senator Fitzwater assumed the Chair.

Senator Thompson Rehder moved that **SCS** for **HCS** for **HBs 802**, **807**, and **886**, be adopted, which motion prevailed.

On motion of Senator Thompson Rehder, **SCS** for **HCS** for **HBs 802, 807**, and **886** was read the 3rd time and passed by the following vote:

YEAS—Senators

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

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Eslinger—1

Vacancies—None

The President declared the bill passed.

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

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

Senator O'Laughlin moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Brown (16) moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 187**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

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 **SS** for **SB 198**, entitled:

An Act to repeal sections 43.400, 43.401, 136.055, 167.019, 167.126, 190.600, 190.603, 190.606, 190.612, 193.265, 208.072, 210.113, 210.203, 210.305, 210.493, 210.565, 210.841, 211.221, 302.178, 302.181, 452.705, 452.730, 452.885, 487.110, 568.050, 701.336, 701.340, 701.342, 701.344, and 701.348, RSMo, and to enact in lieu thereof fifty-four new sections relating to vulnerable persons, with penalty provisions.

With HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 9, and HA 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 11, Section 190.600, Line 53, by deleting the words "or her" and inserting in lieu thereof the words "[or her]"; and

Further amend said bill, page and section, Line 59, by deleting the words "**or her**"; and

Further amend said bill, Page 12, Section 190.603, Line 8, by deleting the words "**or her**"; and

Further amend said bill, Page 14, Section 190.613, Line 12, by deleting the number "**190.615**" and inserting in lieu thereof the number "**190.621**"; and

Further amend said bill, Page 15, Section 191.240, Lines 5-20, by deleting all of said lines and inserting in lieu thereof the following:

"**2. A health care provider, or any student or trainee under the supervision of a health care provider, shall not knowingly perform a patient examination upon an anesthetized or unconscious patient in a health care facility unless:**

(1) The patient or a person authorized to make health care decisions for the patient has given specific informed consent to the patient examination for nonmedical purposes;

(2) The patient examination is necessary for diagnostic or treatment purposes;

(3) The collection of evidence through a forensic examination, as defined under subsection 8 of section 595.220, for a suspected sexual assault on the anesthetized or unconscious patient is necessary because the evidence will be lost or the patient is unable to give informed consent due to a medical condition; or

(4) Circumstances are present which imply consent, as described in section 431.063.

3. A health care provider shall notify a patient of any patient examination performed under subdivisions (2) to (4) of subsection 2 of this section if the patient is unable to give verbal or written consent.

4. A health care provider who violates the provisions of this section, or who supervises a student or trainee who violates the provisions of this section, shall be subject to discipline by any licensing board that licenses the health care provider."; and

Further amend said bill, Page 16, Section 191.1825, Line 15, by deleting the word "**forced**" and inserting in lieu thereof the word "**required**"; and

Further amend said bill, Pages 16-17, Section 191.1835, Lines 1-33, by deleting all of said section and lines and inserting in lieu thereof the following:

"**191.1835. 1. The medical university shall establish, with the advice of the advisory committee, a system for the collection and dissemination of information determining the incidence and prevalence of Parkinson's disease and parkinsonism.**

2. (1) Parkinson's disease and parkinsonism shall be designated as diseases required to be reported to the registry. Beginning August 28, 2024, all cases of Parkinson's disease and parkinsonism diagnosed or treated in this state shall be reported to the registry.

(2) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, the mere incidence of a patient with Parkinson's disease or parkinsonism shall be the sole required information for the registry for any patient who chooses not to participate as described in section 191.1825. No further data shall be reported to the registry for patients who choose not to participate.

3. The medical university may create, review, and revise a list of data points required to be collected as part of the mandated reporting of Parkinson's disease and parkinsonism under this section. Any such list shall include, but not be limited to, necessary triggering diagnostic conditions consistent with the latest International Statistical Classification of Diseases and Related Health Problems and resulting case data on issues including, but not limited to, diagnosis, treatment, and survival.

4. At least ninety days before reporting to the registry is required under this section, the medical university shall publish on its website a notice about the mandatory reporting of Parkinson's disease and parkinsonism and may also provide such notice to professional associations representing physicians, nurse practitioners, and hospitals.

5. Beginning August 28, 2024, any hospital, facility, physician, surgeon, physician assistant, or nurse practitioner diagnosing or responsible for providing primary treatment to patients with Parkinson's disease or patients with parkinsonism shall report each case of Parkinson's disease and each case of parkinsonism to the registry in a format prescribed by the medical university.

6. The medical university shall be authorized to enter into data-sharing contracts with data-reporting entities and their associated electronic medical record system vendors to securely and confidentially receive information related to Parkinson's disease testing, diagnosis, and treatment.

7. The medical university may implement and administer this section through a bulletin or similar instruction to providers without the need for regulatory action."; and

Further amend said bill, Page 18, Section 191.1845, Lines 1-31, by deleting all of said section and lines and inserting in lieu thereof the following:

"**191.1845. 1. Except as otherwise provided in sections 191.1820 to 191.1855, all information collected under sections 191.1820 to 191.1855 shall be confidential. For purposes of sections 191.1820 to 191.1855, this information shall be referred to as confidential information.**

2. To ensure privacy, the medical university shall use a coding system for the registry that removes any identifying information about patients.

3. Notwithstanding any other provision of law to the contrary, a disclosure authorized under sections 191.1820 to 191.1855 shall include only the information necessary for the stated purpose of the requested disclosure, shall be used for the approved purpose, and shall not be further disclosed.

4. Provided the security of confidential information has been documented, the furnishing of confidential information to the medical university or its authorized representatives in accordance with sections 191.1820 to 191.1855 shall not expose any person, agency, or entity furnishing the confidential information to liability and shall not be considered a waiver of any privilege or a violation of a confidential relationship.

5. The medical university shall maintain an accurate record of all persons given access to confidential information. The record shall include the name of the person authorizing access; the name, title, address, and organizational affiliation of the person given access; dates of access; and the specific purpose for which the confidential information is to be used. The record of access shall be open to public inspection during normal operating hours of the medical university.

6. (1) Notwithstanding any other provision of law to the contrary, confidential information shall not be available for subpoena and shall not be disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, or other proceeding. Confidential information shall not be deemed admissible as evidence in any civil, criminal, administrative, or other tribunal or court for any reason.

(2) The provisions of this subsection shall not be construed to prohibit the publication by the medical university of reports and statistical compilations that do not in any way identify individual cases or individual sources of information.

(3) Notwithstanding the restrictions in this subsection to the contrary, the individual to whom the information pertains shall have access to his or her own information."; and

Further amend said bill, Page 32, Section 210.1360, Lines 1-9, by deleting all of said section and lines and inserting in lieu thereof the following:

"**210.1360. 1. Any personally identifiable information regarding any child under eighteen years of age receiving child care from any provider or applying for or receiving any services through a state program shall not be subject to disclosure except as otherwise provided by law.**

2. This section shall not prohibit any state agency from disclosing personally identifiable information to governmental entities or its agents, vendors, grantees, and contractors in connection to matters relating to its official duties. The provisions of this section shall not apply to any state, county, or municipal law enforcement agency acting in its official capacity.

3. This section shall not prevent a parent or legal guardian from accessing the parent's or legal guardian's child's records."; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Section A, Line 4, by deleting the word "are" and inserting in lieu thereof the following:

"and section 192.530 as truly agreed to and finally passed by senate substitute for house bill no. 402, one hundred second general assembly, first regular session, are"; and

Further amends said bill, Page 52, Section 701.348, Line 5, by inserting after all of said section and line the following:

"**Section 1. The department of health and senior services shall include on its website an advance health care directive form and directions for completing such form as described in section 459.015. The department shall include a listing of possible uses for an advance health care directive, including to limit pain control to nonopioid measures.**

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

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

(2) "Health care provider", the same meaning given to the term in section 376.1350;

(3) "Voluntary nonopioid directive form", a form that may be used by a patient to deny or refuse the administration or prescription of a controlled substance containing an opioid by a health care provider.

2. In consultation with the board of registration for the healing arts and the board of pharmacy, the department shall develop and publish a uniform voluntary nonopioid directive form.

3. The voluntary nonopioid directive form developed by the department shall indicate to all prescribing health care providers that the named patient shall not be offered, prescribed, supplied with, or otherwise administered a controlled substance containing an opioid.

4. The voluntary nonopioid directive form shall be posted in a downloadable format on the department's publicly accessible website.

5. (1) A patient may execute and file a voluntary nonopioid directive form with a health care provider. Each health care provider shall sign and date the form in the presence of the patient as evidence of acceptance and shall provide a signed copy of the form to the patient.

(2) The patient executing and filing a voluntary nonopioid directive form with a health care provider shall sign and date the form in the presence of the health care provider or a designee of the health care provider. In the case of a patient who is unable to execute and file a voluntary nonopioid directive form, the patient may designate a duly authorized guardian or health care proxy to execute and file the form in accordance with subdivision (1) of this subsection.

(3) A patient may revoke the voluntary nonopioid directive form for any reason and may do so by written or oral means.

6. The department shall promulgate regulations for the implementation of the voluntary nonopioid directive form that shall include, but not be limited to:

(1) A standard method for the recording and transmission of the voluntary nonopioid directive form, which shall include verification by the patient's health care provider and shall comply with the written consent requirements of the Public Health Service Act, 42 U.S.C. Section 290dd-2(b), and 42 CFR Part 2, relating to confidentiality of alcohol and drug abuse patient records, provided that the voluntary nonopioid directive form shall also provide the basic procedures necessary to revoke the voluntary nonopioid directive form;

(2) Procedures to record the voluntary nonopioid directive form in the patient's medical record or, if available, the patient's interoperable electronic medical record;

(3) Requirements and procedures for a patient to appoint a duly authorized guardian or health care proxy to override a previously filed voluntary nonopioid directive form and circumstances under which an attending health care provider may override a previously filed voluntary nonopioid directive form based on documented medical judgment, which shall be recorded in the patient's medical record;

(4) Procedures to ensure that any recording, sharing, or distributing of data relative to the voluntary nonopioid directive form complies with all federal and state confidentiality laws; and

(5) Appropriate exemptions for health care providers and emergency medical personnel to prescribe or administer a controlled substance containing an opioid when, in their professional medical judgment, a controlled substance containing an opioid is necessary, or the provider and medical personnel are acting in good faith.

The department shall develop and publish guidelines on its publicly accessible website that shall address, at a minimum, the content of the regulations promulgated under this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this 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, 2023, shall be invalid and void.

7. A written prescription that is presented at an outpatient pharmacy or a prescription that is electronically transmitted to an outpatient pharmacy is presumed to be valid for the purposes of this section, and a pharmacist in an outpatient setting shall not be held in violation of this section for dispensing a controlled substance in contradiction to a voluntary nonopioid directive form, except upon evidence that the pharmacist acted knowingly against the voluntary nonopioid directive form.

8. (1) A health care provider or an employee of a health care provider acting in good faith shall not be subject to criminal or civil liability and shall not be considered to have engaged in unprofessional conduct for failing to offer or administer a prescription or medication order for a controlled substance containing an opioid under the voluntary nonopioid directive form.

(2) A person acting as a representative or an agent pursuant to a health care proxy shall not be subject to criminal or civil liability for making a decision under subdivision (3) of subsection 6 of this section in good faith.

(3) Notwithstanding any other provision of law, a professional licensing board, at its discretion, may limit, condition, or suspend the license of, or assess fines against, a health care provider who recklessly or negligently fails to comply with a patient's voluntary nonopioid directive form.]"; and

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 5, Section 136.055, Line 60, by inserting after said section and line the following:

"**161.244. 1. As used in this section, the following terms mean:**

(1) "Early childhood education services", programming or services intended to effect positive developmental changes in children prior to their entry into kindergarten;

(2) "Private entity", an entity that meets the definition of a licensed child care provider as defined in section 210.201, license exempt as described in section 210.211, or that is unlicensed but is contracted with the department of elementary and secondary education.

2. Subject to appropriation, the department of elementary and secondary education shall provide grants directly to private entities for the provision of early childhood education services. The standards prescribed in section 161.213 shall be applicable to all private entities that receive such grant moneys."; and

Further amend said bill, Page 21, Section 193.265, Line 81, by inserting after said section and line the following:

"197.020. 1. "Governmental unit" means any county, municipality or other political subdivision or any department, division, board or other agency of any of the foregoing.

2. "Hospital" means a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care for not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions; or a place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more nonrelated individuals. **The term "hospital" shall include a facility designated as a rural emergency hospital by the Centers for Medicare and Medicaid Services.** The term "hospital" does not include convalescent, nursing, shelter or boarding homes as defined in chapter 198.

3. "Person" means any individual, firm, partnership, corporation, company or association and the legal successors thereof.

205.565. The department of social services **and department of elementary and secondary education** may, subject to appropriation, use, administer and dispose of any gifts, grants, or in-kind services and may award grants to qualifying entities to carry out the caring communities program."; and

Further amend said bill, Page 49, Section 568.050, Line 27, by inserting after said section and line the following:

"595.209. 1. The following rights shall automatically be afforded to victims of dangerous felonies, as defined in section 556.061, victims of murder in the first degree, as defined in section 565.020, victims of voluntary manslaughter, as defined in section 565.023, victims of any offense under chapter 566, victims of an attempt to commit one of the preceding crimes, as defined in section 562.012, and victims of domestic assault, as defined in sections 565.072 to 565.076; and, upon written request, the following rights shall be afforded to victims of all other crimes and witnesses of crimes:

(1) For victims, the right to be present at all criminal justice proceedings at which the defendant has such right, including juvenile proceedings where the offense would have been a felony if committed by an adult, even if the victim is called to testify or may be called to testify as a witness in the case;

(2) For victims, the right to information about the crime, as provided for in subdivision (5) of this subsection;

(3) For victims and witnesses, to be informed, in a timely manner, by the prosecutor's office of the filing of charges, preliminary hearing dates, trial dates, continuances and the final disposition of the case. Final disposition information shall be provided within five days;

(4) For victims, the right to confer with and to be informed by the prosecutor regarding bail hearings, guilty pleas, pleas under chapter 552 or its successors, hearings, sentencing and probation revocation hearings and the right to be heard at such hearings, including juvenile proceedings, unless in the determination of the court the interests of justice require otherwise;

(5) The right to be informed by local law enforcement agencies, the appropriate juvenile authorities or the custodial authority of the following:

(a) The status of any case concerning a crime against the victim, including juvenile offenses;

(b) The right to be informed by local law enforcement agencies or the appropriate juvenile authorities of the availability of victim compensation assistance, assistance in obtaining documentation of the victim's losses, including, but not limited to and subject to existing law concerning protected information or closed records, access to copies of complete, unaltered, unedited investigation reports of motor vehicle, pedestrian, and other similar accidents upon request to the appropriate law enforcement agency by the victim or the victim's representative, and emergency crisis intervention services available in the community;

(c) Any release of such person on bond or for any other reason;

(d) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings, the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, and the right to have, upon written request of the victim, a partition set up in the probation or parole hearing room in such a way that the victim is shielded from the view of the probationer or parolee, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of personal appearance;

(7) For victims and witnesses, upon their written request, the right to be informed by the appropriate custodial authority, including any municipal detention facility, juvenile detention facility, county jail, correctional facility operated by the department of corrections, mental health facility, division of youth services or agency thereof if the offense would have been a felony if committed by an adult, postconviction or commitment pursuant to the provisions of chapter 552 of the following:

(a) The projected date of such person's release from confinement;

(b) Any release of such person on bond;

(c) Any release of such person on furlough, work release, trial release, electronic monitoring program, or to a community correctional facility or program or release for any other reason, in advance of such release;

(d) Any scheduled parole or release hearings, including hearings under section 217.362, regarding such person and any changes in the scheduling of such hearings. No such hearing shall be conducted without thirty days' advance notice;

(e) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(f) Any decision by a parole board, by a juvenile releasing authority or by a circuit court presiding over releases pursuant to the provisions of chapter 552, or by a circuit court presiding over releases under section 217.362, to release such person or any decision by the governor to commute the sentence of such person or pardon such person;

(g) Notification within thirty days of the death of such person;

(8) For witnesses who have been summoned by the prosecuting attorney and for victims, to be notified by the prosecuting attorney in a timely manner when a court proceeding will not go on as scheduled;

(9) For victims and witnesses, the right to reasonable protection from the defendant or any person acting on behalf of the defendant from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(10) For victims and witnesses, on charged cases or submitted cases where no charge decision has yet been made, to be informed by the prosecuting attorney of the status of the case and of the availability of victim compensation assistance and of financial assistance and emergency and crisis intervention services available within the community and information relative to applying for such assistance or services, and of any final decision by the prosecuting attorney not to file charges;

(11) For victims, to be informed by the prosecuting attorney of the right to restitution which shall be enforceable in the same manner as any other cause of action as otherwise provided by law;

(12) For victims and witnesses, to be informed by the court and the prosecuting attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(13) When a victim's property is no longer needed for evidentiary reasons or needs to be retained pending an appeal, the prosecuting attorney or any law enforcement agency having possession of the property shall, upon request of the victim, return such property to the victim within five working days unless the property is contraband or subject to forfeiture proceedings, or provide written explanation of the reason why such property shall not be returned;

(14) An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or for participating in the preparation of a criminal proceeding, or require any witness, victim, or member of a victim's immediate family to use vacation time, personal time, or sick leave for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or participating in the preparation of a criminal proceeding;

(15) For victims, to be provided with creditor intercession services by the prosecuting attorney if the victim is unable, as a result of the crime, temporarily to meet financial obligations;

(16) For victims and witnesses, the right to speedy disposition of their cases, and for victims, the right to speedy appellate review of their cases, provided that nothing in this subdivision shall prevent the defendant from having sufficient time to prepare such defendant's defense. The attorney general shall provide victims, upon their written request, case status information throughout the appellate process of their cases. The provisions of this subdivision shall apply only to proceedings involving the particular case to which the person is a victim or witness;

(17) For victims and witnesses, to be provided by the court, a secure waiting area during court proceedings and to receive notification of the date, time and location of any hearing conducted by the court for reconsideration of any sentence imposed, modification of such sentence or recall and release of any defendant from incarceration;

(18) For victims, the right to receive upon request from the department of corrections a photograph taken of the defendant prior to release from incarceration.

2. The provisions of subsection 1 of this section shall not be construed to imply any victim who is incarcerated by the department of corrections or any local law enforcement agency has a right to be

released to attend any hearing or that the department of corrections or the local law enforcement agency has any duty to transport such incarcerated victim to any hearing.

3. Those persons entitled to notice of events pursuant to the provisions of subsection 1 of this section shall provide the appropriate person or agency with their current addresses**, electronic mail addresses,** and telephone numbers or the addresses**, electronic mail addresses,** or telephone numbers at which they wish notification to be given.

4. Notification by the appropriate person or agency utilizing the statewide automated crime victim notification system as established in section 650.310 shall constitute compliance with the victim notification requirement of this section. If notification utilizing the statewide automated crime victim notification system cannot be used, then written notification shall be sent by certified mail **or electronic mail** to the most current address **or electronic mail address** provided by the victim.

5. Victims' rights as established in Section 32 of Article I of the Missouri Constitution or the laws of this state pertaining to the rights of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer."; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 21, Section 208.072, Line 9, by inserting after all of said section and line the following:

"208.247. **[**1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department:

(1) Meets one of the following criteria:

(a) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health; or

(b) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity; or

(c) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse; or

(d) Is determined by a division of alcohol and drug abuse certified treatment provider not to need substance abuse treatment; and

(2) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole; and

(3) Does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense after release from custody or, if not committed to custody, such person does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance misdemeanor or felony offense, within one year after the date of conviction. Such a plea or conviction within the first year after conviction shall immediately disqualify the person for the exemption; and

(4) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section including specifying criteria for determining active participation in and completion of a substance abuse treatment program.

4. The exemption under this section shall not apply to an individual who has pled guilty or nolo contendere to or is found guilty of two subsequent felony offenses involving possession or use of a controlled substance after the date of the first controlled substance felony conviction**] Pursuant to the option granted to the state under 21 U.S.C. Section 862a(d)(1), an individual convicted under federal or state law of a felony offense involving possession, distribution, or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for the supplemental nutrition assistance program for such convictions**."; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 1, Section A, Line 11, by inserting after said section and line the following:

"37.725. 1. Any files maintained by the advocate program shall be disclosed only at the discretion of the child advocate; except that the identity of any complainant or recipient shall not be disclosed by the office unless:

(1) The complainant or recipient, or the complainant's or recipient's legal representative, consents in writing to such disclosure; **[**or**]**

(2) Such disclosure is required by court order**; or**

(3) The disclosure is at the request of law enforcement as part of an investigation to ensure immediate child safety.

2. Any statement or communication made by the office relevant to a complaint received by, proceedings before, or activities of the office and any complaint or information made or provided in good faith by any person shall be absolutely privileged and such person shall be immune from suit.

3. Any representative of the office conducting or participating in any examination of a complaint who knowingly and willfully discloses to any person other than the office, or those persons authorized by the office to receive it, the name of any witness examined or any information obtained or given during such examination is guilty of a class A misdemeanor. However, the office conducting or participating in any examination of a complaint shall disclose the final result of the examination with the consent of the recipient.

4. The office shall not be required to testify in any court with respect to matters held to be confidential in this section except as the court may deem necessary to enforce the provisions of sections 37.700 to 37.730, or where otherwise required by court order."; and

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

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 39, Section 302.181, Line 113, by inserting after all of said section and line the following:

"334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) "Applicant", any individual who seeks to become licensed as a physician assistant;

(2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) "Collaborative practice arrangement", written agreements, jointly agreed upon protocols, or standing orders, all of which shall be in writing, for the delivery of health care services;

(5) "Department", the department of commerce and insurance or a designated agency thereof;

(6) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(7) "Physician assistant", a person who has graduated from a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant or its successor agency, prior to 2001, or the Committee on Allied Health Education and Accreditation or the Commission on Accreditation of Allied Health Education Programs, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(8) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749.

2. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a collaborating physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery; and

(9) Performing such other tasks not prohibited by law under the collaborative practice arrangement with a licensed physician as the physician assistant has been trained and is proficient to perform.

3. Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe any drug, medicine, device or therapy unless pursuant to a collaborative practice arrangement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a collaborative practice arrangement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the collaborating physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients; and

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the collaborating physician is not qualified or authorized to prescribe.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician collaboration or in any location where the collaborating physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with a third-party plan or the department of social services as a MO HealthNet or Medicaid provider while acting under a collaborative practice arrangement between the physician and physician assistant.

6. The licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, collaboration, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

8. A physician may enter into collaborative practice arrangements with physician assistants. Collaborative practice arrangements, which shall be in writing, may delegate to a physician assistant the authority to prescribe, administer, or dispense drugs and provide treatment which is within the skill, training, and competence of the physician assistant. Collaborative practice arrangements may delegate to a physician assistant, as defined in section 334.735, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone. Schedule III narcotic controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of a written arrangement, jointly agreed-upon protocols, or standing orders for the delivery of health care services.

9. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the physician assistant;

(2) A list of all other offices or locations, other than those listed in subdivision (1) of this subsection, where the collaborating physician has authorized the physician assistant to prescribe;

(3) A requirement that there shall be posted at every office where the physician assistant is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by a physician assistant and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the physician assistant;

(5) The manner of collaboration between the collaborating physician and the physician assistant, including how the collaborating physician and the physician assistant will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, as determined by the board of registration for the healing arts; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency of the collaborating physician;

(6) A list of all other written collaborative practice arrangements of the collaborating physician and the physician assistant;

(7) The duration of the written practice arrangement between the collaborating physician and the physician assistant;

(8) A description of the time and manner of the collaborating physician's review of the physician assistant's delivery of health care services. The description shall include provisions that the physician assistant shall submit a minimum of ten percent of the charts documenting the physician assistant's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days. Reviews may be conducted electronically;

(9) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the physician assistant prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (8) of this subsection; [and]

(10) A statement that no collaboration requirements in addition to the federal law shall be required for a physician-physician assistant team working in a certified community behavioral health clinic as defined by Pub.L. 113-93, or a rural health clinic under the federal Rural Health Services Act, Pub.L. 95-210, as amended, or a federally qualified health center as defined in 42 U.S.C. Section 1395 of the Public Health Service Act, as amended**; and**

(11) If a collaborative practice arrangement is used in clinical situations where a physician assistant provides health care services that include the diagnosis and initiation of treatment for acutely or chronically ill or injured persons, then the collaborating physician or any other physician designated in the collaborative practice agreement shall be present for sufficient periods of time, at least once every two (2) weeks, except in extraordinary circumstances that shall be documented, to

participate in such review and to provide necessary medical direction, medical services, consultations, and supervision of the health care staff.

10. The state board of registration for the healing arts under section 334.125 may promulgate rules regulating the use of collaborative practice arrangements.

11. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to a physician assistant, provided that the provisions of this section and the rules promulgated thereunder are satisfied.

12. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each physician assistant with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that the arrangements are carried out in compliance with this chapter.

13. The collaborating physician shall determine and document the completion of a period of time during which the physician assistant shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2009.

14. No contract or other arrangement shall require a physician to act as a collaborating physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant. No contract or other arrangement shall require any physician assistant to collaborate with any physician against the physician assistant's will. A physician assistant shall have the right to refuse to collaborate, without penalty, with a particular physician.

15. Physician assistants shall file with the board a copy of their collaborating physician form.

16. No physician shall be designated to serve as a collaborating physician for more than six full-time equivalent licensed physician assistants, full-time equivalent advanced practice registered nurses, or full-time equivalent assistant physicians, or any combination thereof. This limitation shall not apply to physician assistant collaborative practice arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197, or to a certified registered nurse anesthetist providing anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of section 334.104.

17. No arrangement made under this section shall supercede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital, as defined in section 197.020, if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.";
and

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

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 49, Section 568.050, Line 27, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body;

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business;

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498; [and]

(25) Individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, except that a municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account**; and**

(26) Any portion of a record that contains individually identifiable information of any person who registers for a recreational or social activity or event sponsored by a public governmental body, if such public governmental body is a city, town, or village."; and

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

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 32, Section 210.1360, Lines 1-9, by deleting said lines and inserting in lieu thereof the following:

"**210.1360. 1. Any personally identifiable information regarding any child under eighteen years of age receiving child care from any provider or applying for or receiving any services through a state program shall not be subject to disclosure except as otherwise provided by law.**

2. This section shall not prohibit any state agency from disclosing personally identifiable information to governmental entities or its agents, vendors, grantees, and contractors in connection to matters relating to its official duties. The provisions of this section shall not apply to any state, county, or municipal law enforcement agency acting in its official capacity.

3. This section shall not prevent a parent or legal guardian from accessing the parent's or legal guardian's child's records."; and

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

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 7, Section 167.027, Lines 6-12, by deleting said lines and inserting in lieu thereof the following:

"**U.S.C. Section 1401, as amended; and**

(3) A 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended."; and

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 92**, entitled:

An Act to repeal sections 135.647, 135.772, 135.775, and 135.778, RSMo, and to enact in lieu thereof seventeen new sections relating to tax credits, with a delayed effective date for a certain section.

With HA 1, HA 2, HA 3, HA 4, HA 1 to HA 5, HA 5, as amended, HA 1 to HA 6, HA 2 to HA 6 and HA 6, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 1, In the Title, Line 3, by deleting the words "tax credits" and inserting in lieu thereof "taxation"; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Pages 34-35, Lines 120-129, by deleting said lines and inserting in lieu thereof the following:

"**(32) "State sharing ratio", the ratio determined by taking the sum of the actual and projected direct and indirect state and local tax revenue projected over a period of at least ten subsequent years, as shown on the most recent revenue impact assessment submitted by the rural fund as required in subdivision (5) of subsection 1 of section 620.3530, divided by the amount of tax credit equity contributed by the investors of the rural investor in exchange for the tax credits authorized pursuant to sections 620.3500 to 620.3530;**"; and

Further amend said bill, Page 40, Section 620.3530, Line 19, by deleting the word "**and**"; and

Further amend said bill, page, and section, Line 20, by inserting after the number "**(5)**" the following:

"**A revenue impact assessment projecting state and local tax revenue actually generated and projected to be generated from a rural fund's qualified investments, prepared by a nationally recognized, third party, independent firm engaged by the rural fund, in agreement with the department, that uses a dynamic forecasting model that projects the direct and indirect state and local tax revenue for a period of not less than ten years; and**

(6)"; and

Further amend said bill and section, Page 41, Lines 40-43, by deleting said lines and inserting in lieu thereof the following:

"**to one minus the state sharing ratio multiplied by the amount of tax credit equity contributed by the investors of the rural investor in exchange for the tax credits authorized pursuant to sections 620.3500 to 620.3530, provided the rural fund may make distributions to make payments on the leverage source in an amount not to exceed principal and interest owed on the leverage source.**"; and

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 21, Section 135.778, Line 69, by inserting after all said section and line the following:

"**135.1310. 1. This section shall be known and may be cited as the "Child Care Contribution Tax Credit Act".**

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

(1) "Child care", the same as defined in section 210.201;

(2) "Child care desert", a census tract that has a poverty rate of at least twenty percent or a median family income of less than eighty percent of the statewide average and where at least five hundred people or thirty-three percent of the population are located at least one-half mile away from a child care provider in urbanized areas or at least ten miles away in rural areas;

(3) "Child care provider", a child care provider as defined in section 210.201 that is licensed under section 210.221, or that is unlicensed and that is registered with the department of elementary and secondary education;

(4) "Contribution", an eligible donation of cash, stock, bonds or other marketable securities, or real property;

(5) "Department", the Missouri department of economic development;

(6) "Person related to the taxpayer", an individual connected with the taxpayer by blood, adoption, or marriage, or an individual, corporation, partnership, limited liability company, trust, or association controlled by, or under the control of, the taxpayer directly, or through an individual, corporation, limited liability company, partnership, trust, or association under the control of the taxpayer;

(7) "Rural area", a town or community within the state that is not within a metropolitan statistical area and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a metropolitan statistical area;

(8) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under chapter 143 and chapter 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under chapter 143;

(9) "Tax credit", a credit against the taxpayer's state tax liability;

(10) "Taxpayer", a corporation as defined in section 143.441 or 143.471, any charitable organization that is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or individuals or partnerships subject to the state income tax imposed by the provisions of chapter 143.

3. For all tax years beginning on or after January 1, 2023, a taxpayer may claim the tax credit authorized in this section against the taxpayer's state tax liability for the tax year in which a verified contribution was made in an amount up to seventy-five percent of the verified contribution to a child care provider. Any tax credit issued shall not be less than one hundred dollars and shall not exceed two hundred thousand dollars per tax year.

(1) The child care provider receiving a contribution shall, within sixty days of the date it received the contribution, issue the taxpayer a contribution verification and file a copy of the contribution verification with the department. The contribution verification shall be in the form established by the department and shall include the taxpayer's name, taxpayer's state or federal tax identification number or last four digits of the taxpayer's Social Security number, amount of tax credit, amount of contribution, legal name and address of the child care provider receiving the tax credit, the child

care provider's federal employer identification number, the child care provider's departmental vendor number or license number, and the date the child care provider received the contribution from the taxpayer. The contribution verification shall include a signed attestation stating the child care provider will use the contribution solely to promote child care.

(2) The failure of the child care provider to timely issue the contribution verification to the taxpayer or file it with the department shall entitle the taxpayer to a refund of the contribution from the child care provider.

4. A donation is eligible when:

(1) The donation is used directly by a child care provider to promote child care for children twelve years of age or younger, including by acquiring or improving child care facilities, equipment, or services, or improving staff salaries, staff training, or the quality of child care;

(2) The donation is made to a child care provider in which the taxpayer or a person related to the taxpayer does not have a direct financial interest; and

(3) The donation is not made in exchange for care of a child or children in the case of an individual taxpayer that is not an employer making a contribution on behalf of its employees.

5. A child care provider that uses the contribution for an ineligible purpose shall repay to the department the value of the tax credit for the contribution amount used for an ineligible purpose.

6. The tax credits authorized by this section shall not be refundable and shall not be transferred, sold, or otherwise conveyed. Any amount of approved tax credits that a taxpayer is prohibited by this subsection from using for the tax year in which the credit is first claimed may be carried back to the taxpayer's immediately prior tax year and carried forward to the taxpayer's subsequent tax year for up to five succeeding tax years.

7. Notwithstanding any provision of subsection 6 of this section to the contrary, a taxpayer that is exempt, under 26 U.S.C. Section 501(c)(3), and any amendments thereto, from all or part of the federal income tax shall be eligible for a refund of its tax credit issued under this section, without regard to whether it has incurred any state tax liability. Such exempt taxpayer may claim a refund of the tax credit on its tax return required to be filed under the provisions of chapter 143, exclusive of the return for the withholding of tax under sections 143.191 to 143.265. If such exempt taxpayer is not required to file a tax return under the provisions of chapter 143, the exempt taxpayer may claim a refund of the tax credit on a refund claim form prescribed by the department of revenue. The department of revenue shall prescribe such forms, instructions, and rules as it deems appropriate to carry out the provisions of this subsection.

8. (1) The cumulative amount of tax credits authorized under this section shall not exceed twenty million dollars for each calendar year. The department shall approve tax credit applications on a first-come, first-served basis until the cumulative tax credit authorization limit is reached for the calendar year. A taxpayer shall apply to the department for the child care contribution tax credit by submitting a copy of the contribution verification provided by a child care provider to such taxpayer. Upon receipt of the contribution verification, the department shall issue a tax credit certificate to the applicant.

(2) If the maximum amount of tax credits allowed in any calendar year as provided under subdivision (1) of this subsection is authorized, the maximum amount of tax credits allowed under subdivision (1) of this subsection shall be increased by fifteen percent, provided that all such increases in the allowable amount of tax credits shall be reserved for contributions made to child care providers located in a child care desert. The director of the department shall publish such adjusted amount.

9. The tax credits allowed under this section shall be considered a domestic and social tax credit under subdivision (5) of subsection 2 of section 135.800.

10. All action and communication undertaken or required under this section shall be exempt from section 105.1500.

11. The department may promulgate rules to implement and administer 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 under 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, 2023, shall be invalid and void.

12. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2029, unless reauthorized by an act of the general assembly;

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

(3) 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

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

135.1325. 1. This section shall be known and may be cited as the "Employer Provided Child Care Assistance Tax Credit Act".

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

(1) "Child care desert", a census tract that has a poverty rate of at least twenty percent or a median family income of less than eighty percent of the statewide average and where at least five hundred people or thirty-three percent of the population are located at least one-half mile away from a child care provider in urbanized areas or at least ten miles away in rural areas;

(2) "Child care facility", a child care facility as defined in section 210.201 that is licensed under section 210.221, or that is unlicensed and that is registered with the department of elementary and secondary education;

(3) "Department", the Missouri department of economic development;

(4) "Employer matching contribution", a contribution made by the taxpayer to a cafeteria plan, as that term is used in 26 U.S.C. Section 125, of an employee of the taxpayer, that matches a dollar amount or percentage of the employee's contribution to the cafeteria plan, but this term does not include the amount of any salary reduction or other compensation foregone by the employee in connection with the cafeteria plan;

(5) "Qualified child care expenditure", an amount paid of reasonable costs incurred that meet any of the following:

(a) To acquire, construct, rehabilitate, or expand property that will be, or is, used as part of a child care facility that is either operated by the taxpayer or contracted with by the taxpayer and which does not constitute part of the principal residence of the taxpayer or any employee of the taxpayer;

(b) For the operating costs of a child care facility of the taxpayer, including costs relating to the training of employees, scholarship programs, and for compensation to employees;

(c) Under a contract with a child care facility to provide child care services to employees of the taxpayer; or

(d) As an employer matching contribution, but only to the extent such employer matching contribution is restricted by the taxpayer solely for the taxpayer's employee to obtain child care services at a child care facility and is used for that purpose during the tax year;

(6) "Rural area", a town or community within the state that is not within a metropolitan statistical area and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a metropolitan statistical area;

(7) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143 and chapter 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143;

(8) "Tax credit", a credit against the taxpayer's state tax liability;

(9) "Taxpayer", a corporation as defined in section 143.441 or 143.471, any charitable organization that is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or individuals or partnerships subject to the state income tax imposed by the provisions of chapter 143.

3. For all tax years beginning on or after January 1, 2023, a taxpayer may claim a tax credit authorized in this section in an amount equal to thirty percent of the qualified child care expenditures paid or incurred with respect to a child care facility. The maximum amount of any tax credit issued under this section shall not exceed two hundred thousand dollars per taxpayer per tax year.

4. A facility shall not be treated as a child care facility with respect to a taxpayer unless the following conditions have been met:

(1) Enrollment in the facility is open to employees of the taxpayer during the tax year; and

(2) If the facility is the principal business of the taxpayer, at least thirty percent of the enrollees of such facility are dependents of employees of the taxpayer.

5. The tax credits authorized by this section shall not be refundable or transferable. The tax credits shall not be sold, assigned, or otherwise conveyed. Any amount of approved tax credits that a taxpayer is prohibited by this subsection from using for the tax year in which the credit is first claimed may be carried back to the taxpayer's immediately prior tax year and carried forward to the taxpayer's subsequent tax year for up to five succeeding tax years.

6. Notwithstanding any provision of subsection 5 of this section to the contrary, a taxpayer that is exempt, under 26 U.S.C. Section 501(c)(3), and any amendments thereto, from all or part of the federal income tax shall be eligible for a refund of its tax credit issued under this section, without regard to whether it has incurred any state tax liability. Such exempt taxpayer may claim a refund of the tax credit on its tax return required to be filed under the provisions of chapter 143, exclusive of the return for the withholding of tax under sections 143.191 to 143.265. If such exempt taxpayer is not required to file a tax return under the provisions of chapter 143, the exempt taxpayer may claim a refund of the tax credit on a refund claim form prescribed by the department of revenue. The department of revenue shall prescribe such forms, instructions, and rules as it deems appropriate to carry out the provisions of this subsection.

7. (1) The cumulative amount of tax credits authorized under this section shall not exceed twenty million dollars for each calendar year. The department shall approve tax credit applications on a first-come, first-served basis until the cumulative tax credit authorization limit is reached for the calendar year.

(2) If the maximum amount of tax credits allowed in any calendar year as provided under subdivision (1) of this subsection is authorized, the maximum amount of tax credits allowed under subdivision (1) of this subsection shall be increased by fifteen percent, provided that all such increases in the allowable amount of tax credits shall be reserved for qualified child care expenditures for child care facilities located in a child care desert. The director of the department shall publish such adjusted amount.

8. A taxpayer who has claimed a tax credit under this section shall notify the department within sixty days of any cessation of operation, change in ownership, or agreement to assume recapture liability as such terms are defined by 26 U.S.C. Section 45F, in the form and manner prescribed by department rule or instruction. If there is a cessation of operation or change in ownership relating to a child care facility, the taxpayer shall repay the department the applicable recapture percentage of the credit allowed under this section, but this recapture amount shall be limited to the tax credit allowed under this section. The recapture amount shall be considered a tax liability arising on the tax payment due date for the tax year in which the cessation of operation, change in ownership, or agreement to assume recapture liability occurred and shall be assessed and collected under the same provisions that apply to a tax liability under chapter 143 or chapter 148.

9. The tax credit allowed under this section shall be considered a domestic and social tax credit under subdivision (5) of subsection 2 of section 135.800.

10. All action and communication undertaken or required under this section shall be exempt from section 105.1500.

11. The department may promulgate rules to implement and administer 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 under 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, 2023, shall be invalid and void.

12. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2029, unless reauthorized by an act of the general assembly;

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

(3) 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

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

135.1350. 1. This section shall be known and may be cited as the "Child Care Providers Tax Credit Act".

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

(1) "Capital expenditures", expenses incurred by a child care provider, during the tax year for which a tax credit is claimed under this section, for the construction, renovation, or rehabilitation of a child care facility to the extent necessary to operate a child care facility and comply with applicable child care facility regulations promulgated by the department of elementary and secondary education;

(2) "Child care desert", a census tract that has a poverty rate of at least twenty percent or a median family income of less than eighty percent of the statewide average and where at least five hundred people or thirty-three percent of the population are located at least one-half mile away from a child care provider in urbanized areas or at least ten miles away in rural areas;

(3) "Child care facility", a child care facility as defined in section 210.201 that is licensed under section 210.221, or that is unlicensed and that is registered with the department of elementary and secondary education;

(4) "Child care provider", a child care provider as defined in section 210.201 that is licensed under section 210.221, or that is unlicensed and that is registered with the department of elementary and secondary education;

(5) "Department", the department of elementary and secondary education;

(6) "Eligible employer withholding tax", the total amount of tax that the child care provider was required, under section 143.191, to deduct and withhold from the wages it paid to employees during the tax year for which the child care provider is claiming a tax credit under this section, to the extent actually paid;

(7) "Employee", an employee, as that term is used in subsection 2 of section 143.191, of a child care provider who worked for the child care provider for an average of at least ten hours per week for at least a three-month period during the tax year for which a tax credit is claimed under this section and who is not an immediate family member of the child care provider;

(8) "Rural area", a town or community within the state that is not within a metropolitan statistical area and has a population of six thousand or fewer inhabitants as determined by the last preceding federal decennial census or any unincorporated area not within a metropolitan statistical area;

(9) "State tax liability", any liability incurred by the taxpayer under the provisions of chapter 143, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions;

(10) "Tax credit", a credit against the taxpayer's state tax liability;

(11) "Taxpayer", a corporation as defined in section 143.441 or 143.471, any charitable organization that is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, or an individual or partnership subject to the state income tax imposed by the provisions of chapter 143.

3. For all tax years beginning on or after January 1, 2024, a child care provider with three or more employees may claim a tax credit authorized in this section in an amount equal to the child care provider's eligible employer withholding tax, and may also claim a tax credit in an amount up to thirty percent of the child care provider's capital expenditures. No tax credit for capital expenditures shall be allowed if the capital expenditures are less than one thousand dollars. The amount of any tax credit issued under this section shall not exceed two hundred thousand dollars per child care provider per tax year.

4. To claim a tax credit authorized under this section, a child care provider shall submit to the department, for preliminary approval, an application for the tax credit on a form provided by the department and at such times as the department may require. If the child care provider is applying for a tax credit for capital expenditures, the child care provider shall present proof acceptable to the department that the child care provider's capital expenditures satisfy the requirements of subdivision (1) of subsection 2 of this section. Upon final approval of an application, the department shall issue the child care provider a certificate of tax credit.

5. The tax credits authorized by this section shall not be refundable and shall not be transferred, sold, assigned, or otherwise conveyed. Any amount of credit that exceeds the child care provider's state tax liability for the tax year for which the tax credit is issued may be carried back to the child care provider's immediately prior tax year or carried forward to the child care provider's subsequent tax year for up to five succeeding tax years.

6. Notwithstanding any provision of subsection 5 of this section to the contrary, a child care provider that is exempt, under 26 U.S.C. Section 501(c)(3), and any amendments thereto, from all or part of the federal income tax shall be eligible for a refund of its tax credit issued under this section, without regard to whether it has incurred any state tax liability. Such exempt child care provider may claim a refund of the tax credit on its tax return required to be filed under the provisions of chapter 143, exclusive of the return for the withholding of tax under sections 143.191 to 143.265. If such exempt child care provider is not required to file a tax return under the provisions of chapter 143, the exempt child care provider may claim a refund of the tax credit on a refund claim form prescribed by the department of revenue. The department of revenue shall prescribe such forms, instructions, and rules as it deems appropriate to carry out the provisions of this subsection.

7. (1) The cumulative amount of tax credits authorized under this section shall not exceed twenty million dollars for each calendar year. The department shall approve tax credit applications on a first-come, first-served basis until the cumulative tax credit authorization limit is reached for the calendar year.

(2) If the maximum amount of tax credits allowed in any calendar year as provided under subdivision (1) of this subsection is authorized, the maximum amount of tax credits allowed under subdivision (1) of this subsection shall be increased by fifteen percent, provided that all such increases in the allowable amount of tax credits shall be reserved for child care providers located in a child care desert. The director of the department shall publish such adjusted amount.

8. The tax credit authorized by this section shall be considered a domestic and social tax credit under subdivision (5) of subsection 2 of section 135.800.

9. All action and communication undertaken or required with respect to this section shall be exempt from section 105.1500. Notwithstanding section 32.057 or any other tax confidentiality law to the contrary, the department of revenue may disclose tax information to the department for the purpose of the verification of a child care provider's eligible employer withholding tax under this section.

10. The department may promulgate rules and adopt statements of policy, procedures, forms, and guidelines to implement and administer 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 under 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, 2023, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2029, unless reauthorized by an act of the general assembly;

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

(3) 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

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

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Pages 3-5, Section 135.465, Lines 1-52, by deleting all of said section and lines and inserting in lieu thereof the following:

"**135.465. 1. As used in this section, the following terms mean:**

(1) "Federal work opportunity credit", the work opportunity tax credit allowed under 26 U.S.C. Section 51, as amended;

(2) "Qualified taxpayer", any individual or entity subject to the state income tax imposed under chapter 143, 147, 148, or 153, excluding the withholding tax imposed under sections 143.191 to 143.265, who is an employer that incurred or paid wages to an individual who is in a targeted group and was employed in the state during the tax year for which the tax credit under this section is claimed;

(3) "Targeted group", the same meaning as defined in 26 U.S.C. Section 51, as amended;

(4) "Tax credit", a credit against the tax otherwise due under chapter 143, 147, 148, or 153, excluding withholding tax imposed under sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2024, a qualified taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability for wages incurred or paid by the qualified taxpayer during the tax year to an individual who is in a targeted group and who is employed in the state in an amount equal to the lesser of:

(1) One hundred percent of the federal work opportunity credit properly claimed for the tax year by the qualified taxpayer on such taxpayer's federal income tax return with respect to such wages, excluding any amount carried back or forward from another tax year in accordance with 26 U.S.C. Section 51, as amended; or

(2) The Missouri state income tax liability of the taxpayer for that tax year, except in the case of an employer that is an organization exempt from taxation under 26 U.S.C. Section 501(c), as amended.

3. An employer that is an organization exempt from taxation under 26 U.S.C. Section 501(c), as amended may apply the credit authorized under this section as a credit for the payment of taxes that the organization is required to withhold from the wages of employees and required to pay to the state.

4. Tax credits issued under the provisions of this section shall not be refundable. No tax credit claimed under this section shall be carried forward to any subsequent tax year.

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

6. The cumulative amount of tax credits allowed to all taxpayers under this section shall not exceed ten million dollars per tax year. If the amount of tax credits claimed in a tax year under this section exceeds ten million dollars, tax credits shall be allowed based on the order in which they are claimed.

7. The department of revenue shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly;

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

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

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 6, Line 32, by inserting after the number "**(22)**" the following:

"**Players association", a professional sports association recognized by a sports governing body that represents professional athletes;**

(23)"; and

Further amend said amendment, Pages 6 to 7, by renumbering subsequent subdivisions accordingly; and

Further amend said amendment, Page 10, Line 27, by inserting after the word "**body**" the words "**and players association**"; and

Further amend said amendment, Page 16, Line 18, by inserting after the word "**body**" the words "**and players association**"; and

Further amend said amendment and page, Line 22, by inserting after the word "**body**" the words "**or players association**"; and

Further amend said amendment and page, Line 23, by inserting after the word "**body**" the words "**or association**"; and

Further amend said amendment and page, Line 25, by inserting after the word "**body**" the words "**or players association**"; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 21, Section 135.778, Line 69, by inserting after all of said section and line the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers**. "Adjusted gross receipts" shall not include adjusted gross receipts from sports wagering as defined in section 313.1000**;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings,

murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) "Credit instrument", a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person's banking account in an amount determined under section 313.817 on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(9) "Excursion gambling boat", a boat, ferry, other floating facility, or any nonfloating facility licensed by the commission on or inside of which gambling games are allowed;

(10) "Fiscal year", the fiscal year of a home dock city or county;

(11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

(12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

(13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat **[**but does not include gambling on sporting events**]**; provided such games of chance are approved by amendment to the Missouri Constitution;

(14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by the player's reason, foresight, dexterity, sagacity, design, information or strategy;

(15) "Games of skill", any gambling game in which there is an opportunity for the player to use the player's reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", **"sports wagering",** and any video representation of such games;

(16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

(17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

(18) "Licensee", any person licensed under sections 313.800 to 313.850;

(19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled wholly or partially by the water of those rivers in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(20) "Nonfloating facility", any structure within one thousand feet from the closest edge of the main channel of the Missouri or Mississippi River, as established by the United States Army Corps of Engineers, that contains at least two thousand gallons of water beneath or inside the facility either by an enclosed space containing such water or in rigid or semirigid storage containers, tanks, or structures;

(21) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. (1) In addition to the games of skill defined in this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing the petitioner's case by a preponderance of evidence including:

(a) Is it in the best interest of gaming to allow the game; and

(b) Is the gambling game a game of chance or a game of skill?

(2) All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.813. The commission may promulgate rules allowing a person that is a problem gambler to voluntarily exclude him/herself from an excursion gambling boat**, or a licensed facility or platform regulated under sections 313.1000 to 313.1022**. Any person that has been self-excluded is guilty of trespassing in the first degree pursuant to section 569.140 if such person enters an excursion gambling boat. **Any person who has been self-excluded and is found to have placed a wager under sections**

313.1000 to 313.1022 shall forfeit his or her winnings and such winnings shall be credited to the compulsive gamblers fund created under section 313.842.

313.842. **1.** There **[**may**]** **shall** be established programs which shall provide treatment, prevention**, recovery,** and education services for compulsive gambling. As used in this section, "compulsive gambling" means a condition suffered by a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Subject to appropriation, such programs shall be funded from the one-cent admission fee authorized pursuant to section 313.820, and in addition, may be funded from the taxes collected and distributed to any city or county under section 313.822 **or any other funds appropriated by the general assembly**. Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby established within the department of mental health. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. The department of mental health shall administer programs, either directly or by contract, for compulsive gamblers. The commission **[**may**]** **shall** administer programs to educate the public about problem gambling and promote treatment programs offered by the department of mental health. In addition, the commission shall administer the voluntary exclusion program for problem gamblers authorized by section **[**313.833**]** **313.813**.

2. The commission, in cooperation with the department of mental health, shall develop a triennial research report in order to assess the social and economic effects of gaming in the state and to obtain scientific information related to the neuroscience, psychology, sociology, epidemiology, and etiology of compulsive gambling. The report and associated studies shall be submitted to the governor, the president pro tempore of the senate, and the speaker of the house of representatives no later than December 31, 2024, and not later than December thirty-first of every third year thereafter. The research report shall consist of at least:

(1) A baseline study of the existing occurrence of compulsive gambling in the state. The study shall examine and describe the existing levels of compulsive gambling and the existing programs available that have a goal of preventing and addressing the harmful consequences of compulsive gambling;

(2) A comprehensive legal and factual study of the social and economic impacts of gambling on the state; and

(3) Recommendations on programs and legislative actions to address compulsive gambling in the state, including a recommended appropriation to the compulsive gamblers fund based on the study required in subdivision (1) of this subsection.

313.1000. 1. As used in sections 313.1000 to 313.1022, the following terms shall mean:

(1) "Adjusted gross receipts":

(a) The total of all cash and cash equivalents received by a sports wagering operator from sports wagering minus the total of:

a. All cash and cash equivalents paid out as winnings to sports wagering patrons;

b. The actual costs paid by a sports wagering operator for anything of value provided to and redeemed by patrons, including merchandise or services distributed to sports wagering patrons to incentivize sports wagering;

c. Voided or cancelled wagers;

d. For the first year of implementation, one hundred percent of the costs of free play or promotional credits provided to and redeemed by patrons and decreasing by twenty-five percent each year following until the fifth and subsequent years, in which no cost of free play or promotional credits shall be deducted;

e. Any sums paid as a result of any federal tax, including federal excise tax; and

f. Uncollectible sports wagering receivables, not to exceed the lesser of:

(i) A reasonable provision for uncollectible patron checks, automated clearing house (ACH) transactions, debit card transactions, and credit card transactions received from sports wagering operations; or

(ii) Two percent of the total of all sums, including checks, whether collected, less the amount paid out as winnings to sports wagering patrons. For purposes of this section, a counter or personal check that is invalid or unenforceable under this section is considered cash received by the sports wagering operator from sports wagering operations;

(b) The deductions allowed under paragraph (a) of this subdivision shall not include any costs arising directly from the purchase of advertising with a nonpatron third party, including the direct cost of purchasing print, television, or radio advertising or any signage or billboards;

(c) If the amount of adjusted gross receipts in a gaming month is a negative figure, the certificate holder shall remit no sports wagering tax for that gaming month. Any negative adjusted gross receipts shall be carried over and calculated as a deduction in the subsequent gaming months until the negative figure has been brought to a zero balance;

(2) "Certificate holder", a licensed applicant issued a certificate of authority by the commission;

(3) "Certificate of authority", a certificate issued by the commission authorizing a licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022;

(4) "Commercially reasonable terms", for the purposes of official league data only, includes the following nonexclusive factors:

(a) The extent to which event wagering operators have purchased the same or similar official league data on the same or similar terms;

(b) The speed, accuracy, timeliness, reliability, quality, and quantity of the official league data as compared to comparable alternative data sources;

(c) The quality and complexity of the process used to collect and distribute the official league data as compared to comparable alternative data sources; and

(d) The availability and cost of similar league data from multiple sources;

(5) "Commission", the Missouri gaming commission;

(6) "Covered persons", athletes; umpires, referees, and officials; personnel associated with clubs, teams, leagues, and athletic associations; medical professionals, including athletic trainers, who provide services to athletes and players; and the family members and associates of these persons where required to serve the purposes of sections 313.1000 to 313.1022;

(7) "Department", the department of revenue;

(8) "Designated sports district", the premises of a facility located in this state with a capacity of eleven thousand five hundred people or more, at which one or more professional sports teams that is a member of the National Football League, Major League Baseball, the National Hockey League, the National Basketball Association, Major League Soccer, the Women's National Basketball Association, or the National Women's Soccer League plays its home games, and the surrounding area within four hundred yards of such premises;

(9) "Designated sports district mobile licensee", a person or entity, registered to do business within this state, that is designated by a professional sports team entity to be a licensed applicant and an interactive sports wagering platform operator authorized to offer sports wagering only via the internet in this state, subject to the commission's approval and licensure under sections 313.1000 to 313.1022; provided, however, for purposes of clarification and avoidance of doubt, the designated person or entity, rather than the applicable professional sports team entity, shall be the party that submits to the commission for licensure under sections 313.1000 to 313.1022;

(10) "Esports", athletic and sporting events in which all participants are eighteen years of age or older and involving electronic sports and competitive video games;

(11) "Excursion gambling boat", the same meaning as defined under section 313.800;

(12) "Gross receipts", the total amount of cash and cash equivalents paid by sports wagering patrons to a sports wagering operator to participate in sports wagering;

(13) "Interactive sports wagering platform" or "platform", a platform operated by an interactive sports wagering platform operator that offers sports wagering through an individual account registered to an eligible person, under section 313.1014, over the internet, including on websites and mobile devices, on behalf of a licensed facility or designated sports district. Except as otherwise provided, an interactive sports wagering platform may also offer in-person sports wagering on behalf of a licensed facility that is an excursion gambling boat at its licensed facility, including through sports wagering devices;

(14) "Interactive sports wagering platform operator", a suitable legal entity that holds a license issued by the commission to operate an interactive sports wagering platform;

(15) "Licensed applicant", a person holding a license issued under section 313.807 to operate an excursion gambling boat, an interactive sports wagering platform operator, or a designated sports district mobile licensee;

(16) "Licensed facility", an excursion gambling boat licensed under this chapter or a designated sports district for which a certificate holder is licensed under sections 313.1000 to 313.1022;

(17) "Licensed supplier", a person holding a supplier's license issued by the commission;

(18) "Occupational license", a license issued by the commission;

(19) "Official league data", statistics, results, outcomes, and other data related to a sports event or other event utilized to determine the outcome of tier 2 bets obtained pursuant to an agreement with the relevant sports governing body or an entity expressly authorized by the sports governing body to provide such information that authorizes a sports wagering operator to use such data for determining the outcome of tier 2 bets;

(20) "Person", an individual, sole proprietorship, partnership, association, fiduciary, corporation, limited liability company, or any other business entity;

(21) "Personal biometric data", any information about an athlete that is derived from the athlete's DNA, heart rate, blood pressure, perspiration rate, internal or external body temperature, hormone levels, glucose levels, hydration levels, vitamin levels, bone density, muscle density, or sleep patterns or other information as may be prescribed by the commission by regulation;

(22) "Professional sports team entity", a person or entity, registered to do business in this state, that owns or operates a professional sports team that is a member of the National Football League, Major League Baseball, the National Hockey League, the National Basketball Association, Major League Soccer, the Women's National Basketball Association, or the National Women's Soccer League and that plays its home games within a designated sports district;

(23) "Prohibited conduct", any statement, action, or other communication intended to influence, manipulate, or control a betting outcome of a sporting contest or of any individual occurrence or performance in a sporting contest in exchange for financial gain or to avoid financial or physical harm. "Prohibited conduct" includes statements, actions, and communications made to a covered person by a third party, such as a family member or through social media, but shall not include statements, actions, or communications made or sanctioned by a team or sports governing body;

(24) "Sports governing body", an organization headquartered in the United States that prescribes final rules and enforces codes of conduct with respect to a sports event and participants therein;

(25) "Sports wagering", "sports wager", "sports bet", or "bet", wagering on athletic, sporting, and other competitive events involving human competitors including, but not limited to, esports, or on other events as approved by the commission. Such terms shall include, but not be limited to, bets or wagers made on: portions of athletic and sporting events, including those on outcomes determined prior to the start of a sporting event, or on the individual statistics of athletes in a sporting event or compilation of sporting events, involving human competitors. The term includes, but is not limited to, single-game wagers, teaser wagers, parlays, over-unders, moneyline bets, pools, exchange wagering, in-game wagers, in-play wagers, proposition wagers, and straight wagers or other wagers approved by the commission. Sports wagering shall not include fantasy sports under sections 313.900 to 313.955 or those games and contests in which the outcome is determined purely on chance and without any human skill, intention, interaction, or direction;

(26) "Sports wagering commercial activity", any operation, promotion, signage, advertising, or other business activity relating to sports wagering, including the operation or advertising of a

business or location at which sports wagering is offered or a business or location at which sports wagering through one or more interactive platforms is promoted or advertised;

(27) "Sports wagering device" or "sports wagering kiosk", a self-service mechanical, electrical, or computerized contrivance, terminal, device, apparatus, piece of equipment, or supply approved by the commission for conducting sports wagering under sections 313.1000 to 313.1022. "Sports wagering device" shall not include a device used by a sports wagering patron to access an interactive sports wagering platform. The hardware of a sports wagering device not capable of accepting wagers shall not be considered a sports wagering device;

(28) "Sports wagering operator" or "operator", a licensed facility that is an excursion gambling boat or an interactive sports wagering platform operator offering sports wagering on behalf of a licensed facility;

(29) "Sports wagering supplier", a person that provides goods, services, software, or any other components necessary for the creation of sports wagering markets and determination of wager outcomes, directly or indirectly, to any sports wagering operator or applicant involved in the acceptance of wagers, including any of the following: providers of data feeds and odds services, providers of kiosks used for self-wagering made in-person, risk management providers, integrity monitoring providers, and other providers of sports wagering supplier services as determined by the commission; provided, however, that no sports governing body shall be a sports wagering supplier for any purposes under sections 313.1000 to 313.1022;

(30) "Supplier's license", a license issued by the commission under section 313.807;

(31) "Tier 1 bet", an internet bet that is determined solely by the final score or final outcome of the sports event and is placed before the sports event has begun;

(32) "Tier 2 bet", an internet bet that is not a tier 1 bet.

313.1002. 1. The state of Missouri shall be exempt from the provisions of 15 U.S.C. Section 1172, as amended.

2. All shipments of gambling devices, which shall include devices capable of accepting sports wagers used to conduct sports wagering under sections 313.1000 to 313.1022 to licensed applicants or sports wagering operators, the registering, recording, and labeling of which have been completed by the manufacturer or dealer thereof in accordance with 15 U.S.C. Sections 1171 to 1178, as amended, shall be legal shipments of gambling devices into this state. Point-of-contact devices or kiosks not yet capable of accepting sports wagers shall not be considered gambling devices for purposes of this section.

313.1003. 1. Sports wagering shall not be offered in this state except by a certificate holder.

2. A certificate holder may offer sports wagering:

(1) In person within its applicable licensed facility, provided that such certificate holder is an excursion gambling boat licensed under this chapter; and

(2) Over the internet through an interactive sports wagering platform to persons physically located in this state.

3. Notwithstanding any other provision of law to the contrary, except as provided under sections 313.1000 to 313.1022, sports wagering commercial activity shall be prohibited from occurring within any designated sports district without the approval of each professional sports team entity applicable to such designated sports district; provided, however, that no such approval shall be required for the sole activity of offering sports wagering over the internet via an interactive sports wagering platform that is accessible to persons physically located within such designated sports district.

313.1004. 1. The commission shall have full jurisdiction to supervise all gambling operators governed by sections 313.1000 to 313.1022 and shall adopt rules and regulations to implement the provisions of sections 313.1000 to 313.1022. 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, 2023, shall be invalid and void.

2. Rules adopted under this section shall include, but not be limited to, the following:

(1) Standards and procedures to govern the conduct of sports wagering, including the manner in which:

(a) Wagers are received;

(b) Payouts are paid; and

(c) Point spreads, lines, and odds are disclosed;

(2) Standards governing how a sports wagering operator offers sports wagering over the internet through an interactive sports wagering platform to patrons physically located in Missouri;

(3) The manner in which a sports wagering operator's books and financial records relating to sports wagering are maintained and audited, including standards for the daily counting of a sports wagering operator's gross receipts from sports wagering and standards to ensure that internal controls are followed; and

(4) Standards concerning the detection and prevention of compulsive gambling including, but not limited to, requirements to use a nationally recognized problem gambling helpline phone number in all promotional activity.

3. Rules adopted under this section shall require a sports wagering operator to make commercially reasonable efforts to do the following:

(1) Designate one or more areas within the licensed facility operated by the sports wagering operator if the sports wagering operator is a licensed facility that is an excursion gambling boat;

(2) Ensure the security and integrity of sports wagers accepted through any interactive sports wagering platform operated or authorized by such sports wagering operator;

(3) Ensure that the sports wagering operator's surveillance system covers all areas of the in-person sports wagering activity conducted within a licensed facility that is an excursion gambling boat;

(4) Allow the commission to be present through the commission's gaming agents when sports wagering is conducted in all areas of the sports wagering operator's licensed facility that is an excursion gambling boat in which sports wagering is conducted, to do the following:

(a) Ensure maximum security of the counting and storage of the sports wagering revenue received by the sports wagering operator;

(b) Certify the sports wagering revenue received by the sports wagering operator; and

(c) Receive complaints from the public;

(5) Ensure that wager results are determined only from data that is provided by the applicable sports governing body or the licensed sports wagering suppliers;

(6) Ensure that persons who are under twenty-one years of age do not make sports wagers;

(7) Establish house rules specifying the amounts to be paid on winning wagers and the effect of schedule changes. The house rules shall be displayed in the sports wagering operator's sports wagering area or posted on the sports wagering operator's internet site or mobile application and included in the terms and conditions thereof or another approved area; and

(8) Establish industry-standard procedures regarding the voiding or cancelling of wagers in the sports wagering operator's internal controls and house rules.

4. (1) A sports governing body or other authorized entity that maintains official league data may notify the commission that official league data for settling tier 2 bets is available for sports wagering operators.

(2) The commission shall notify sports wagering operators within seven days of receipt of the notification from the sports governing body or other authorized entity that maintains official league data of the availability of official league data. Within sixty days following such notification by the commission, each sports wagering operator shall use only official league data to settle tier 2 bets on athletic events sanctioned by the applicable sports governing body, except:

(a) During the pendency of a request by such sports wagering operator to the commission, under this section, to use alternative data sources approved by the commission to settle such tier 2 bets; or

(b) Following approval by the commission of a request by such sports wagering operator to use alternative data sources approved by the commission in accordance with this section.

(3) Official league data made available to sports wagering operators by the sports governing body or other authorized entity that maintains official league data shall be offered on commercially reasonable terms.

(4) A sports wagering operator may submit a written request to the commission for the use, or continued use, of alternative data sources approved by the commission within sixty days of receiving the notification from the commission regarding the availability of official league data. The request

shall demonstrate in detail that the sports governing body or other authorized entity that maintains official league data is unable or unwilling to offer official league data on commercially reasonable terms. Within sixty days of receipt of the written request from a sports wagering operator to use an alternative data source, the commission shall issue a written approval or disapproval of such a request.

(5) The commission shall publish a list of official league data providers on its website.

5. The commission may enter into agreements with other jurisdictions to facilitate, administer, and regulate multi-jurisdictional sports betting by sports betting operators to the extent that entering into the agreement is consistent with state and federal laws and the sports betting agreement is conducted only in the United States.

6. (1) The commission shall establish a hotline or other method of communication that allows any person to confidentially report information about prohibited conduct to the commission.

(2) The commission shall investigate all reasonable allegations of prohibited conduct and refer any allegations it deems credible to the appropriate law enforcement entity.

(3) The identity of any reporting person shall remain confidential unless that person authorizes disclosure of his or her identity or until such time as the allegation of prohibited conduct is referred to law enforcement.

(4) If the commission receives a complaint of prohibited conduct by an athlete, the commission shall notify the appropriate sports governing body of the athlete to review the complaint as provided by rule.

(5) The commission shall adopt rules governing investigations of prohibited conduct and referrals to law enforcement entities.

313.1006. 1. A licensed applicant holding a license issued under section 313.807 to operate an excursion gambling boat who wishes to offer sports wagering under sections 313.1000 to 313.1022 shall:

(1) Submit an application to the commission in the manner prescribed by the commission for each licensed facility in which the licensed applicant wishes to conduct sports wagering;

(2) Pay an initial application fee, not to exceed one hundred thousand dollars, which shall be deposited in the gaming commission fund and distributed according to section 313.835; and

(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:

(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;

(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and

(c) Policies and strategies to address third-party concerns about players' gambling behavior.

2. Upon receipt of the application and fee required under subsection 1 of this section, the commission shall issue a certificate of authority to a licensed applicant authorizing the licensed applicant to conduct sports wagering under sections 313.1000 to 313.1022 in a licensed facility or through an interactive sports wagering platform.

313.1008. 1. The commission shall ensure that new sports wagering devices and new forms, variations, or composites of sports wagering are tested under the terms and conditions that the commission considers appropriate prior to authorizing a sports wagering operator to offer a new sports wagering device or a new form, variation, or composite of sports wagering. The commission may utilize an approved independent testing laboratory to assist with any requirements of this section. The commission shall accept such testing of another sports wagering governing body in the United States if the commission determines the testing of that governing body is substantially similar to the testing that would otherwise be required by the commission and the sports wagering operator verifies that its sports wagering devices and forms have not materially changed since such testing.

2. A licensed facility that is an excursion gambling boat may also offer sports wagering through up to three individually branded interactive sports wagering platforms under the brand, trade name, or another name it is doing business as (d/b/a) selected by the sports wagering operator or, as applicable, the interactive sports wagering platform operator. A sports wagering operator may operate each interactive sports wagering platform or contract with one or more interactive sports wagering platform operators to administer any or all of the interactive sports wagering platforms on the licensed facility's behalf. Notwithstanding any provision of this section and anything to the contrary set forth under sections 313.1000 through 313.1022, in no event shall sports wagering be offered through more than six sports wagering platforms contracting with any one owner of a licensed facility, directly or indirectly through any parent company, subsidiary, or affiliate of such owner.

3. Each designated sports district mobile licensee may offer sports wagering within the state through one interactive sports wagering platform. Each designated sports district mobile licensee shall be required to be licensed by the commission as an interactive sports wagering platform operator. Sports wagering over the internet through any interactive sports wagering platform may be offered by any licensed sports wagering operator within any designated sports district.

4. Notwithstanding anything to the contrary set forth under sections 313.1000 through 313.1022, no sports wagering operator may offer sports wagering in person or through any sports wagering kiosk, except within a licensed facility that is an excursion gambling boat.

5. (1) Sports wagering may be conducted with chips, tokens, electronic cards, cash, cash equivalents, debit or credit cards, other negotiable currency, online payment services, automated clearing houses, promotional funds, or any other means approved by the commission.

(2) A sports wagering operator shall in, its internal controls or house rules, determine a minimum wager amount in sports wagering conducted by the sports wagering operator and may determine a maximum wager amount.

6. A sports wagering operator shall not permit any sports wagering on the premises of the licensed facility except as provided under this chapter.

7. A sports wagering device, point-of-contact sports wagering device, or sports wagering kiosk shall be approved by the commission and acquired by a sports wagering operator from a licensed supplier.

8. The commission shall determine the occupations related to sports wagering that require an occupational license, which shall not include employees who do not possess the authority or ability to alter material systems required for sports wagering in this state.

9. A sports wagering operator may lay off one or more sports wagers. The commission may promulgate rules permitting sports wagering operators or platforms to employ systems that offset loss or manage risk in the operation of sports wagering under sections 313.1000 to 313.1022 through the use of liquidity pools in other jurisdictions in which the sports wagering operator, platform, an affiliate of the sports wagering operator or platform, or a third party also holds licenses to conduct sports wagering, provided that at all times adequate protections are maintained to ensure sufficient funds are available to pay winnings to patrons.

10. A sports wagering operator shall include information and tools to assist players in making responsible decisions. The sports wagering operator shall provide at a minimum:

(1) Prominently displayed tools to set limits on the amount of time and money a player spends on any interactive sports wagering platform;

(2) Prominently displayed information regarding compulsive gambling and ways to seek treatment and support if a player believes he or she has a problem; and

(3) To a player the ability to exclude the use of certain electronic payment methods if desired by the player.

313.1010. 1. An interactive sports wagering platform operator shall offer sports wagering on behalf of a licensed facility only if the interactive sports wagering platform operator is properly licensed by the commission and has contracted with a licensed facility.

2. An applicant for an interactive sports wagering platform license shall:

(1) Submit an application to the commission in the manner prescribed by the commission to verify the platform's eligibility under this section;

(2) Pay an initial application fee, not to exceed one hundred fifty thousand dollars; and

(3) Submit to the commission a responsible gambling plan that shall include, but is not limited to:

(a) Annual training for all staff regarding the practice of responsible gambling and identifying compulsive or problem gamblers;

(b) Policies and strategies for handling situations in which players indicate they are in distress or experiencing a problem; and

(c) Policies and strategies to address third-party concerns about players' gambling behavior.

3. On or before the anniversary date of the payment of the initial application fee under this section, an interactive sports wagering platform provider holding a license issued under this section

shall pay to the commission a license renewal fee, not to exceed three hundred twenty-five thousand dollars. Such funds shall be deposited into the gaming commission fund established under section 313.835.

4. Notwithstanding any other provision of law to the contrary, the following information shall be confidential and shall not be disclosed to the public unless required by court order or by any other provision of sections 313.1000 to 313.1022:

(1) Any application submitted to the commission relating to sports wagering in this state; and

(2) All documents, reports, and data submitted by an applicant relating to sports wagering in this state to the commission containing proprietary information, trade secrets, financial information, or personally identifiable information about any person.

313.1011. 1. The commission may issue a supplier's license to a sports wagering supplier.

2. A sports wagering supplier may provide its services to licensees under a fixed-fee or revenue-sharing agreement only if the supplier is properly licensed by the commission.

3. At the request of an applicant for a sports wagering supplier's license, the commission may issue a provisional license to the applicant, as long as the applicant has submitted a completed application for the license, including paying the required application fee. The commission may prescribe by rule the requirements to receive a provisional license.

4. An applicant for a sports wagering supplier's license shall disclose the identity of:

(1) The applicant's principal owners who directly own ten percent or more of the applicant;

(2) Each holding, intermediary, or parent company that directly owns fifteen percent or more of the applicant; and

(3) The applicant's chief executive officer and chief financial officer, or their equivalents, as determined by the commission.

5. Government-created entities, including statutory authorized pension investment boards and Canadian Crown corporations, that are direct or indirect shareholders of an applicant shall be waived in the applicant's disclosure of ownership and control as determined by the commission.

6. Investment funds or entities registered with the Securities and Exchange Commission (SEC), including investment advisors and entities under the management of the SEC-registered entity, that are direct or indirect shareholders of an applicant shall be waived in the applicant's disclosure of ownership and control as determined by the commission.

7. A supplier's license or provisional supplier's license shall be sufficient to provide sports wagering supplier services to licensees. A renewal fee shall be submitted biennially as determined by the commission.

313.1012. 1. A sports wagering operator shall verify that a person placing a wager is at least the legal minimum age for placing a wager under sections 313.1000 to 313.1022.

2. The commission shall establish an online method for a player to apply for placement in the self-exclusion program. Each sports wagering operator shall include a link to such application on all sports wagering platforms.

3. The commission shall adopt rules and regulations that incorporate a sports wagering self-exclusion program into the program adopted under sections 313.800 to 313.850. 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, 2023, shall be invalid and void.

4. The commission shall adopt rules to ensure that advertisements for sports wagering:

(1) Do not knowingly target minors or other persons who are ineligible to place wagers, problem gamblers, or other vulnerable persons;

(2) Disclose the identity of the sports wagering operator;

(3) Provide information about or links to resources relating to gambling addiction;

(4) Are not otherwise false, misleading, or deceptive to a reasonable consumer;

(5) Are not included on internet sites or pages dedicated to compulsive or problem gambling; and

(6) Include responsible gambling messages and a nationally recognized problem gambling helpline number in all promotional activity.

5. The commission shall establish penalties of not less than ten thousand dollars but not more than one hundred thousand dollars for any sports wagering operator who violates the restrictions placed on advertising to persons listed in subdivision (1) of subsection 4 of this section.

313.1014. 1. The commission shall conduct background checks on individuals seeking licenses under sections 313.1000 to 313.1022. A background check conducted under this section shall include a search for criminal history and any charges or convictions involving corruption or manipulation of sporting events. A background check under this section shall be consistent with the provisions of section 313.810.

2. (1) A sports wagering operator shall employ commercially reasonable methods to:

(a) Prohibit the sports wagering operator; directors, officers, and employees of the sports wagering operator; and any relative of an operator, director, or officer living in the same household from placing sports wagers with the sports wagering operator;

(b) Prohibit any person with access to nonpublic confidential information held by the sports wagering operator from placing sports wagers with the sports wagering operator;

(c) Prevent the sharing of confidential information that could affect sports wagering offered by the sports wagering operator or by third parties until the information is made publicly available;

(d) Prohibit persons from placing sports wagers as agents or proxies for other persons; and

(e) Prohibit the purchase or use by the sports wagering operator of any personal biometric data of an athlete, unless the sports wagering operator has received written permission from the athlete or the athlete's representative.

(2) Nothing in this section shall preclude the use of internet-based hosting or cloud-based hosting of data or any disclosure of information required by court order or other provisions of law.

3. (1) The following individuals are prohibited from engaging in sports wagering under sections 313.1000 to 313.1022:

(a) Any person whose participation may undermine the integrity of the betting or sports event; or

(b) Any person who is prohibited for other good cause including, but not limited to:

a. Any person placing a wager as an agent or proxy;

b. Any person who is an athlete, coach, referee, player, or referee personnel member in or on any sports event overseen by that person's sports governing body based on publicly available information;

c. Any person who holds a position of authority or influence sufficient to exert influence over the participants in a sporting contest including, but not limited to, coaches, managers, handlers, or athletic trainers;

d. Any person under twenty-one years of age;

e. Any person with access to certain types of exclusive information on any sports event overseen by that person's sports governing body based on publicly available information; or

f. Any person identified by any lists provided by the commission.

(2) The direct or indirect legal or beneficial owner of five percent or more of a sports governing body or any of its member teams shall not place or accept any wager on a sports event in which any member team of that sports governing body participates. Any violation of this subdivision shall constitute disorderly conduct. Disorderly conduct under this subdivision shall be a class C misdemeanor.

(3) The provisions of subdivision (1) of this subsection shall not apply to any person who is a direct or indirect owner of a specific sports governing body member team and:

(a) Has less than five percent direct or indirect ownership interest in a casino or sports wagering operator; or

(b) The value of the ownership of such team represents less than one percent of the person's total enterprise value and such shares of such person are registered under section 12 of the Securities Exchange Act of 1934, 15 U.S.C. Section 78l, as amended.

(4) (a) A sports wagering operator shall adopt procedures to prevent wagering on sports events by persons who are prohibited from placing sports wagers.

(b) A sports wagering operator shall not knowingly accept wagers from any person whose identity is known to the operator and:

a. Whose name appears on the exclusion list maintained by the commission;

b. Who is the operator, director, officer, owner, or employee of the operator;

c. Who has access to nonpublic confidential information held by the operator; or

d. Who is an agent or proxy for any other person.

(5) An operator shall adopt procedures to obtain personally identifiable information from any individual who places any single wager of ten thousand dollars or more on a sports event while physically present at a casino.

4. Given good and sufficient reason, each of the commission and sports wagering operators shall cooperate with investigations conducted by law enforcement agencies or sports governing bodies, including providing or facilitating the provision of relevant betting information and audio or video files relating to persons placing sports wagers; except that, with respect to any such information or files disclosed by a sports wagering operator to a sports governing body, the sports governing body shall:

(1) Maintain the confidentiality of such information or files;

(2) Comply with all privacy laws applicable to such information or files; and

(3) Use the information or files solely in connection with the sports governing body's investigation.

5. A sports wagering operator shall immediately report to the commission any information relating to:

(1) Criminal or disciplinary proceedings commenced against the sports wagering operator in connection with its operations;

(2) Bets or wagers that violate state or federal law;

(3) Abnormal wagering activity or patterns that may indicate a concern regarding the integrity of a sporting event or events;

(4) Any other conduct that corrupts the wagering outcome of a sporting event or events for purposes of financial gain, including prohibited conduct as defined under section 313.1000; and

(5) Suspicious or illegal wagering activities.

A sports wagering operator shall also immediately report any information relating to conduct described in subdivision (3) or (4) of this subsection to the applicable sports governing body.

6. A sports wagering operator shall maintain the confidentiality of information provided by a sports governing body to the sports wagering operator unless disclosure is required by court order, the commission, or any other provision of law.

7. A sports governing body may submit to the commission a request in writing to restrict, limit, or exclude a type or form of sports wagering on its sporting events if such body believes that such sports wagering affects the integrity or perceived integrity of its sport. The commission may grant the request upon a showing of good cause by the applicable sports governing body. The commission shall promptly review any information provided and respond as expeditiously as practicable to the request. Prior to making a determination, the commission shall notify and consult with sports wagering operators. If the commission deems it relevant, it may also consult with any applicable independent monitoring providers or other jurisdictions. No restrictions, limitations, or exclusions of wagers shall be conducted without the express written approval of the commission. Sports wagering operators shall be notified of any restrictions, limitations, or exclusions granted by the commission.

8. (1) No sports wagering operator shall offer any sports wagers on an elementary or secondary school athletic or sporting event in which a school team from this state is a participant, or on the individual performance statistics of an athlete in an elementary or secondary school athletic or sporting event in which a school team from this state is a participant.

(2) No sports wager shall be placed on the performance or nonperformance of any individual athlete participating in a single game or match of a collegiate sporting event in which a collegiate team from this state is a participant.

313.1016. 1. A sports wagering operator shall, for a wager that exceeds ten thousand dollars and that is placed in person by a patron, maintain the following records for a period of at least three years after the sporting event occurs:

(1) Personally identifiable information of the patron;

(2) The amount and type of bet placed;

(3) The time and date the bet was placed;

(4) The location, including specific information pertaining to the betting window or sports wagering device, where the bet was placed;

(5) The outcome of the bet; and

(6) Any discernible pattern of abnormal betting activity by the patron.

2. A licensed facility, interactive sports wagering platform operator, or sports wagering supplier where applicable, for all bets and wagers placed through an interactive sports wagering platform, shall maintain the following records for a period of at least three years after the sporting event occurs:

(1) Personally identifiable information of the patron;

(2) The amount and type of bet placed;

(3) The time and date the bet was placed;

(4) The location, including specific information pertaining to the internet protocol address, where the bet was placed;

(5) The outcome of the bet; and

(6) Any discernible pattern of abnormal betting activity by the patron.

3. A sports wagering operator shall make the records and data that it is required to maintain under this section available for inspection upon request of the commission or as required by court order.

313.1018. A sports wagering operator is not liable under the laws of this state to any party, including patrons, for disclosing information as required under sections 313.1000 to 313.1022 and is not liable for refusing to disclose information unless required under sections 313.1000 to 313.1022.

313.1021. 1. A wagering tax of fifteen percent is imposed on the adjusted gross receipts received from sports wagering conducted by a sports wagering operator under sections 313.1000 to 313.1022. If an interactive sports wagering platform operator is contracted to conduct sports wagering at a certificate holder's licensed facility that is an excursion gambling boat, or through an interactive sports wagering platform, the licensed interactive sports wagering platform operator may fulfill the certificate holder's duties under this section.

2. A certificate holder or interactive sports wagering platform operator shall remit the tax imposed by subsection 1 of this section to the department no later than one day prior to the last business day of the month following the month in which the taxes were generated. In a month when the adjusted gross receipts of a certificate holder or interactive sports wagering platform operator is a negative number, the certificate holder or interactive sports wagering platform operator may carry over the negative amount for a period of twelve months.

3. The payment of the tax under this section shall be by an electronic funds transfer by an automated clearing house.

4. Revenues received from the tax imposed under subsection 1 of this section shall be deposited in the state treasury to the credit of the gaming proceeds for education fund, which shall be distributed as provided under section 313.822.

5. (1) A licensed facility that is an excursion gambling boat shall pay to the commission an annual license renewal fee, not to exceed fifty thousand dollars. The fee imposed shall be due on the anniversary date of the issuance of the license and on each anniversary date thereafter. The commission shall deposit the annual license renewal fees received under this subdivision in the gaming commission fund established under section 313.835.

(2) In addition to the annual license renewal fee, required in this subsection, a certificate holder shall pay to the commission a fee of ten thousand dollars to cover the costs of a full reinvestigation of the certificate holder in the fourth year after the date on which the certificate holder commences sports wagering operations under sections 313.1000 to 313.1022 and on each fourth year thereafter. The commission shall deposit the fees received under this subdivision in the gaming commission fund established under section 313.835.

6. Subject to appropriation, five hundred thousand dollars shall be appropriated from the gaming commission fund created under section 313.835 and credited annually to the compulsive gamblers fund created under section 313.842. When considering the amount of funds to appropriate to the compulsive gamblers fund, the general assembly shall consider the findings and recommendations contained in the research report required under subsection 2 of section 313.842 for increased funding in excess of the five hundred thousand dollars.

313.1022. 1. All sports wagers authorized under sections 313.1000 to 313.1022 shall be deemed initiated, received, and otherwise made on the property of an excursion gambling boat within this state.

2. Only to the extent required by federal law, all servers necessary to the placement or resolution of wagers, other than backup servers, shall be physically located within a certificate holder's licensed facility that is an excursion gambling boat in the state. Consistent with the intent of the United States Congress as articulated in the Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. Sections 5361 to 5367, as amended, the intermediate routing of electronic data relating to lawful intrastate sports wagers authorized under sections 313.1000 to 313.1022 shall not determine the location or locations in which such wager is initiated, received, or otherwise made. This subsection shall apply only to the extent required by federal law."; and

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

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 1, Line 5, by deleting said line and inserting in lieu thereof the following:

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

(1) "Commercial domicile", the principal place from which the trade or business of the taxpayer is directed or managed;

(2) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(3) "Employer securities", the same meaning as defined under Section 409(l) of the Internal Revenue Code **of 1986, as amended**;

(4) "Missouri corporation", a corporation whose commercial domicile is in this state;

(5) "Qualified Missouri employee stock ownership plan", an employee stock ownership plan, as defined under Section 4975(e)(7) of the Internal Revenue Code **of 1986, as amended**, and trust that is established by a Missouri corporation for the benefit of the employees of the corporation;

(6) "Taxpayer", an individual, firm, partner in a firm, corporation, partnership, shareholder in an S corporation, or member of a limited liability company subject to the income tax imposed under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, **[**2017**] 2023**, in addition to all other modifications allowed by law, a taxpayer shall be allowed a deduction from the taxpayer's federal adjusted gross income when determining Missouri adjusted gross income in an amount equal to fifty percent of the net capital gain from the sale or exchange of employer securities of a Missouri corporation to a qualified Missouri employee stock ownership plan if, upon completion of the transaction, the qualified Missouri employee stock ownership plan owns at least thirty percent of all outstanding employer securities issued by the Missouri corporation.

3. Whenever an employee leaves a Missouri corporation with a qualified Missouri employee stock ownership plan, the Missouri corporation shall inform the former employee of the deadline for when the former employee shall decide whether they will receive their shares of employer securities or compensation for their shares of employer securities.

4. The department of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

[5.Under section 23.253 of the Missouri sunset act:

(1)The provisions of the new program authorized under this section shall automatically sunset on December thirty-first, six years after October 14, 2016, unless reauthorized by an act of the general assembly;

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

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

143.121. The Missouri adjusted gross income of a resident individual shall be the"; and

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

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 5, Line 37, by deleting the words "**blood or marriage**" and inserting in lieu thereof the following:

"**blood, marriage, or adoption**"; and

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

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 92, Page 21, Section 135.778, Line 69, by inserting after all of said section and line the following:

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

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

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

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

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

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

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

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

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

(1) Interest received on deposits held at a federal reserve bank or interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

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

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

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

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

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

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that

amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

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

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

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

(a) Livestock Forage Disaster Program;

(b) Livestock Indemnity Program;

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

(d) Emergency Conservation Program;

(e) Noninsured Crop Disaster Assistance Program;

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

(g) Annual Forage Pilot Program;

(h) Livestock Risk Protection Insurance Plan;

(i) Livestock Gross Margin Insurance Plan;

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

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

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

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

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. A sale to a beginning farmer;

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

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

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

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

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

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

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

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

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

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

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

(d) The department of revenue shall prepare an annual report reviewing the costs and benefits and containing statistical information regarding the subtraction of capital gains authorized under this subdivision for the previous tax year including, but not limited to, the total amount of all capital

gains subtracted and the number of taxpayers subtracting such capital gains. Such report shall be submitted before February first of each year to the committee on agriculture policy of the Missouri house of representatives and the committee on agriculture, food production and outdoor resources of the Missouri senate, or the successor committees.

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

(b) Subject to the limitation in paragraph (c) of this subdivision, the amount that may be subtracted shall be equal to the portion of cash rent income received from the lease or rental of such farmland that such taxpayer receives in the tax year for which such taxpayer subtracts such income.

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

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

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

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

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

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

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 181**, 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 twenty-nine new sections relating to contractual agreements, with penalty provisions and a delayed effective date for certain sections.

With HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, and HA 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 17, Section 387.435, Line 9, by inserting after all of said section and line the following:

"**407.2020. For purposes of sections 407.2020 to 407.2090, the following terms mean:**

(1) "Commercial transaction", a transaction involving a motor vehicle in which the motor vehicle will primarily be used for business purposes rather than personal purposes;

(2) "Consumer", an individual purchaser of a motor vehicle or a borrower under a finance agreement. The term "consumer" includes any borrower, as defined in section 407.2030, or contract holder, as defined in section 407.2060, as applicable;

(3) "Finance agreement", a loan, retail installment sales contract, or lease for the purchase, refinancing, or lease of a motor vehicle;

(4) "Free-look period", a period of time from the effective date of the motor vehicle financial protection product until the date the motor vehicle financial protection product may be cancelled without penalty, fees, or costs. This period of time shall not be shorter than thirty days;

(5) "Insurer", an insurance company licensed, registered, or otherwise authorized to issue contractual liability insurance under the insurance laws of this state;

(6) "Motor vehicle", any self-propelled or towed vehicle designed for personal or commercial use including, but not limited to, automobiles, trucks, motorcycles, recreational vehicles, all-terrain vehicles, snowmobiles, campers, boats, personal watercraft, and related trailers;

(7) "Motor vehicle financial protection product", an agreement that protects a consumer's financial interest in his or her current or future motor vehicle. The term "motor vehicle financial protection product" includes any debt waiver, as defined in section 407.2030, and any vehicle value protection agreement, as defined in section 407.2060;

(8) "Person", an individual, company, association, organization, partnership, business trust, or corporation, and every form of legal entity.

407.2025. 1. Motor vehicle financial protection products may be offered, sold, or given to consumers in this state in compliance with sections 407.2020 to 407.2090.

2. Any amount charged or financed for a motor vehicle financial protection product shall be separately stated and shall not be considered a finance charge or interest.

3. Any extension of credit, terms of credit, or terms of the related motor vehicle sale or lease shall not be conditioned upon the consumer's payment for or financing of any charge for a motor vehicle financial protection product, except that motor vehicle financial protection products may be discounted or given at no charge in connection with the purchase of other non-credit-related goods or services.

407.2030. For purposes of sections 407.2030 to 407.2055, the following terms mean:

(1) "Administrator", any person, other than an insurer or creditor, who performs administrative or operational functions for debt waiver programs;

(2) "Borrower", a debtor or retail buyer or lessee under a finance agreement;

(3) "Creditor":

(a) The lender in a loan or credit transaction;

(b) The lessor in a lease transaction;

(c) Any retail seller of motor vehicles;

(d) The seller in commercial retail installment transactions; or

(e) The assignee of any person described in paragraphs (a) to (d) of this subdivision to whom the credit obligation is payable;

(4) "Debt waiver", any guaranteed asset protection waiver or excess wear and use waiver;

(5) "Excess wear and use waiver", a contractual agreement in which a creditor agrees, with or without a separate charge, to cancel or waive all or part of amounts that may become due under a borrower's lease agreement as a result of excessive wear and use of a motor vehicle, which agreement shall be part of, or a separate addendum to, the lease agreement. Excess wear and use waivers may also cancel or waive amounts due for excess mileage;

(6) "Guaranteed asset protection waiver", a contractual agreement in which a creditor agrees, with or without a separate charge, to cancel or waive all or part of amounts due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle, which agreement shall be part of, or a separate addendum to, the finance agreement. A guaranteed asset protection waiver may also provide, with or without a separate charge, a benefit that waives an amount, or provides a borrower with a credit, toward the purchase of a replacement motor vehicle.

407.2035. 1. (1) A retail seller shall insure its debt waiver obligations under a contractual liability or other insurance policy issued by an insurer. A creditor, other than a retail seller, may insure its debt waiver obligations under a contractual liability policy or other such policy issued by an insurer. Any such insurance policy may be directly obtained by a creditor or retail seller or may be procured by an administrator to cover a creditor's or retail seller's obligations.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, retail sellers who are lessors on motor vehicles shall not be required to insure obligations related to debt waivers on such leased motor vehicles.

2. The debt waiver remains a part of the finance agreement upon the assignment, sale, or transfer of such finance agreement by the creditor.

3. Any creditor who offers a debt waiver shall report the sale of, and forward funds due to, the designated party or parties.

4. Funds received or held by a creditor or administrator and belonging to an insurer, creditor, or administrator shall be held by such creditor or administrator in a fiduciary capacity.

407.2040. 1. Contractual liability or other insurance policies insuring debt waivers shall state the obligation of the insurer to reimburse or pay to the creditor any sums the creditor is legally obligated to waive under a debt waiver.

2. Coverage under a contractual liability or other insurance policy insuring a debt waiver shall also cover any subsequent assignee upon the assignment, sale, or transfer of the finance agreement.

3. Coverage under a contractual liability or other insurance policy insuring a debt waiver shall remain in effect unless cancelled or terminated in compliance with applicable insurance laws of this state.

4. The cancellation or termination of a contractual liability or other insurance policy shall not reduce the insurer's responsibility for debt waivers issued by the creditor before the date of cancellation or termination and for which premium has been received by the insurer.

407.2045. Debt waivers shall disclose in writing and in clear, understandable language that is easy to read the following:

(1) The name and address of the initial creditor and the borrower at the time of sale, and the identity of any administrator if different from the creditor;

(2) The purchase price, if any, and the terms of the debt waiver including, but not limited to, the requirements for protection, conditions, or exclusions associated with the debt waiver;

(3) A statement that the borrower may cancel the debt waiver within a free-look period as specified in the debt waiver and, if so cancelled, shall be entitled to a full refund of the purchase price paid by the borrower, if any, so long as no benefits have been provided;

(4) The procedure the borrower is required to follow, if any, to obtain debt waiver benefits under the terms and conditions of the debt waiver, including, if applicable, a telephone number or website and address where the borrower may apply for debt waiver benefits;

(5) The terms and conditions governing cancellation consistent with all applicable Missouri laws; and

(6) A statement that any extension of credit, terms of the credit, or terms of the related motor vehicle sale or lease shall not be conditioned upon the borrower's purchase of a debt waiver.

407.2050. 1. Debt waivers shall provide that if a borrower cancels a debt waiver within the free-look period, the borrower shall be entitled to a full refund of the amount the borrower paid, if any, so long as no benefits have been provided.

2. If, after the debt waiver has been in effect beyond the free-look period, the borrower cancels the debt waiver or there is an early termination of the finance agreement, the borrower may be entitled to a refund of the amount the borrower paid of the unearned portion of the purchase price, if any, less a cancellation fee up to seventy-five dollars, if no benefit has been or will be provided.

3. If the cancellation of a debt waiver occurs as a result of a default under the finance agreement, the repossession of the motor vehicle associated with the finance agreement, or any other termination of the finance agreement, any refund due may be paid directly to the creditor or

administrator and applied as a reduction of the amount owed under the finance agreement unless the borrower can show that the finance agreement has been paid in full.

407.2055. 1. Debt waivers offered by state or federal banks or credit unions in compliance with applicable state or federal law shall be exempt from the provisions of sections 407.2020 to 407.2090.

2. The provisions of sections 407.2045 and 407.2080 shall not apply to debt waivers offered in connection with commercial transactions.

407.2060. For purposes of sections 407.2060 to 407.2075, the following terms mean:

(1) "Administrator", any person who is responsible for the administrative or operational functions of vehicle value protection agreements including, but not limited to, the adjudication of claims or benefit requests by contract holders;

(2) "Contract holder", a person who is the purchaser or holder of a vehicle value protection agreement;

(3) "Provider", a person who is obligated to provide a benefit under a vehicle value protection agreement. A provider may perform as an administrator or retain the services of a third-party administrator;

(4) "Vehicle value protection agreement", a contractual agreement that:

(a) Provides a benefit toward the reduction of some or all of the contract holder's current finance agreement deficiency balance or toward the purchase or lease of a replacement motor vehicle or motor vehicle services upon the occurrence of an adverse event to the motor vehicle including, but not limited to, loss, theft, damage, obsolescence, diminished value, or depreciation;

(b) Does not include debt waivers; and

(c) May include agreements such as, but not limited to, trade-in-credit agreements, diminished value agreements, depreciation benefit agreements, or other similarly named agreements.

407.2065. 1. A provider may, but is not required to, use an administrator or other designee to be responsible for any and all of the administration of vehicle value protection agreements in compliance with the provisions of sections 407.2020 to 407.2090.

2. Vehicle value protection agreements shall not be sold unless the contract holder has been or will be provided access to a copy of the vehicle value protection agreement within a reasonable time.

3. In order to assure the faithful performance of the provider's obligations to its contract holders, each provider shall comply with subdivision (1) or (2) of this subsection, as follows:

(1) In order to satisfy the requirements of this subsection under this subdivision, the provider shall insure all its vehicle value protection agreements under an insurance policy that pays or reimburses in the event the provider fails to perform its obligations under the vehicle value protection agreement and that is issued by an insurer who is licensed, registered, or otherwise authorized to do business in this state and who:

(a) Maintains surplus as to policyholders and paid-in capital of at least fifteen million dollars; or

(b) Maintains:

a. Surplus as to policyholders and paid-in capital of less than fifteen million dollars but at least equal to ten million dollars; and

b. A ratio of net written premiums, wherever written, to surplus as to policyholders and paid-in capital of not greater than three to one; or

(2) In order to satisfy the requirements of this subsection under this subdivision, the provider shall:

(a) Maintain, or together with its parent company maintain, a net worth or stockholders' equity of one hundred million dollars; and

(b) Upon request, provide the attorney general with a copy of the provider's or the provider's parent company's most recent Form 10-K or Form 20-F filed with the Securities and Exchange Commission (SEC) within the last calendar year or, if the company does not file with the SEC, a copy of the company's audited financial statements, which show a net worth of the provider or its parent company of at least one hundred million dollars. If the provider's parent company's Form 10-K, Form 20-F, or financial statements are filed to meet the provider's financial security requirement, the parent company shall agree to guarantee the obligations of the provider relating to vehicle value protection agreements sold by the provider in this state.

4. Except for the requirements specified in subsection 3 of this section, no other financial security requirements shall be required for vehicle value protection agreement providers.

407.2070. Vehicle value protection agreements shall disclose in writing and in clear, understandable language that is easy to read the following:

(1) The name and address of the provider, contract holder, and administrator, if any;

(2) The terms of the vehicle value protection agreement including, but not limited to, the purchase price to be paid by the contract holder, if any, the requirements for eligibility, the conditions of coverage, and any exclusions;

(3) A statement that the vehicle value protection agreement may be cancelled by the contract holder within a free-look period as specified in the vehicle value protection agreement and that in such event the contract holder shall be entitled to a full refund of the purchase price paid by the contract holder, if any, so long as no benefits have been provided;

(4) The procedure the contract holder shall follow, if any, to obtain a benefit under the terms and conditions of the vehicle value protection agreement, including, if applicable, a telephone number or website and address where the contract holder may apply for a benefit;

(5) A statement that indicates whether the vehicle value protection agreement may be cancelled after the free-look period and the conditions under which it may be cancelled, including the procedures for requesting any refund of the unearned purchase price paid by the contract holder;

(6) If the vehicle value protection agreement is cancellable after the free-look period, a statement that any refund of the unearned purchase price of the vehicle value protection agreement shall be calculated on a pro rata basis;

(7) A statement that any extension of credit, terms of the credit, or terms of the related motor vehicle sale or lease shall not be conditioned upon the purchase of the vehicle value protection agreement;

(8) The terms, restrictions, or conditions governing cancellation of the vehicle value protection agreement before the termination or expiration date of the vehicle value protection agreement by either the provider or the contract holder. The provider of the vehicle value protection agreement shall mail a written notice to the contract holder at the last known address of the contract holder contained in the records of the provider at least five days before cancellation by the provider. Prior notice shall not be required if the reason for cancellation is nonpayment of the provider fee, a material misrepresentation by the contract holder to the provider or administrator, or a substantial breach of duties by the contract holder relating to the covered product or its use. The notice shall state the effective date of the cancellation and the reason for the cancellation. If a vehicle value protection agreement is cancelled by the provider for a reason other than nonpayment of the provider fee, the provider shall refund to the contract holder one hundred percent of the unearned pro rata provider fee paid by the contract holder, if any. If coverage under the vehicle value protection agreement continues after a claim, any refund may deduct claims paid. A reasonable administrative fee may be charged by the provider up to seventy-five dollars; and

(9) A statement that the agreement is not an insurance contract.

407.2075. The provisions of sections 407.2070 and 407.2080 shall not apply to vehicle value protection agreements offered in connection with a commercial transaction.

407.2080. The attorney general may take action that is necessary or appropriate to enforce the provisions of sections 407.2020 to 407.2090 and to protect motor vehicle financial protection product consumers in this state. After proper notice and opportunity for hearing, the attorney general may:

(1) Order the creditor, provider, administrator, or any other person not in compliance with the provisions of sections 407.2020 to 407.2090 to cease and desist from product-related operations that are in violation of the provisions of sections 407.2020 to 407.2090; and

(2) Impose a penalty of not more than five hundred dollars for each violation of the provisions of sections 407.2020 to 407.2090 and not more than ten thousand dollars in the aggregate for all violations of a similar nature. A violation shall be considered of a similar nature to another violation if the violation consists of the same or similar course of conduct, action, or practice, irrespective of the number of times the action, conduct, or practice that is determined to be a violation of the provisions of sections 407.2020 to 407.2090 occurred.

407.2085. Notwithstanding the provisions of section 407.2090, all motor vehicle financial protection products issued before and on and after August 28, 2023, shall not be considered insurance.

407.2090. The provisions of sections 407.2020 to 407.2090 shall apply to all motor vehicle financial protection products that become effective after February 23, 2024."; and

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

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Pages 17- 19, Section 436.552, Lines 1-55, by deleting all of said lines and inserting in lieu thereof the following:

"**436.552. As used in sections 436.550 to 436.572, the following terms mean:**

(1) "Advertise", publishing or disseminating any written, electronic, or printed communication or any communication by means of recorded telephone messages or transmitted on radio, television, the internet, or similar communications media, including film strips, motion pictures, and videos, published, disseminated, circulated, or placed before the public, directly or indirectly, for the purpose of inducing a consumer to enter into a consumer legal funding contract;

(2) "Affiliate", as defined in section 515.505;

(3) "Charges", the amount of moneys to be paid to the consumer legal funding company by or on behalf of the consumer above the funded amount provided by or on behalf of the company to a consumer under sections 436.550 to 436.572. Charges include all administrative, origination, underwriting, or other fees, no matter how denominated;

(4) "Consumer", a natural person who has a legal claim and resides or is domiciled in Missouri;

(5) "Consumer legal funding company" or "company", a person or entity that enters into a consumer legal funding contract with a consumer for an amount less than five hundred thousand dollars. The term shall not include:

(a) An immediate family member of the consumer;

(b) A bank, lender, financing entity, or other special purpose entity:

a. That provides financing to a consumer legal funding company; or

b. To which a consumer legal funding company grants a security interest or transfers any rights or interest in a consumer legal funding; or

(c) An attorney or accountant who provides services to a consumer;

(6) "Consumer legal funding contract", a nonrecourse contractual transaction in which a consumer legal funding company purchases and a consumer assigns to the company a contingent right to receive an amount of the potential proceeds of a settlement, judgment, award, or verdict obtained in the consumer's legal claim, so long as all of the following apply:

(a) The consumer, at their sole discretion, shall use the funds to address personal needs or household expenses;

(b) The consumer shall not use the funds to pay for attorneys' fees, legal filings, legal marketing, legal document preparation or drafting, appeals, expert testimony, or other litigation-related expenses;

(7) "Director", the director of the division of finance within the department of commerce and insurance;

(8) "Division", the division of finance within the department of commerce and insurance;

(9) "Funded amount", the amount of moneys provided to or on behalf of the consumer in the consumer legal funding contract. "Funded amount" shall not include charges;

(10) "Funding date", the date on which the funded amount is transferred to the consumer by the consumer legal funding company either by personal delivery, via wire, automated clearing house transfer, or other electronic means, or by insured, certified, or registered United States mail;

(11) "Immediate family member", a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent; or grandchild;

(12) "Legal claim", a bona fide civil claim or cause of action;

(13) "Medical provider", any person or business providing medical services of any kind to a consumer including, but not limited to, physicians, nurse practitioners, hospitals, physical therapists, chiropractors, or radiologists as well as any of their employees or contractors or any practice groups, partnerships, or incorporations of the same;

(14) "Resolution date", the date the amount funded to the consumer, plus the agreed-upon charges, is delivered to the consumer legal funding company."; and

Further amend said bill, Pages 23-26, Section 436.570, Lines 1-94, by deleting all of said lines and inserting in lieu thereof the following:

"**436.570. 1. A consumer legal funding company shall not engage in the business of consumer legal funding in this state unless it has first obtained a license from the division of finance.**

2. A consumer legal funding company's initial or renewal license application shall be in writing, made under oath, and on a form provided by the director.

3. Every consumer legal funding company, at the time of filing a license application, shall pay the sum of five hundred fifty dollars for the period ending the thirtieth day of June next following the date of payment; thereafter, a like fee shall be paid on or before June thirtieth of each year and shall be credited to the division of finance fund established under section 361.170.

4. A consumer legal funding license shall not be issued unless the division of finance, upon investigation, finds that the character and fitness of the applicant company, and of the officers and directors thereof, are such as to warrant belief that the business shall operate honestly and fairly within the purposes of sections 436.550 to 436.572.

5. Every applicant shall also, at the time of filing such application, file a bond satisfactory to the division of finance in an amount not to exceed fifty thousand dollars. The bond shall provide that the applicant shall faithfully conform to and abide by the provisions of sections 436.550 to 436.572, to all rules lawfully made by the director under sections 436.550 to 436.572, and the bond shall act as a surety for any person or the state for any and all amount of moneys that may become due or owing from the applicant under and by virtue of sections 436.550 to 436.572, which shall include the result of any action that occurred while the bond was in place for the applicable period of limitations under statute and so long as the bond is not exhausted by valid claims.

6. If an action is commenced on a licensee's bond, the director may require the filing of a new bond. Immediately upon any recovery on the bond, the licensee shall file a new bond.

7. To ensure the effective supervision and enforcement of sections 436.550 to 436.572, the director may, under chapter 536:

(1) Deny, suspend, revoke, condition, or decline to renew a license for a violation of sections 436.550 to 436.572, rules issued under sections 436.550 to 436.572, or order or directive entered under sections 436.550 to 436.572;

(2) Deny, suspend, revoke, condition, or decline to renew a license if an applicant or licensee fails at any time to meet the requirements of sections 436.550 to 436.572, or withholds information or makes a material misstatement in an application for a license or renewal of a license;

(3) Order restitution against persons subject to sections 436.550 to 436.572 for violations of sections 436.550 to 436.572; and

(4) Order or direct such other affirmative action as the director deems necessary.

8. Any letter issued by the director and declaring grounds for denying or declining to grant or renew a license may be appealed to the circuit court of Cole County. All other matters presenting a contested case involving a licensee may be heard by the director under chapter 536.

9. Notwithstanding the prior approval requirement of subsection 1 of this section, a consumer legal funding company that has applied with the division of finance between the effective date of sections 436.550 to 436.572, or when the division of finance has made applications available to the public, whichever is later, and six months thereafter may engage in consumer legal funding while the license application of the company or an affiliate of the company is awaiting approval by the division of finance and until such time as the applicant has pursued all appellate remedies and procedures for any denial of such application. All funding contracts in effect prior to the effective date of sections 436.550 to 436.572 are not subject to the terms of sections 436.550 to 436.572.

10. If it appears to the director that any consumer legal funding company is failing, refusing, or neglecting to make a good faith effort to comply with the provisions of sections 436.550 to 436.572, or any laws or rules relating to consumer legal funding, the director may issue an order to cease and desist, which may be enforceable by a civil penalty of not more than one thousand dollars per day for each day that the neglect, failure, or refusal continues. The penalty shall be assessed and collected by the director. In determining the amount of the penalty, the director shall take into account the appropriateness of the penalty with respect to the gravity of the violation, any history of previous violations, and any other matters justice may require.

11. If any consumer legal funding company fails, refuses, or neglects to comply with the provisions of sections 436.550 to 436.572, or of any laws or rules relating to consumer legal funding, its license may be suspended or revoked by order of the director after a hearing before said director on any order to show cause why such order of suspension or revocation should not be entered and that specifies the grounds therefor. Such an order shall be served on the particular consumer legal funding company at least ten days prior to the hearing. Any order made and entered by the director may be appealed to the circuit court of Cole County.

12. (1) The division shall conduct an examination of each consumer legal funding company at least once every twenty-four months and at such other times as the director may determine.

(2) For any such investigation or examination, the director and his or her representatives shall have free and immediate access to the place or places of business and the books and records, and shall have the authority to place under oath all persons whose testimony may be required relative to the affairs and business of the consumer legal funding company.

(3) The director may also make such special investigations or examination as the director deems necessary to determine whether any consumer legal funding company has violated any of the provisions of sections 436.550 to 436.572 or rules promulgated thereunder, and the director may assess the reasonable costs of any investigation or examination incurred by the division to the company.

13. The division of finance shall have the authority to promulgate rules to carry out the provisions of sections 436.550 to 436.572. 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, 2023, shall be invalid and void."; and

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

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 17, Section 387.435, Line 9, by inserting after all of said section and line the following:

"**427.300. 1. This section shall be known, and may be cited as, the "Commercial Financing Disclosure Law".**

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

(1) "Account":

(a) Includes:

a. A right to payment of a monetary obligation, whether or not earned by performance, for one of the following:

(i) Property that has been or is to be sold, leased, licensed, assigned, or otherwise disposed of;

(ii) Services rendered or to be rendered;

(iii) A policy of insurance issued or to be issued;

(iv) A secondary obligation incurred or to be incurred;

(v) Energy provided or to be provided;

(vi) The use or hire of a vessel under a charter or other contract;

(vii) Arising out of the use of a credit or charge card or information contained on or for use with the card; or

(viii) As winnings in a lottery or other game of chance operated or sponsored by a state, governmental unit of a state, or person licensed or authorized to operate the game by a state or governmental unit of a state; and

b. Health care insurance receivables; and

(b) Shall not include:

a. Rights to payment evidenced by chattel paper or an instrument;

b. Commercial tort claims;

c. Deposit accounts;

d. Investment property;

e. Letter-of-credit rights or letters of credit; or

f. Rights to payment for moneys or funds advanced or sold, other than rights arising out of the use of a credit or charge card or information contained on or for use with the card;

(2) "Accounts receivable purchase transaction", any transaction in which the business forwards or otherwise sells to the provider all or a portion of the business's accounts or payment intangibles at a discount to their expected value. For purposes of this section, the provider's characterization of an accounts receivable purchase transaction as a purchase is conclusive that the accounts receivable purchase transaction is not a loan or a transaction for the use, forbearance, or detention of moneys;

(3) "Broker", any person who, for compensation or the expectation of compensation, obtains a commercial financing product or an offer for a commercial financing product from a third party that would, if executed, be binding upon that third party and communicates that offer to a business located in this state. The term "broker" excludes a "provider", or any individual or entity whose compensation is not based or dependent upon the terms of the specific commercial financing product obtained or offered;

(4) "Business", an individual or group of individuals, sole proprietorship, corporation, limited liability company, trust, estate, cooperative, association, or limited or general partnership engaged in a business activity;

(5) "Business purpose transaction", any transaction where the proceeds are provided to a business or are intended to be used to carry on a business and not for personal, family, or household purposes. For purposes of determining whether a transaction is a business purpose transaction, the provider may rely on any written statement of intended purpose signed by the business. The statement may be a separate statement or may be contained in an application, agreement, or other document signed by the business or the business owner or owners;

(6) "Commercial financing product", any commercial loan, accounts receivable purchase transaction, commercial open-end credit plan, or each to the extent the transaction is a business purpose transaction;

(7) "Commercial loan", a loan to a business, whether secured or unsecured;

(8) "Commercial open-end credit plan", commercial financing extended by any provider under a plan in which:

(a) The provider reasonably contemplates repeat transactions; and

(b) The amount of financing that may be extended to the business during the term of the plan, up to any limit set by the provider, is generally made available to the extent that any outstanding balance is repaid;

(9) "Depository institution", any of the following:

(a) A bank, trust company, or industrial loan company doing business under the authority of, or in accordance with, a license, certificate, or charter issued by the United States, this state, or any other state, district, territory, or commonwealth of the United States that is authorized to transact business in this state;

(b) A federally chartered savings and loan association, federal savings bank, or federal credit union that is authorized to transact business in this state; and

(c) A savings and loan association, savings bank, or credit union organized under the laws of this or any other state that is authorized to transact business in this state;

(10) "General intangible", any personal property, including things in action, other than accounts, chattel paper, commercial tort claims, deposit accounts, documents, goods, instruments, investment property, letter-of-credit rights, letters of credit, moneys, and oil, gas, or other minerals before extraction. "General intangible" also includes payment intangibles and software;

(11) "Payment intangible", a general intangible under which the account debtor's principal obligation is a monetary obligation;

(12) "Provider", a person who consummates more than five commercial financing products to a business located in this state in any calendar year. "Provider" also includes a person who enters into a written agreement with a depository institution to arrange for the extension of a commercial financing product by the depository institution to a business via an online lending platform administered by the person. The fact that a provider extends a specific offer for a commercial financing product on behalf of a depository institution shall not be construed to mean that the provider engaged in lending or financing or originated such loan or financing.

3. (1) A provider who consummates a commercial financing product shall disclose the terms of the commercial financing product as required by this section. The disclosures shall be provided at or before consummation of the transaction. Only one disclosure is required for each commercial financing product, and a disclosure is not required as a result of the modification, forbearance, or change to a consummated commercial financing product.

(2) A provider shall disclose the following in connection with each commercial financing product:

(a) The total amount of funds provided to the business under the terms of the commercial financing product. This disclosure shall be labeled "Total Amount of Funds Provided";

(b) The total amount of funds disbursed to the business under the terms of the commercial financing product, if less than the total amount of funds provided, as a result of any fees deducted or withheld at disbursement and any amount paid to a third party on behalf of the business. This disclosure shall be labeled "Total Amount of Funds Disbursed";

(c) The total amount to be paid to the provider pursuant to the commercial financing product agreement. This disclosure shall be labeled "Total of Payments";

(d) The total dollar cost of the commercial financing product under the terms of the agreement, derived by subtracting the total amount of funds provided from the total of payments. This calculation shall include any fees or charges deducted by the provider from the "Total Amount of Funds Provided". This disclosure shall be labeled "Total Dollar Cost of Financing";

(e) The manner, frequency, and amount of each payment. This disclosure shall be labeled "Payments". If the payments may vary, the provider shall instead disclose the manner, frequency, and the estimated amount of the initial payment labeled "Estimated Payments", and the commercial financing product agreement shall include a description of the methodology for calculating any variable payment and the circumstances when payments may vary; and

(f) A statement of whether there are any costs or discounts associated with prepayment of the commercial financing product, including a reference to the paragraph in the agreement that creates the contractual rights of the parties related to prepayment. This disclosure shall be labeled "Prepayment".

4. This section shall not apply to the following:

(1) A provider that is a depository institution or a subsidiary or service corporation that is:

(a) Owned and controlled by a depository institution; and

(b) Regulated by a federal banking agency;

(2) A provider that is a lender regulated under the federal Farm Credit Act, 12 U.S.C. Sec. 2001 et seq.;

(3) A commercial financing product that is:

(a) Secured by real property;

(b) A lease; or

(c) A purchase-money obligation that is incurred as all or part of the price of the collateral or for value given to enable the business to acquire rights in or the use of the collateral if the value is in fact so used;

(4) A commercial financing product in which the recipient is a motor vehicle dealer or an affiliate of such a dealer, or a vehicle rental company, or an affiliate of such a company, pursuant to a commercial loan or commercial open-end credit plan of at least fifty thousand dollars or a commercial financing product offered by a person in connection with the sale or lease of products or services that such person manufactures, licenses, or distributes, or whose parent company or any of its directly or indirectly owned and controlled subsidiaries manufactures, licenses, or distributes;

(5) A commercial financing product that is a factoring transaction, purchase, sale, advance, or similar of accounts receivables owed to a health care provider because of a patient's personal injury treated by the health care provider;

(6) A provider who is licensed as a money transmitter in accordance with a license, certificate, or charter issued by this state, or any other state, district, territory, or commonwealth of the United States;

(7) A provider who consummates no more than five commercial financing products in this state in a twelve-month period; or

(8) A transaction in which the provider has no obligation to advance more than five hundred thousand dollars.

5. (1) No person shall engage in business as a broker for commercial financing within this state, for compensation, unless prior to conducting such business, the person has filed a registration with the division of finance within the department of commerce and insurance and has on file a good and sufficient bond as specified in this subsection. The registration shall be effective upon receipt by the division of finance of a completed registration form and the required registration fee, and shall remain effective until the time of renewal.

(2) After filing an initial registration form, a broker shall file, on or before January thirty-first of each year, a renewal registration form along with the required renewal registration fee.

(3) The broker shall pay a one-hundred-dollar registration fee upon the filing of an initial registration and a fifty-dollar renewal fee upon the filing of a renewal registration.

(4) The registration form required by this subsection shall include:

(a) The name of the broker;

(b) The name in which the broker is transacted if different from that stated in paragraph (a) of this subdivision;

(c) The address of the broker's principal office, which may be outside this state;

(d) Whether any officer, director, manager, operator, or principal of the broker has been convicted of a felony involving an act of fraud, dishonesty, breach of trust, or money laundering; and

(e) The name and address in this state of a designated agent upon whom service of process may be made.

(5) If information in a registration form changes or otherwise becomes inaccurate after filing, the broker shall not be required to file a further registration form prior to the time of renewal.

(6) Each broker shall obtain a surety bond issued by a surety company authorized to do business in this state. The amount of the bond shall be ten thousand dollars. The bond shall be in favor of the state of Missouri. Any person damaged by the broker's breach of contract or of any obligation arising therefrom, or by any violation of this section, may bring an action against the bond to recover damages suffered. The aggregate liability of the surety shall be only for actual damages and in no event shall exceed the amount of the bond.

(7) Employees regularly employed by a broker who has complied with this subsection shall not be required to file a registration or obtain a surety bond when acting within the scope of their employment for the broker.

6. (1) Any person who violates any provision of this section shall be punished by a fine of five hundred dollars per incident, not to exceed twenty thousand dollars for all aggregated violations arising from the use of the transaction documentation or materials found to be in violation of this section. Any person who violates any provision of this section after receiving written notice of a prior violation from the attorney general shall be punished by a fine of one thousand dollars per incident, not to exceed fifty thousand dollars for all aggregated violations arising from the use of the transaction documentation or materials found to be in violation of this section.

(2) Violation of any provision of this section shall not affect the enforceability or validity of the underlying agreement.

(3) This section shall not create a private right of action against any person or other entity based upon compliance or noncompliance with its provisions.

(4) Authority to enforce compliance with this section is vested exclusively in the attorney general of this state.

7. The requirements of subsections 3 and 5 of this section shall take effect upon the earlier of:

(1) Six months after the division of finance finalizes promulgating rules, if the division intends to promulgate rules; or

(2) February 28, 2024, if the division does not promulgate rules.

8. The division of finance may promulgate rules implementing this section. If the division of finance intends to promulgate rules, it shall declare its intent to do so no later than February 28, 2024. 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, 2023, shall be invalid and void."; and

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

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 10, Section 375.1275, Line 46, by inserting after said section and line the following:

"376.1060. 1. As used in this section, the following terms shall mean:

(1) "Contracting entity", any person or entity**, including a health carrier,** that is engaged in the act of contracting with providers for the delivery of **[**dental**] health care** services **[**or the selling or assigning of dental network plans to other health care entities**]**;

(2) **[**"Identify", providing in writing, by email or otherwise, to the participating provider the name, address, and telephone number, to the extent possible, for any third party to which the contracting entity has granted access to the health care services of the participating provider;

(3) "Network plan", health insurance coverage offered by a health insurance issuer under which the financing and delivery of dental services are provided in whole or in part through a defined set of participating providers under contract with the health insurance issuer**] "Health care service", the same meaning given to the term in section 376.1350**;

[(4)] **(3) "Health carrier", the same meaning given to the term in section 376.1350. The term "health carrier" shall also include any entity described in subdivision (4) of section 354.700;**

(4) "Participating provider", a provider who, under a contract with a contracting entity, has agreed to provide **[**dental**] health care** services with an expectation of receiving payment, other than coinsurance, co-payments or deductibles, directly or indirectly from the contracting entity;

(5) "Provider", any person licensed under section 332.071**;**

(6) "Provider network contract", a contract between a contracting entity and a provider that specifies the rights and responsibilities of the contracting entity and provides for the delivery and payment of health care services;

(7) "Third party", a person or entity that enters into a contract with a contracting entity or with another third party to gain access to the health care services or contractual discounts of a provider network contract. "Third party" does not include an employer or other group for whom the health carrier or contracting entity provides administrative services.

2. A contracting entity **[**shall not sell, assign, or otherwise**] shall only** grant **a third party** access to **[**the dental services of**]** a participating **[**provider under a health care contract unless expressly authorized by the health care contract. The health care contract shall specifically provide that one purpose of the contract is the selling, assigning, or giving the contracting entity rights to the services of the participating provider, including network plans**] provider's health care services or contractual discounts provided in accordance with a contract between a participating provider and a contracting entity and only if:**

(1) The contract specifically states that the contracting entity may enter into an agreement with a third party allowing the third party to obtain the contracting entity's rights and responsibilities as if the third party were the contracting entity, and the contract allows the provider to choose not to participate in third-party access at the time the contract is entered into or renewed or when there

are material modifications to the contract. The third-party access provision of any provider network contract shall also specifically state that the contract grants third-party access to the provider's health care services and that the provider has the right to choose not to participate in third-party access to the contract or to enter into a contract directly with the third party. A provider's decision not to participate in third-party access shall not permit the contracting entity to cancel or otherwise end a contractual relationship with the provider. When initially contracting with a provider, a contracting entity shall accept a qualified provider even if the provider chooses not to participate in the third-party access provision;

(2) The third party accessing the contract agrees to comply with all of the contract's terms;

(3) The contracting entity identifies, in writing or electronic form to the provider, all third parties in existence as of the date the contract is entered into or renewed;

(4) The contracting entity identifies all third parties in existence in a list on its internet website that is updated at least once every ninety days;

(5) The contracting entity notifies providers that a new third party is accessing a provider network contract at least thirty days in advance of the relationship taking effect;

(6) The contracting entity notifies the third party of the termination of a provider network contract no later than thirty days from the termination date with the contracting entity;

(7) A third party's right to a provider's discounted rate ceases as of the termination date of the provider network contract;

(8) The provider is not already a participating provider of the third party; and

(9) The contracting entity makes available a copy of the provider network contract relied on in the adjudication of a claim to a participating provider within thirty days of a request from the provider.

3. **[**Upon entering a contract with a participating provider and upon request by a participating provider, a contracting entity shall properly identify any third party that has been granted access to the dental services of the participating provider**] No provider shall be bound by or required to perform health care services under a provider network contract that has been granted to a third party in violation of the provisions of this section**.

4. A contracting entity that sells, assigns, or otherwise grants **a third party** access to **[**the dental services of**]** a participating **[**provider**] provider's health care services** shall maintain an internet website or a toll-free telephone number through which the participating provider may obtain information which identifies the **[**insurance carrier] **third party** to be used to reimburse the participating provider for the covered **[**dental**] health care** services.

5. A contracting entity that sells, assigns, or otherwise grants **a third party** access to a participating provider's **[**dental**] health care** services shall ensure that an explanation of benefits or remittance advice furnished to the participating provider that delivers **[**dental**] health care** services **[**under the health care contract**] for the third party** identifies the contractual source of any applicable discount.

6. **[**All third parties that have contracted with a contracting entity to purchase, be assigned, or otherwise be granted access to the participating provider's discounted rate shall comply with the participating provider's contract, including all requirements to encourage access to the participating provider, and pay the participating provider pursuant to the rates of payment and methodology set forth in that contract, unless otherwise agreed to by a participating provider.

7. A contracting entity is deemed in compliance with this section when the insured's identification card provides information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services**] (1) The provisions of this section shall not apply if access to a provider network contract is granted to any entity operating in accordance with the same brand licensee program as the contracting entity or to any entity that is an affiliate of the contracting entity. A list of the contracting entity's affiliates shall be made available to a provider on the contracting entity's website.**

(2) The provisions of this section shall not apply to a provider network contract for health care services provided to beneficiaries of any state-sponsored health insurance programs including, but not limited to, MO HealthNet and the state children's health insurance program authorized in sections 208.631 to 208.658."; and

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

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 1, Section A, Line 7, by inserting after said section and line the following:

"30.753. 1. The state treasurer may invest in linked deposits; however, the total amount so deposited at any one time shall not exceed, in the aggregate, **[**eight hundred million**] one billion** dollars. **[**No more than three hundred thirty million dollars of**]** The aggregate deposit shall be used for linked deposits to eligible farming operations, eligible locally owned businesses, eligible agribusinesses, eligible beginning farmers, eligible livestock operations, **[**and**]** eligible facility borrowers, **[**no more than one hundred ninety million of the aggregate deposit shall be used for linked deposits to**] and eligible** small businesses**[**,**].** No more than **[**twenty million dollars**] five percent** shall be used for linked deposits to eligible multitenant development enterprises, and no more than **[**twenty million dollars**] five percent** of the aggregate deposit shall be used for linked deposits to eligible residential property developers and eligible residential property owners, **and** no more than **[**two hundred twenty million dollars**] twenty percent** of the aggregate deposit shall be used for linked deposits to eligible job enhancement businesses**,** and no more than **[**twenty million dollars**] five percent** of the aggregate deposit shall be used for linked deposit loans to eligible water systems. Linked deposit loans may be made to eligible student borrowers, eligible alternative energy operations, eligible alternative energy consumers, and eligible governmental entities from the aggregate deposit. If demand for a particular type of linked deposit exceeds the initial allocation, and funds initially allocated to another type are available and not in demand, the state treasurer may commingle allocations among the types of linked deposits.

2. The minimum deposit to be made by the state treasurer to an eligible lending institution for eligible job enhancement business loans shall be ninety thousand dollars. Linked deposit loans for eligible job enhancement businesses may be made for the purposes of assisting with relocation expenses, working

capital, interim construction, inventory, site development, machinery and equipment, or other expenses necessary to create or retain jobs in the recipient firm."; and

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

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 26, Section 436.572, Line 2, by inserting after all of said section and line the following:

"442.404. 1. As used in this section, the following terms shall mean:

(1) "Homeowners' association", a nonprofit corporation or unincorporated association of homeowners created under a declaration to own and operate portions of a planned community or other residential subdivision that has the power under the declaration to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under the declaration or tenants-in-common with respect to the ownership of common ground or amenities of a planned community or other residential subdivision. This term shall not include a condominium unit owners' association as defined and provided for in subdivision (3) of section 448.1-103 or a residential cooperative;

(2) "Political signs", any fixed, ground-mounted display in support of or in opposition to a person seeking elected office or a ballot measure excluding any materials that may be attached;

(3) "Solar panel or solar collector", a device used to collect and convert solar energy into electricity or thermal energy, including but not limited to photovoltaic cells or panels, or solar thermal systems.

2. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of political signs.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of political signs.

(3) A homeowners' association may remove a political sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the political sign. Subject to the foregoing, a homeowners' association shall not remove a political sign from the property of a homeowner or impose any fine or penalty upon the homeowner unless it has given such homeowner three days after providing written notice to the homeowner, which notice shall specifically identify the rule and the nature of the violation.

3. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall limit or prohibit, or have the effect of limiting or prohibiting, the installation of solar panels or solar collectors on the rooftop of any property or structure.

(2) A homeowners' association may adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the placement of solar panels or solar collectors to the extent that those rules do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device.

(3) The provisions of this subsection shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

4. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting the display of sale signs on the property of a homeowner or property owner including, but not limited to, any yard on the property, or nearby street corners.

(2) A homeowners' association has the authority to adopt reasonable rules, subject to any applicable statutes or ordinances, regarding the time, size, place, number, and manner of display of sale signs.

(3) A homeowners' association may remove a sale sign without liability if such sign is placed within the common ground, threatens the public health or safety, violates an applicable statute or ordinance, is accompanied by sound or music, or if any other materials are attached to the sale sign. Subject to the foregoing, a homeowners' association shall not remove a sale sign from the property of a homeowner or property owner or impose any fine or penalty upon the homeowner or property owner unless it has given such homeowner or property owner three business days after the homeowner or property owner receives written notice from the homeowners' association, which notice shall specifically identify the rule and the nature of the alleged violation.

5. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting ownership or pasturing of up to six chickens per two tenths of an acre.

(2) A homeowners' association may adopt reasonable rules, subject to applicable statutes or ordinances, regarding ownership or pasturing of chickens, including a prohibition or restriction on ownership or pasturing of roosters."; and

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

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 181, Page 1, Section A, Line 7, by inserting after said section and line the following:

"8.250. 1. "Project" for the purposes of this chapter means the labor or material necessary for the construction, renovation, or repair of improvements to real property so that the work, when complete, shall be ready for service for its intended purpose and shall require no other work to be a completed system or component.

2. All contracts for projects, the cost of which exceeds twenty-five thousand dollars, entered into by any city containing five hundred thousand inhabitants or more shall be let to the lowest, responsive, responsible bidder or bidders after publication of an advertisement for a period of ten days or more in a newspaper in the county where the work is located, in two daily newspapers in the state which do not have less than fifty thousand daily circulation, and on the website of the city or through an electronic procurement system.

3. All contracts for projects, the cost of which exceeds one hundred thousand dollars, entered into by an officer or agency of this state shall be let to the lowest, responsive, responsible bidder or bidders based on preestablished criteria after publication of an advertisement **[**for a period of ten days or more in a

newspaper in the county where the work is located, in one daily newspaper in the state which does not have less than fifty thousand daily circulation, and on the website of the officer or agency or through an electronic procurement system**] in a newspaper in the county where the work is located and advertising the invitation for bid through an electronic medium available to the general public for a period of at least five days before bids are to be opened**. For all contracts for projects between twenty-five thousand dollars and one hundred thousand dollars, a minimum of three contractors shall be solicited with the award being made to the lowest responsive, responsible bidder based on preestablished criteria.

4. The number of such public bids shall not be restricted or curtailed, but shall be open to all persons complying with the terms upon which the bids are requested or solicited unless debarred for cause. No contract shall be awarded when the amount appropriated for same is not sufficient to complete the work ready for service.

5. Dividing a project into component labor or material allocations for the purpose of avoiding bidding or advertising provisions required by this section is specifically prohibited.

8.679. When, in the discretion of the public owner, it is determined that a public works project should be performed with a negotiated contract for construction management services, such public owner shall advertise and solicit proposals from qualified construction managers in the following manner: **[**If the total cost for the erection or construction of any building or structure or the improvement, alteration or repair of a building or structure exceeds five hundred thousand dollars, the public owner shall request and solicit proposals by advertising for ten days in one newspaper of general circulation in the county where the work is located . If the cost of the work contemplated exceeds one million five hundred thousand dollars, proposals shall be solicited by advertisement for ten days in two daily newspapers in the state which have not less than fifty thousand daily circulation in addition to the advertisement**] by advertising in a newspaper** in the county where the work is located **and by advertising the request for proposals through an electronic medium available to the general public for a period of at least five days before proposals are to be opened**. The number of such proposals shall not be restricted or curtailed, but shall be open to all construction managers complying with the terms upon which the proposals are requested.

8.690. 1. The office of administration shall have the authority to utilize:

(1) The construction manager-at-risk delivery method, as provided for in section 67.5050; and

(2) The design-build delivery method, as provided for in section 67.5060, only as follows:

(a) For noncivil works projects, as that term is used in section 67.5060, in excess of seven million dollars; and

(b) No more than five noncivil works projects, as that term is used in section 67.5060, may be contracted for in any fiscal year that are less than seven million dollars.

2. The office of administration shall not be subject to subsection 15 of section 67.5050 and subsection 22 of section 67.5060 in executing contracts pursuant to this section.

3. The office of administration shall not be subject to subsection 4 of section 67.5060 **or the provisions of subsection 3 of section 67.5050 that require disclosure at a public meeting**. The office of administration shall **[**publish its advertisement for proposals in the publications , and on the website of the officer or agency or through an electronic procurement system**] advertise its intent to solicit**

qualifications or proposals, as applicable, for a design-builder or construction manager-at-risk as set forth in subsection 3 of section 8.250. The selection and award shall follow sections 67.5050 and 67.5060, as applicable.

34.042. 1. When the commissioner of administration determines that the use of competitive bidding is either not practicable or not advantageous to the state, supplies may be procured by competitive proposals. The commissioner shall state the reasons for such determination, and a report containing those reasons shall be maintained with the vouchers or files pertaining to such purchases. All purchases in excess of ten thousand dollars to be made under this section shall be based on competitive proposals.

2. On any purchase where the estimated expenditure shall be one hundred thousand dollars or over, the commissioner of administration shall:

(1) Advertise for proposals in at least two daily newspapers of general circulation in such places as are most likely to reach prospective offerors and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before proposals for such purchases are to be opened. Other methods of advertisement, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post notice of the proposed purchase; and

(3) Solicit proposals by mail or other reasonable method generally available to the public from prospective offerors.

All proposals for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening proposals. Proposals shall be opened in a manner to avoid disclosure of contents to competing offerors during the process of negotiation.

3. The contract shall be let to the lowest and best offeror as determined by the evaluation criteria established in the request for proposal and any subsequent negotiations conducted pursuant to this subsection. In determining the lowest and best offeror, as provided in the request for proposals and under rules promulgated by the commissioner of administration, negotiations may be conducted with responsible offerors who submit proposals selected by the commissioner of administration on the basis of reasonable criteria for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and subsequent revision of proposals; however, a request for proposal may set forth the manner for determining which offerors are eligible for negotiation, including, but not limited to, the use of shortlisting. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting negotiations there shall be no disclosure of any information derived from proposals submitted by competing offerors. The commissioner of administration shall have the right to reject any or all proposals and advertise for new proposals or purchase the required supplies on the open market if they can be so purchased at a better price.

4. The commissioner shall make available, upon request, to any members of the general assembly, information pertaining to competitive proposals, including the names of bidders and the amount of each bidder’s offering for each contract.

5. If identified in the solicitation, the commissioner may award a contract to the lowest and best responsive vendors as determined by the evaluation criteria set out in the solicitation while reserving certain contract provisions for negotiation after the notice of award. The reserved contract provisions for post-award negotiation shall not be provisions that were part of the evaluation criteria and scoring or provisions that impacted such criteria or scoring. The timeframe for such post-award negotiations shall be set out in the solicitation itself and if such negotiations fail, the commissioner may cancel the award and award the contract to the next lowest and best vendor. If satisfied with the lowest and best responsive vendor's proposal, the commissioner may waive post-award negotiations.

64.231. 1. The county planning board shall have power to make, adopt and may publish an official master plan for the county for the purpose of bringing about coordinated physical development in accordance with present and future needs. The master plan shall be developed so as to conserve the natural resources of the county, to ensure efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity and general welfare of the inhabitants. The master plan may include, among other things, a land use plan, studies and recommendations relative to the locations, character and extent of highways, railroads, bus, streetcar and other transportation routes, bridges, public buildings, schools, sewers, parks and recreation facilities, parkways, forests, wildlife refuges, dams and projects affecting conservation of natural resources. The county planning board may adopt the master plan in whole or in part, and subsequently amend or extend the adopted plan or any portion thereof. Before the adoption, amendment or extension of the plan or portion thereof, the board shall hold at least one public hearing thereon, fifteen days' notice of the time and place of which shall be published in at least one newspaper having general circulation within the county, and notice of the hearing shall also be posted **[**at least fifteen days in advance thereof in at least two conspicuous places in each township**] on the county's website**. The hearing may be adjourned from time to time. The adoption of the plan shall be by resolution carried by not less than a majority vote of the full membership of the county planning board. After the adoption of the master plan an attested copy shall be certified to the county clerk and a copy shall be recorded in the office of the recorder of deeds.

2. The master plan, with the accompanying maps, diagrams, charts, descriptive matter, and reports, shall include the plans specified by this section which are appropriate to the county and which may be made the basis for its physical development. The master plan may comprise any, all, or any combination of the plans specified in this section, for all or any part of the county."; and

Further amend said bill, Page 26, Section 436.572, Line 2, by inserting after said section and line the following:

"493.050. **1.** All public advertisements and orders of publication required by law to be made and all legal publications affecting the title to real estate shall be published in some daily, triweekly, semiweekly or weekly newspaper of general circulation in the county where located**,** and **[**which**] such a newspaper** shall have**:**

(1) Been admitted to the post office as periodicals class matter in the city of publication; **[**shall have**]**

(2) Been **either:**

(a) Published regularly and consecutively for a period of **[**three years**] one year**, except that a newspaper of general circulation may be deemed to be the successor to a defunct newspaper of general

circulation, and subject to all of the rights and privileges of said prior newspaper under this statute, if the successor newspaper shall begin publication no later than **[**thirty**] ninety** consecutive days after the termination of publication of the prior newspaper; **[**shall have**] or**

(b) Purchased or newly established by a newspaper that satisfies the requirements of paragraph (a) of this subdivision; and

(3) A list of bona fide subscribers voluntarily engaged as such, who have paid or agreed to pay a stated price for a subscription for a definite period of time**[**; provided, that when**].**

2. If a public notice, required by law to be published once a week for a given number of weeks, **[**shall**] is to** be published in a daily, triweekly, semiweekly or weekly newspaper, the notice shall appear once a week, on the same day of each week**[**, and further provided, that**].** Every affidavit to proof of publication shall state that the newspaper in which such notice was published has complied with the provisions of this section**[**; provided further, that**].** The duration of consecutive publication provided for in this section shall not affect newspapers which have become legal publications prior to September 6, 1937**[**; provided, however, that when**]. If** any newspaper shall be forced to suspend publication in any time of war, due to the owner or publisher being inducted into the Armed Forces of the United States, the newspaper may be reinstated within one year after actual hostilities have ceased, with all the benefits provided pursuant to the provisions of this section, upon the filing with the secretary of state of notice of intention of such owner or publisher, the owner's surviving spouse or legal heirs, to republish such newspaper, setting forth the name of the publication, its volume and number, its frequency of publication, and its readmission to the post office where it was previously entered as periodicals class mail matter, and **[**when**] if** it **[**shall have**] has** a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for subscription for a definite period of time. All laws or parts of laws in conflict with this section except sections 493.070 to 493.120, are hereby repealed.

493.070. In all cities of this state which now have, or shall hereafter have, a population of one hundred thousand inhabitants or more, all public notices and advertisements, directed by any court**[**,**]** or required by law to be published in a newspaper, shall be published in some daily newspaper of such city, of general circulation therein, which shall have been established and continuously published as such for a period of at least **[**three consecutive years**] one year** next prior to the publication of any such notice."; and

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

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Bernskoetter offered Senate Resolution No. 470, regarding the Seventieth Wedding Anniversary of Bernie and Jadine Eiken, Jefferson City, which was adopted.

Senator Trent offered Senate Resolution No. 471, regarding Vera Tenhill, Greenfield, which was adopted.

Senator Trent offered Senate Resolution No. 472, regarding Angela Joy Maxwell, Everton, which was adopted.

Senator Trent offered Senate Resolution No. 473, regarding Sara Jean Engroff, Greenfield, which was adopted.

Senator Trent offered Senate Resolution No. 474, regarding the Sixtieth Wedding Anniversary of Jerry and Jane Houghton, Lamar, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 475, regarding the Mexico FFA Chapter, Mexico, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 476, regarding Brant Cope, Laddonia, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 477, regarding Pacey Cope, Laddonia, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 478, regarding Lance Fort, Laddonia, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 479, regarding Tucker Robnett, Laddonia, which was adopted.

Senator Gannon offered Senate Resolution No. 480, regarding Matt Mitchell, which was adopted.

Senator Gannon offered Senate Resolution No. 481, regarding Gavin Alexander, which was adopted.

Senator Gannon offered Senate Resolution No. 482, regarding Jordan Penick, which was adopted.

Senator Gannon offered Senate Resolution No. 483, regarding Evan Morris, which was adopted.

Senator Gannon offered Senate Resolution No. 484, regarding Sam Richardson, which was adopted.

Senator Gannon offered Senate Resolution No. 485, regarding Carter Wallis, which was adopted.

Senator Gannon offered Senate Resolution No. 486, regarding Griffin Ray, which was adopted.

Senator Gannon offered Senate Resolution No. 487, regarding Jackson Tucker, which was adopted.

Senator Gannon offered Senate Resolution No. 488, regarding Josh Allison, which was adopted.

Senator Gannon offered Senate Resolution No. 489, regarding Jonah Allison, which was adopted.

Senator Gannon offered Senate Resolution No. 490, regarding Jimmy Mann, which was adopted.

Senator Gannon offered Senate Resolution No. 491, regarding Gavin Vaughn, which was adopted.

Senator Gannon offered Senate Resolution No. 492, regarding Landon Pogue, which was adopted.

Senator Gannon offered Senate Resolution No. 493, regarding Clayton Schneider, which was adopted.

Senator Gannon offered Senate Resolution No. 494, regarding Gregory "Greg" Mann, which was adopted.

Senator Gannon offered Senate Resolution No. 495, regarding Tom Gordon, which was adopted.

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

SENATE CALENDAR

SIXTY-SEVENTH DAY–WEDNESDAY, MAY 10, 2023

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 8-Eigel (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 335-Crawford
2. SB 46-Gannon, with SCS
3. SB 206-Eslinger
4. SB 349-Trent, with SCS
5. SB 229-Colemen, with SCS
6. SBs 332, 334, 541 & 144-Brattin, with SCS
7. SB 161-Coleman, with SCS
8. SB 166-Carter
9. SB 381-Thompson Rehder
10. SB 77-Black
11. SB 342-Trent
12. SB 374-Cierpiot, with SCS
13. SB 455-Roberts, with SCS
14. SB 440-Washington
15. SJR 46-Black
16. SB 185-Bernskoetter, with SCS
17. SB 7-Rowden, with SCS
18. SB 366-Crawford, with SCS
19. SB 337-Crawford
20. SB 367-Luetkemeyer
21. SJR 37-Cierpiot
22. SB 274-Trent
23. SB 412-Brown (26)
24. SJR 30-Brown (26), with SCS
25. SB 348-Trent
26. SB 519-Hoskins, with SCS
27. SB 319-Eigel, with SCS
28. SB 534-Black
29. SB 343-Razer
30. SB 160-Schroer and Coleman
31. SB 375-Cierpiot
32. SB 313-Mosley
33. SB 17-Arthur
34. SB 26-Brown (16)
35. SB 428-Carter
36. SJR 28-Carter
37. SB 553-Eslinger

HOUSE BILLS ON THIRD READING

1. HCS for HB 253 (Koenig) (In Fiscal Oversight)
2. HB 827-Christofanelli (Koenig)
3. HCS for HBs 133 & 583, with SCS (Hoskins) (In Fiscal Oversight)
4. HCS for HBs 640 & 729, with SCS (Luetkemeyer) (In Fiscal Oversight)
5. HB 202-Francis (Bean)
6. HCS for HB 467 (Crawford)
7. HB 644-Francis (Bean)
8. HCS for HB 154, with SCS (Koenig) (In Fiscal Oversight)
9. HB 283-Kelly (141), with SCS (Arthur)
10. HCS for HB 454 (Coleman)
11. HB 677-Copeland, with SCS (Brown (16))
12. HB 1010-Christofanelli (Trent)
13. HB 70-Dinkins (Brattin)
14. HB 415-O'Donnell, with SCS (Hough)
15. HCS for HBs 702, 53, 213, 216, 306 & 359 (Schroer) (In Fiscal Oversight)

16. HCS for HB 668, with SCS (Williams)
17. HCS for HB 316 (Bean)
18. HCS for HB 675 (Hoskins) (In Fiscal Oversight)
19. HB 585-Owen, with SCS (Crawford) (In Fiscal Oversight)
20. HCS for HB 1019 (Trent)
21. HCS for HB 1152, with SCS (Cierpiot)
22. HCS for HB 631, with SCS (Bernskoetter)
23. HCS for HB 587 (Crawford)
24. HCS for HBs 971 & 970 (Crawford)
25. HCS for HBs 994, 52 & 984, with SCS (Luetkemeyer)
26. HCS for HB 475, with SCS (Roberts) (In Fiscal Oversight)
27. HCS for HB 88 (Bernskoetter)
28. HB 81-Veit, with SCS (Thompson Rehder)
29. HB 94, HCS HB 130 & HCS HBs 882 & 518-Schwadron, with SCS (Eigel) (In Fiscal Oversight)
30. HCS for HB 1015, with SCS (Bernskoetter)
31. HCS for HB 774 (Moon)
32. HB 200-Francis (Thompson Rehder)
33. HCS#2 for HB 713, with SCS (Crawford) (In Fiscal Oversight)
34. HCS for HB 155, with SCS (Black) (In Fiscal Oversight)
35. HB 1067-Sharpe (4), with SCS (Eigel)
36. HCS for HB 725, with SCS (Brown (16)) (In Fiscal Oversight)
37. HCS for HB 1109 (Crawford) (In Fiscal Oversight)
38. HCS for HB 521 (Trent)
39. HCS for HB 779, with SCS (Bernskoetter)
40. HCS for HB 442 (Bernskoetter)
41. HB 136-Hudson (Carter) (In Fiscal Oversight)
42. HCS for HJRs 33 & 45 (Brown (26))
43. HCS for HB 424 (Crawford) (In Fiscal Oversight)
44. HB 1120-Hardwick (Brown (16))
45. HB 345-McGirl (Gannon)
46. HCS for HB 870 (Arthur) (In Fiscal Oversight)
47. HCS for HBs 919 & 1081, with SCS (Eigel)
48. HB 403-Haden, with SCS (Brown (16))
49. HCS for HB 576 (Black)
50. HCS for HBs 948 & 915 (Thompson Rehder)
51. HCS for HB 1023 (Rizzo)
52. HCS for HBs 117, 343 & 1091, with SCS (Luetkemeyer)
53. HB 282-Schnelting (Schroer)
54. HB 392-Toalson Reisch (Bean)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Koenig, with SCS
SB 11-Crawford, with SCS, SS for SCS, SA 2 & SA 1 to SA 2 (pending)
SB 15-Cierpiot, with SS (pending)
SB 21-Bernskoetter, with SCS (pending)
SB 30-Luetkemeyer, with SS & SA 12 (pending)
SB 38-Williams, with SCS & SS for SCS (pending)
SB 44-Brattin
SBs 73 & 162-Trent, with SCS, SS for SCS & SA 2 (pending)
SB 74-Trent, with SCS, SS for SCS & SA 1 (pending)
SB 79-Schroer, with SCS
SB 81-Coleman, with SCS
SB 85-Carter, with SCS, SS for SCS & SA 1 (pending)
SBs 93 & 135-Hoskins, with SCS & SS for SCS (pending)
SB 95-Koenig, with SS & SA 2 (pending)
SB 105-Cierpiot, with SS & SA 2 (pending)
SB 110-Bernskoetter
SB 112-Hough
SB 117-Luetkemeyer, with SS, SA 1 & SA 1 to SA 1 (pending)
SB 136-Eslinger
SB 140-Bean, with SCS
SB 151-Fitzwater, with SA 2 (pending)

SB 152-Trent
SB 168-Brown (26), with SCS & SS for SCS (pending)
SB 180-Crawford
SB 184-Arthur, with SCS & SA 1 (pending)
SB 209-Bean, with SCS
SB 214-Beck, with SS & SA 2 (pending)
SB 228-Coleman, with SCS & SS for SCS (pending)
SB 234-Brown (26)
SB 256-Brattin, with SCS
SB 304-Eigel, with SS & SA 5 (pending)
SB 317-Eigel, with SCS, SS#2 for SCS & SA 1 (pending)
SB 355-Brown (16), with SCS
SB 360-Koenig, with SCS
SB 400-Schroer, with SS (pending)
SB 413-Hoskins, with SCS, SS for SCS, SA 3 & SA 2 to SA 3 (pending)
SJR 12-Cierpiot
SJR 14-Brown (16), with SS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 184, with SCS, SS for SCS & SA 1 (pending) (Brown (26))
HCS for HB 301, with SCS, SS for SCS & SA 6 (pending) (Luetkemeyer)
HB 730-C. Brown (Trent)
HCS for HB 909, with SA 2 & SA 1 to SA 2 (pending) (Brattin)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 40-Thompson Rehder, with HCS
SS for SCS for SB 92-Hoskins, with HCS, as amended
SS for SB 181-Crawford, with HCS, as amended
SS for SB 198-Thompson Rehder, with HCS, as amended
SS for SB 199-Thompson Rehder, with HA 1, HA 1 to HA 2, HA 2 to HA 2 and HA 2, as amended
SCR 7-Bernskoetter, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 20-Bernskoetter, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 8, HA 9 & HA 10
SB 28-Brown (16), with HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 8, HA 1 to HSA 1 for HA 9, HSA 1 for HA 9, as amended, HA 1 to HA 10, HA 10, as amended, HA 1 to HA 11,HA 2 to HA 11, HA 3 to HA 11 & HA 11, as amended (Senate adopted CCR and passed CCS)
SS for SCS for SBs 45 & 90-Gannon, with HCS, as amended (Senate adopted CCR and passed CCS)
SS for SCS for SB 72-Trent, with HCS, as amended
SS#2 for SCS for SB 96-Koenig, with HS for HCS, as amended
SB 109-Bernskoetter, with HCS, as amended
SS for SB 111-Bernskoetter, with HCS, as amended
SS for SCS for SB 127-Thompson Rehder and Carter, with HA 1, HA 2, HA 1 to HA 3, HA 3, as amended, HA 4, HA 1 to HA 5, HA 2 to HA 5 & HA 5, as amended (Senate adopted CCR and passed CCS)

SS for SB 139-Bean, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 1 to HA 8, HA 8 as amended, HA 9, HA 1 to HA 11, HA 2 to HA 11, HA 11 as amended, HA 1 to HA 12, HA 12 as amended, HA 1 to HA 13, HA 2 to HA 13, HA 13 as amended, HA 14, HA 15 & HA 16
(Senate adopted CCR and passed CCS)
SS for SCS for SB 157-Black, with HCS, as amended
SB 186-Brown (16), with HCS, as amended
SS for SB 222-Trent, with HCS, as amended
SB 247-Brown (16), with HCS, as amended
HCS for HBs 903, 465, 430 & 499, with SS for SCS, as amended (Brattin)
HCS for HJR 43, with SS#3 (Crawford)
(House adopted CCR and passed CCS)

Requests to Recede or Grant Conference

SB 47-Gannon, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 187-Brown (16), with HCS, as amended (Senate requests Houserecede or grant conference)
HCS for HB 655, with SS for SCS, as amended (Crawford) (House requests Senate recede or grant conference)

RESOLUTIONS

SR 22-Roberts
SR 390-Beck
SR 417-Hoskins

To be Referred

SCR 19-May

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