

# Journal of the Senate

SECOND REGULAR SESSION

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**TWENTY-SIXTH DAY - TUESDAY, FEBRUARY 27, 2024**

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The Senate met pursuant to adjournment.

President Kehoe in the Chair.

The Reverend Steven George offered the following prayer:

“When the ways of people please the Lord, he causes even their enemies to be at peace with them.” (Proverbs 16:7 NRSV)

Heavenly Father, we humbly come before You, recognizing that when the ways of people please You, even their enemies are made to be at peace with them. May our deliberations and decisions this week align with Your will. Grant us the grace to seek after righteousness and justice in a way that is pleasing to you, that our actions may bring about harmony and peace—not only among ourselves, but also with those who may differ from us. We ask this in Your Holy 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.

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

Present—Senators

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

Absent—Senators—None

Absent with leave—Senator Roberts—1

Vacancies—None

The Lieutenant Governor was present.

Senator Rowden assumed the Chair.

## RESOLUTIONS

Senator Thompson Rehder offered Senate Resolution No. 715, regarding the Fortieth Anniversary of the Daughters of Sunset, Sikeston, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 716, regarding Pat Klein, Kansas City, which was adopted.

Senator Beck offered Senate Resolution No. 717, regarding the Rotary Club, Webster Groves, which was adopted.

Senator Beck offered Senate Resolution No. 718, regarding the Bayless High School band, St. Louis, which was adopted.

Senator Beck offered Senate Resolution No. 719, regarding Eagle Scout Aidan P. McFerron, St. Louis, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 720, regarding Lieutenant Dawn Lipp, Vandalia, which was adopted.

Senator O'Laughlin offered Senate Resolution No. 721, regarding Sergeant Brian Bowness, Center, which was adopted.

Senator Luetkemeyer offered Senate Resolution No. 722, regarding Eagle Scout Joseph David Magyar, Parkville, which was adopted.

### CONCURRENT RESOLUTIONS

Senator Schroer offered the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION NO. 34

Whereas, Cedric the Entertainer, born Cedric Antonio Kyles in Jefferson City Missouri, has become an iconic figure in the world of entertainment through his exceptional talents and unwavering dedication to his craft; and

Whereas, Cedric the Entertainer has captivated audiences worldwide with his unique comedic style, infectious charm, and versatile performances across various mediums, including film, television, stand-up comedy, and theater; and

Whereas, Cedric the Entertainer's illustrious career spans decades, during which he has consistently delivered memorable performances that have left an indelible mark on the entertainment industry and enriched the lives of countless individuals around the globe; and

Whereas, Cedric the Entertainer has not only entertained audiences with his comedic brilliance but has also demonstrated his versatility as an actor by portraying a diverse range of characters with depth, authenticity, and nuance; and

Whereas, Cedric the Entertainer's contributions extend beyond the realm of entertainment, as he has used his platform to advocate for social causes, uplift underrepresented voices, and inspire others to pursue their dreams with passion, perseverance, and integrity; and

Whereas, Cedric the Entertainer's legacy as a trailblazer and cultural icon serves as a source of inspiration for aspiring artists and performers, and his influence will continue to resonate for generations to come:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, One Hundred and Second General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate every April 24th as "Cedric the Entertainer Day" in Missouri; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

### INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

**SB 1463**—By O'Laughlin.

An Act to repeal sections 537.060 and 537.067, RSMo, and to enact in lieu thereof three new sections relating to determination of fault in civil actions.

**SB 1464**—By Schroer.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Cedric the Entertainer Day.

**SB 1465**—By Schroer.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Eddie Gaedel Day.

**SB 1466**—By Schroer.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to land clearance for redevelopment authorities, with an emergency clause.

**SB 1467**—By Schroer.

An Act to amend chapters 569 and 570, RSMo, by adding thereto two new sections relating to offenses involving retail establishments, with penalty provisions.

**SB 1468**—By Luetkemeyer.

An Act to repeal section 88.073, RSMo, and to enact in lieu thereof one new section relating to condemnation of property of religious organizations.

**SB 1469**—By Cierpiot.

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

**SB 1470**—By Cierpiot.

An Act to repeal section 386.572, RSMo, and to enact in lieu thereof one new section relating to civil penalties for violating federally mandated natural gas safety standards.

**SB 1471**—By McCreery.

An Act to amend chapters 386 and 441, RSMo, by adding thereto two new sections relating to certain types of billing for water or sewer service for rental property.

**SB 1472**—By McCreery.

An Act to amend chapter 407, RSMo, by adding thereto two new sections relating to product repair requirements, with penalty provisions.

**SB 1473**—By Carter.

An Act to repeal sections 115.013 and 115.493, RSMo, and to enact in lieu thereof three new sections relating to elections, with an effective date.

**SB 1474**—By Carter.

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designations on driver's licenses.

**SB 1475**—By Trent.

An Act to amend chapter 92, RSMo, by adding thereto one new section relating to earnings tax.

**SB 1476**—By Brown (16).

An Act to repeal section 304.022 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 304.022 as enacted by senate bill no. 26 merged with senate bills nos. 53 & 60, one hundred first general assembly, first regular session, and to enact in lieu thereof one new section relating to emergency vehicles, with a penalty provision.

**SB 1477**—By Brown (16).

An Act to authorize the conveyance of an easement on certain state property.

**SB 1478**—By Fitzwater.

An Act to repeal section 301.125, RSMo, and to enact in lieu thereof one new section relating to an advisory committee on motor vehicle license plates.

**SB 1479**—By Hough.

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

**SB 1480**—By Eigel.

An Act to repeal sections 115.105, 115.121, 115.123, 115.341, 115.351, 115.776, and 115.904, RSMo, and to enact in lieu thereof fifteen new sections relating to primary elections, with an effective date.

**SJR 92**—By Fitzwater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, by adding thereto one new section relating to certain sexual offenses involving children.

## **SECOND READING OF CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

**SCR 33**—Rules, Joint Rules, Resolutions and Ethics.

## **SENATE BILLS FOR PERFECTION**

Senator Luetkemeyer moved that **SBs 754, 746, 788, 765, 841, 887, and 861**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SS** for **SCS** for **SBs 754, 746, 788, 765, 841, 887, and 861** was again taken up.

Senator Fitzwater assumed the Chair.

Senator Hoskins offered **SA 1**:

### **SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 754, 746, 788, 765, 841, 887, and 861, Page 1, Section A, Line 10, by inserting after all of said line the following:

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

**2. Any federal order of protection or other judicial order issued by a court to confiscate any firearm, firearm accessory, or ammunition from any law-abiding citizen shall be considered an infringement on the people's right to keep and bear arms, as guaranteed by Amendment II of the Constitution of the United States and Article I, Section 23 of the Constitution of Missouri, within the borders of this state.**

**3. No entity or person, including any public officer, agency, or employee of this state or any political subdivision of this state, shall have the authority to enforce or attempt to enforce any federal acts, laws, executive orders, administrative orders, rules, regulations, statutes, or ordinances infringing on the right to keep and bear arms as described under section 1.420. Nothing in sections 1.410 to 1.486 shall be construed to prohibit Missouri officials from accepting aid from federal officials in an effort to enforce Missouri laws.**

**4. No public agency, political subdivision, or law enforcement agency shall receive any federal funding for the purpose of enforcing any federal acts, laws, executive orders, administrative orders, rules, regulations, statutes, or ordinances relating to the confiscation of firearms, firearm accessories, or ammunition.**

**5. No public agency, political subdivision, or law enforcement agency shall receive any federal funding for the purposes of enforcing any order of protection issued by a court to confiscate any firearms, firearm accessories, or ammunition.”; and**

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted.

Senator Black assumed the Chair.

At the request of Senator Luetkemeyer, **SBs 754, 746, 788, 765, 841, 887, and 861**, with **SCS, SS for SCS and SA 1** (pending), was placed on the Informal Calendar.

Senator Arthur moved that **SB 742** be taken up for perfection, which motion prevailed.

Senator Arthur offered **SS for SB 742**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 742

An Act to amend chapter 135, RSMo, by adding thereto three new sections relating to tax credits for child care.

Senator Arthur moved that **SS for SB 742** be adopted.

Senator Rowden assumed the Chair.

At the request of Senator Arthur, **SB 742**, with **SS** (pending), was placed on the Informal Calendar.

Senator Crawford moved that **SB 736** be taken up for perfection, which motion prevailed.

Senator Eigel offered **SA 1**:

## SENATE AMENDMENT NO. 1

Amend Senate Bill No. 736, Page 1, In the Title, Lines 2-3, by striking “state treasurer's ability to invest” and inserting in lieu thereof the following: “duties of the state treasurer”; and

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

**“30.266. 1. The state treasurer may keep in the custody of the state treasury an amount of specie greater than or equal to one percent of all state funds, provided that all such specie that is not needed for current expenses shall be placed on time deposit, bearing interest, in one or more banking institutions in this state, as required by article IV, section 15 of the Constitution of Missouri. Nothing in this section shall require the state treasurer to invest any state funds and funds received from the United States government in a manner inconsistent with article IV, section 15 of the Constitution of Missouri. The state treasurer may contract with a private minting entity for the purpose of minting official or commemorative specie. The state treasurer shall promulgate rules for the purpose of regulating the specifications and designs for minting official or commemorative Missouri specie. 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, 2024, shall be invalid and void.**

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

**(1) “Banking institution”, the same meaning given to such term in article IV, section 15 of the Constitution of Missouri;**

**(2) “Specie”, the same meaning as in section 408.010.”; and**

Further amend the title and enacting clause accordingly.

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

Senator Brattin offered SA 2:

## SENATE AMENDMENT NO. 2

Amend Senate Bill No. 736, Page 2, Section 30.753, Line 41, by inserting after all of said line the following:

**“34.700. 1. A public entity shall not:**

**(1) Accept a payment using central bank digital currency; or**

**(2) Participate in any test of central bank digital currency by any Federal Reserve branch.**

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

(1) **“Central bank digital currency”, a digital currency, a digital medium of exchange, or a digital monetary unit of account issued by the United States Federal Reserve System, a federal agency, a foreign government, a foreign central bank, or a foreign reserve system, that is made directly available to a consumer by such entities. The term includes a digital currency, a digital medium of exchange, or a digital monetary unit of account issued by the United States Federal Reserve System, a federal agency, a foreign government, a foreign central bank, or a foreign reserve system, that is processed or validated directly by such entities;**

(2) **“Public entity”, the state of Missouri or any political subdivision thereof, including all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the state created by or in accordance with state law or regulations.”; and**

Further amend the title and enacting clause accordingly.

Senator Brattin moved that the above amendment be adopted.

Senator Fitzwater assumed the Chair.

Senator Crawford raised the point of order that **SA 2** goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem.

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

Senator Brattin offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 736, Page 2, Section 30.753, Line 41, by inserting after all of said line the following:

**“34.700. 1. The state treasurer shall not:**

**(1) Accept a payment using central bank digital currency; or**

**(2) Participate in any test of central bank digital currency by any Federal Reserve branch.**

**2. For purposes of this section, “central bank digital currency” means a digital currency, a digital medium of exchange, or a digital monetary unit of account issued by the United States Federal Reserve System, a federal agency, a foreign government, a foreign central bank, or a foreign reserve system, that is made directly available to a consumer by such entities. The term includes a digital currency, a digital medium of exchange, or a digital monetary unit of account issued by the United States Federal Reserve System, a federal agency, a foreign government, a foreign central bank, or a foreign reserve system, that is processed or validated directly by such entities.”; and**

Further amend the title and enacting clause accordingly.

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

On motion of Senator Crawford, **SB 736**, as amended, was declared perfected and ordered printed.

Senator Luetkemeyer moved that **SBs 754, 746, 788, 765, 841, 887, and 861**, with **SCS, SS for SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

**SA 1** was again taken up.

At the request of Senator Luetkemeyer **SS** for **SCS** for **SBs 754, 746, 788, 765, 841, 887, and 861** was withdrawn, rendering **SA 1** moot.

Senator Luetkemeyer offered **SS No. 2** for **SCS** for **SBs 754, 746, 788, 765, 841, 887, and 861**, entitled:

SENATE SUBSTITUTE NO. 2 FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILLS NOS. 754, 746, 788, 765, 841, 887, and 861

An Act to repeal sections 211.031, 211.071, 217.345, 217.690, 547.031, 556.021, 558.016, 558.019, 568.045, 571.015, 571.070, 575.010, 575.353, 578.007, 578.022, 579.065, 579.068, 590.192, 590.653, 600.042, and 610.140, RSMo, and to enact in lieu thereof twenty-nine new sections relating to public safety, with penalty provisions and a delayed effective date for a certain section.

Senator Luetkemeyer moved that **SS No. 2** for **SCS** for **SBs 754, 746, 788, 765, 841, 887, and 861** be adopted, which motion prevailed.

On motion of Senator Luetkemeyer, **SS No. 2** for **SCS** for **SBs 754, 746, 788, 765, 841, 887, and 861** was declared perfected and ordered printed.

Senator Eslinger moved that **SB 872** be taken up for perfection, which motion prevailed.

Senator Eslinger offered **SS** for **SB 872**, entitled:

SENATE SUBSTITUTE FOR  
SENATE BILL NO. 872

An Act to repeal sections 67.2677, 67.5122, and 143.121, RSMo, and to enact in lieu thereof four new sections relating to the taxation of utility infrastructure.

Senator Eslinger moved that **SS** for **SB 872** be adopted.

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

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 872, Pages 1-5, Section 67.2677, Lines 1-123, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Eslinger moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Fitzwater assumed the Chair.

At the request of Senator Eslinger, **SB 872**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.



**COMMUNICATIONS**

Senator Roberts submitted the following:

February 27, 2024  
The Honorable Senator Doug Beck  
Missouri State Capitol, Room #427  
Jefferson City, Missouri 65101

CC: Kristina Martin  
Secretary of the Senate

Dear Senator Beck,

Given my absence for active duty military service, I respectfully request that you handle **Senate Bill 1039** if it is brought before the Senate during my time of absence.

Thank you for your time and attention in this matter.



Senator Steven Roberts  
Senate Minority Whip  
5<sup>th</sup> District

**INTRODUCTION OF GUESTS**

Senator Trent introduced to the Senate, Chief Counsel of State Tax Commission, Amy S. Westermann.

On behalf of Senator Rowden, the President introduced to the Senate, University of Missouri Chess coach, Cristian Chirila; and team members, Grigory Oparin; Beloslava Krasteva; Gulrukhbegim Tokhirjonova; Mikhail Antipov; Harshit Raja; and Luka Budisavljevic.

Senator Eslinger introduced to the Senate, Aeneas Williams, St. Louis.

Senator McCreery introduced to the Senate, Elia M. Ellis; and Todd J. Billy, St. Louis.

Senator Williams introduced to the Senate, Sai Door-san-e; Yashika Raja; Sophia Johnson; Stephen Foy; Nevaeh Neal; Grace Ford; Samantha Haggard; Carlos Sandoval Pina; Lucy Hartley; Savannah Ewing; Lyan Kelley; Lojin Ibno-chech; Caden Gulley; Radhika Sinha; Sandra Kariuhi; Radika Sechla; Wayne Yue; Dani Streule; Christian Q.; Leilani Billuos; Serenity Wilson; and Stephanie Mckenzie; and Michelle Hoelscher; and Jeff Hales; Jan Whitney, University City; Natalia Oropeza; St. Louis; Alison Reed; and Ray Reed, Brentwood.

Senator Luetkemeyer introduced to the Senate, Brad and Collins Green, University City.

On motion of Senator Bean, the Senate adjourned until 1:00 p.m., Wednesday, February 28, 2024.

## SENATE CALENDAR

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 TWENTY-SEVENTH DAY-WEDNESDAY, FEBRUARY 28, 2024
 

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## FORMAL CALENDAR

## SECOND READING OF SENATE BILLS

|                         |                     |
|-------------------------|---------------------|
| SB 1428-Carter          | SB 1457-Razer       |
| SB 1429-Carter          | SB 1458-Razer       |
| SB 1430-Bernskoetter    | SB 1459-Koenig      |
| SB 1431-Bernskoetter    | SB 1460-Brown (26)  |
| SB 1432-Mosley          | SB 1461-Trent       |
| SB 1433-Eslinger        | SB 1462-Trent       |
| SB 1434-Thompson Rehder | SB 1463-O'Laughlin  |
| SB 1435-Rowden          | SB 1464-Schroer     |
| SB 1436-Schroer         | SB 1465-Schroer     |
| SB 1437-Schroer         | SB 1466-Schroer     |
| SB 1438-May             | SB 1467-Schroer     |
| SB 1439-Roberts         | SB 1468-Luetkemeyer |
| SB 1440-Coleman         | SB 1469-Cierpiot    |
| SB 1441-Trent           | SB 1470-Cierpiot    |
| SB 1442-McCreery        | SB 1471-McCreery    |
| SB 1443-McCreery        | SB 1472-McCreery    |
| SB 1444-McCreery        | SB 1473-Carter      |
| SB 1445-McCreery        | SB 1474-Carter      |
| SB 1446-Williams        | SB 1475-Trent       |
| SB 1447-Williams        | SB 1476-Brown (16)  |
| SB 1448-Razer           | SB 1477-Brown (16)  |
| SB 1449-Razer           | SB 1478-Fitzwater   |
| SB 1450-Thompson Rehder | SB 1479-Hough       |
| SB 1451-Thompson Rehder | SB 1480-Eigel       |
| SB 1452-Moon            | SJR 89-Eigel        |
| SB 1453-Brown (16)      | SJR 90-Cierpiot     |
| SB 1454-Brown (16)      | SJR 91-Rowden       |
| SB 1455-Eslinger        | SJR 92-Fitzwater    |
| SB 1456-Rizzo           |                     |

## HOUSE BILLS ON SECOND READING

HCS for HB 1989

HB 1488-Shields

HCS for HB 1511  
HB 1960-Riley  
HCS for HB 1720  
HB 2062-Brown, C. (16)  
HCS for HB 1659

HB 1803-Thompson  
HB 1495-Griffith  
HB 1909-Taylor (48)  
HCS for HB 1749

SENATE BILLS FOR PERFECTION

1. SJR 71-Black, with SCS  
2. SB 830-Rowden  
3. SB 778-Eslinger  
4. SB 1039-Roberts and Beck  
5. SB 1298-Bean

6. SB 811-Coleman, with SCS  
7. SB 862-Thompson Rehder  
8. SB 756-Luetkemeyer, with SCS  
9. SB 1392-Trent  
10. SB 1375-Eslinger

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 727-Koenig, with SCS  
SB 739-Cierpiot  
SB 742-Arthur, with SS (pending)  
SB 745-Bernskoetter, with SS & SA 1(pending)  
SB 748-Hough  
SB 799-Fitzwater and Eigel, with SCS & SS for  
SCS (pending)

SB 802-Trent  
SB 872-Eslinger, with SS & SA 1 (pending)  
SBs 1168 & 810-Coleman, with SCS, SS for  
SCS, SA 2, SA 1 to SA 2 & point of order  
(pending)

RESOLUTIONS

SR 557-Eigel  
SR 558-Eigel  
SR 561-Moon  
SR 562-Moon

SR 563-Moon  
SR 631-May  
SR 647-Coleman

To be Referred

SCR 34-Schroer

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