

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILLS NOS. 81 & 174

AN ACT

To repeal sections 43.546, 49.266, 210.482, 210.487, 253.195, 287.243, 292.606, 320.106, 320.111, 320.116, 320.121, 320.126, 320.131, 320.141, 320.151, 320.371, 324.009, 537.046, 568.070, and 590.060, RSMo, and to enact in lieu thereof sixty new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 43.546, 49.266, 210.482, 210.487,
 2 253.195, 287.243, 292.606, 320.106, 320.111, 320.116, 320.121,
 3 320.126, 320.131, 320.141, 320.151, 320.371, 324.009, 537.046,
 4 568.070, and 590.060, RSMo, are repealed and sixty new sections
 5 enacted in lieu thereof, to be known as sections 43.546, 49.266,
 6 168.014, 190.106, 208.222, 209.324, 210.482, 210.487, 253.195,
 7 287.243, 292.606, 301.551, 320.106, 320.111, 320.116, 320.121,
 8 320.126, 320.127, 320.131, 320.141, 320.147, 320.151, 320.371,
 9 324.009, 324.055, 324.129, 324.246, 324.488, 324.1105, 326.257,
 10 330.025, 331.025, 332.015, 334.015, 334.403, 334.501, 334.701,
 11 334.739, 334.805, 335.022, 335.042, 336.025, 337.018, 337.308,
 12 337.501, 337.605, 337.702, 338.052, 339.015, 339.510, 345.016,
 13 374.711, 436.225, 443.702, 476.802, 484.125, 537.046, 568.070,
 14 590.060, and 640.011, to read as follows:

43.546. 1. Any state agency, board, or commission may
require the fingerprinting of applicants in specified
occupations or appointments within the state agency, board,
or commission for the purpose of positive identification and
receiving criminal history record information when
determining an applicant's ability or fitness to serve in
such occupation or appointment.

2. In order to facilitate the criminal background
check under subsection 1 of this section on any person
employed or appointed by a state agency, board, or
commission, [and in accordance with section 43.543,] the
applicant or employee shall submit a set of fingerprints
collected under the standards determined by the Missouri
highway patrol. The fingerprints and accompanying fees,
unless otherwise arranged, shall be forwarded to the highway
patrol to be used to search the state criminal history
repository and the fingerprints shall be forwarded to the
Federal Bureau of Investigation for a national criminal
background check under section 43.540. Notwithstanding the
provisions of section 610.120 to the contrary, all records
related to any criminal history information discovered shall
be accessible and available to the state agency making the
request.

49.266. 1. The county commission in all counties of
the first, second, third, or fourth classification may by
order or ordinance promulgate reasonable regulations
concerning the use of county property, the hours,
conditions, methods and manner of such use and the
regulation of pedestrian and vehicular traffic and parking
thereon.

2. Violation of any regulation so adopted under
subsection 1 of this section is an infraction.

10 3. Upon a determination by the state fire marshal that
11 a burn ban order is appropriate for a county because:

12 (1) An actual or impending occurrence of a natural
13 disaster of major proportions within the county jeopardizes
14 the safety and welfare of the inhabitants of such county; and

15 (2) The U.S. Drought Monitor has designated the county
16 as an area of severe, extreme, or exceptional drought, the
17 county commission may adopt an order or ordinance issuing a
18 burn ban, which may carry a penalty of up to a class A
19 misdemeanor. State agencies responsible for fire management
20 or suppression activities and persons conducting
21 agricultural burning using best management practices shall
22 not be subject to the provisions of this subsection. The
23 ability of an individual, organization, or corporation to
24 sell fireworks shall not be affected by the issuance of a
25 burn ban. The county burn ban may prohibit the explosion or
26 ignition of any missile or skyrocket as the terms "missile"
27 and "skyrocket" are defined by the [2012] 2022 edition of
28 the American Fireworks Standards Laboratory (AFSL), but
29 shall not ban the explosion or ignition of any other
30 consumer fireworks as the term "consumer fireworks" is
31 defined under section 320.106.

32 4. The regulations so adopted shall be codified,
33 printed and made available for public use and adequate signs
34 concerning smoking, traffic and parking regulations shall be
35 posted.

168.014. 1. The state board of education may require
2 that fingerprint submissions be made as part of an
3 application seeking a certificate of license to teach or
4 substitute teach in public schools, as provided in sections
5 168.011, 168.021, and 168.036 and as required by section
6 168.133.

7 2. If the state board of education requires that
8 fingerprint submissions be made as part of such application,
9 the state board of education shall require applicants to
10 submit the fingerprints to the Missouri state highway patrol
11 for the purpose of conducting a state and federal
12 fingerprint-based criminal history background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the state board
20 of education of any criminal history record information or
21 lack of criminal history record information discovered on
22 the individual. Notwithstanding the provisions of section
23 610.120 to the contrary, all records related to any criminal
24 history information discovered shall be accessible and
25 available to the state board of education.

190.106. 1. The department of health and senior
2 services may require that fingerprint submissions be made as
3 part of an application seeking licensure as an emergency
4 medical technician or "EMT", an advanced emergency medical
5 technician or "AEMT", or a paramedic, and an application
6 seeking certification as an emergency medical technician-
7 community paramedic or "EMT-CP", as such terms are defined
8 in section 190.100.

9 2. If the department of health and senior services
10 requires that fingerprint submissions be made as part of
11 such application, the department of health and senior
12 services shall require applicants to submit the fingerprints
13 to the Missouri state highway patrol for the purpose of

conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the department of health and senior services of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the department of health and senior services.

208.222. 1. The Missouri Medicaid audit and compliance unit within the department of social services may require that fingerprint submissions be made as part of an application seeking to be licensed as a MO HealthNet provider for the purpose of providing MO HealthNet services to eligible persons and obtaining from the department of social services or its divisions reimbursement for eligible services.

2. If the Missouri Medicaid audit and compliance unit within the department of social services requires that fingerprint submissions be made as part of such application, the Missouri Medicaid audit and compliance unit within the department of social services shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

17 3. The fingerprints and any required fees shall be
18 sent to the Missouri state highway patrol's central
19 repository. The fingerprints shall be used for searching
20 the state criminal records repository and shall also be
21 forwarded to the Federal Bureau of Investigation for a
22 federal criminal records search under section 43.540. The
23 Missouri state highway patrol shall notify the Missouri
24 Medicaid audit and compliance unit within the department of
25 social services of any criminal history record information
26 or lack of criminal history record information discovered on
27 the individual. Notwithstanding the provisions of section
28 610.120 to the contrary, all records related to any criminal
29 history information discovered shall be accessible and
30 available to the Missouri Medicaid audit and compliance unit
31 within the department of social services.

32 4. For purposes of this section, the following terms
33 mean:

34 (1) "MO HealthNet provider", an individual or business
35 that enters into a contractor provider agreement with the
36 department of social services or its divisions for the
37 purpose of providing services to eligible persons and
38 obtaining from the department of social services or its
39 divisions reimbursement for such services;

40 (2) "MO HealthNet services", medical services defined
41 and determined by the department of social services or
42 listed specifically in section 208.152 in which eligible
43 persons receive as part of their Missouri Medicaid coverage.

209.324. 1. The state committee of interpreters may
2 require that fingerprint submissions be made as part of an
3 application seeking licensure as an interpreter, as such
4 term is defined in section 209.285, and temporary
5 interpreter, as provided in section 209.326.

6 2. If the state committee of interpreters requires
7 that fingerprint submissions be made as part of such
8 application, the state committee of interpreters shall
9 require applicants to submit the fingerprints to the
10 Missouri state highway patrol for the purpose of conducting
11 a state and federal fingerprint-based criminal history
12 background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the committee of
20 any criminal history record information or lack of criminal
21 history record information discovered on the individual.
22 Notwithstanding the provisions of section 610.120 to the
23 contrary, all records related to any criminal history
24 information discovered shall be accessible and available to
25 the committee.

210.482. 1. If the emergency placement of a child in
2 a private home is necessary due to the unexpected absence of
3 the child's parents, legal guardian, or custodian, the
4 juvenile court or children's division of the department of
5 social services:

6 (1) May request that a local or state law enforcement
7 agency or juvenile officer[, subject to any required federal
8 authorization,] immediately conduct a name-based criminal
9 history record check to include full orders of protection
10 and outstanding warrants of each person over the age of
11 [seventeen] eighteen residing in the home by using the
12 Missouri uniform law enforcement system (MULES) and the
13 National Crime Information Center to access the Interstate

Identification Index (III) maintained by the Federal Bureau of Investigation; and

(2) Shall determine or, in the case of the juvenile court, shall request the division to determine whether any person over the age of [seventeen] eighteen years residing in the home is listed on the child abuse and neglect registry. For any children less than [seventeen] eighteen years of age residing in the home, the children's division shall inquire of the person with whom an emergency placement of a child will be made whether any children less than [seventeen] eighteen years of age residing in the home have ever been certified as an adult and convicted of or pled guilty or nolo contendere to any crime.

2. If a name-based search has been conducted pursuant to subsection 1 of this section, within fifteen calendar days of the Interstate Identification Index (III) name-based check, after the emergency placement of the child in the private home, and if the private home has not previously been approved as a foster or adoptive home, all persons over the age of [seventeen] eighteen residing in the home and all children less than [seventeen] eighteen residing in the home who the children's division has determined have been certified as an adult for the commission of a crime shall [report to a local law enforcement agency for the purpose of providing fingerprints and accompanying fees] be fingerprinted, pursuant to sections 43.530 and 43.540. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. Results of the checks shall be provided to the juvenile court or children's division office requesting such information. Any child placed in emergency placement in a private home shall be

47 removed immediately if any person residing in the home fails
48 to provide fingerprints after being requested to do so,
49 unless the person refusing to provide fingerprints ceases to
50 reside in the private home.

51 3. If the placement of a child is denied as a result
52 of a name-based criminal history check and the denial is
53 contested, all persons over the age of [seventeen] eighteen
54 residing in the home and all children less than [seventeen]
55 eighteen years of age residing in the home who the
56 children's division has determined have been certified as an
57 adult for the commission of a crime shall, within fifteen
58 calendar days of conducting the Interstate Identification
59 Index (III) name-based check, submit [to the juvenile court
60 or the children's division] fingerprints and any required
61 fees, in the same manner described in subsection 2 of this
62 section[, accompanying fees, and written permission
63 authorizing the juvenile court or the children's division to
64 forward the fingerprints to the state criminal record
65 repository for submission to the Federal Bureau of
66 Investigation].

67 4. [No person who submits fingerprints under this
68 section shall be required to submit additional fingerprints
69 under this section or section 210.487 unless the original
70 fingerprints retained by the division are lost or destroyed.

71 5.] Subject to appropriation, the total cost of
72 fingerprinting required by this section may be paid by the
73 state, including reimbursement of persons incurring
74 fingerprinting costs under this section.

75 [6.] 5. For the purposes of this section, "emergency
76 placement" refers to those limited instances when the
77 juvenile court or children's division is placing a child in
78 the home of private individuals, including neighbors,

79 friends, or relatives, as a result of a sudden
80 unavailability of the child's primary caretaker.

210.487. 1. The children's division of the department
2 of social services may require fingerprint submissions to
3 the Missouri state highway patrol for the purpose of
4 conducting a state and federal fingerprint-based criminal
5 background check. When conducting investigations of persons
6 for the purpose of foster parent licensing, the children's
7 division shall:

8 (1) Conduct a search for all persons over the age of
9 [seventeen] eighteen in the applicant's household and for
10 any child less than [seventeen] eighteen years of age
11 residing in the applicant's home who the division has
12 determined has been certified as an adult for the commission
13 of a crime for evidence of full orders of protection. The
14 office of state courts administrator shall allow access to
15 the automated court information system by the division. The
16 clerk of each court contacted by the division shall provide
17 the division information within ten days of a request;

18 (2) Obtain fingerprints for any person over the age of
19 [seventeen] eighteen in the applicant's household and for
20 any child less than [seventeen] eighteen years of age
21 residing in the applicant's home who the division has
22 determined has been certified as an adult for the commission
23 of a crime [in the same manner set forth in subsection 2 of
24 section 210.482]. The fingerprints and any required fees
25 shall be sent to the Missouri state highway patrol's central
26 repository. The fingerprints shall be used for searching
27 the state criminal records repository and shall also be
28 forwarded to the Federal Bureau of Investigation for a
29 federal criminal records search under section 43.540. The
30 Missouri state highway patrol shall notify the juvenile
31 court or the division of any criminal history record

information or lack of criminal history record information
discovered on the individual. Notwithstanding the
provisions of section 610.120 to the contrary, all records
related to any criminal history information discovered shall
be accessible and available to the juvenile court or the
division. The highway patrol shall assist the division and
provide the criminal fingerprint background information,
upon request, under and in accordance with the provisions of
section 43.540; and

(3) Determine whether any person over the age of
[seventeen] eighteen residing in the home and any child less
than [seventeen] eighteen years of age residing in the
applicant's home who the division has determined has been
certified as an adult for the commission of a crime is
listed on the child abuse and neglect registry. For any
children less than [seventeen] eighteen years of age
residing in the applicant's home, the [children's] division
shall inquire of the applicant whether any children less
than [seventeen] eighteen years of age residing in the home
have ever been certified as an adult and been convicted of
or pled guilty or nolo contendere to any crime.

2. [After the initial investigation is completed under
subsection 1 of this section:

(1) No person who submits fingerprints under
subsection 1 of this section or section 210.482 shall be
required to submit additional fingerprints under this
section or section 210.482 unless the original fingerprints
retained by the division are lost or destroyed;

(2) The highway patrol shall provide ongoing
electronic updates to criminal history background checks of
those persons previously submitted as part of the licensing
or approval process under subsection 1 of this section.
Ongoing electronic updates for such persons and for those in

their households shall terminate when such persons cease to be applicant or licensed foster parents; and

(3) The children's division and the department of health and senior services may waive the requirement for a fingerprint background check for any subsequent recertification.

3.] Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

[4.] 3. The division may make arrangements with other executive branch agencies to obtain any investigative background information.

[5.] 4. The division may promulgate rules that are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

253.195. Fireworks, as defined in section [320.110] 320.106, of any type are prohibited within the boundaries of any state park except upon the written permission granted by the department of natural resources.

287.243. 1. This section shall be known and may be cited as the "Line of Duty Compensation Act".

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services;

(2) "Air ambulance registered professional nurse", a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) "Air ambulance registered respiratory therapist", a person licensed as a registered respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding regulations adopted by the state board for respiratory care, who provides respiratory therapy services in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

(4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased public safety officer who, at the time of the public safety officer's fatality is:

(a) Eighteen years of age or under;

(b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or

(c) Over eighteen years of age and incapable of self-support because of physical or mental disability;

(5) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(6) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(7) "Flight crew member", an individual engaged in flight responsibilities with an air ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;

(8) "Killed in the line of duty", when any person defined in this section loses his or her life when:

(a) Death is caused by an accident or the willful act of violence of another;

(b) The public safety officer is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the public safety officer is traveling to or from employment; or the public safety officer is taking any meal break or other break which takes place while that individual is on duty;

(c) Death is the natural and probable consequence of the injury; and

(d) Death occurs within three hundred weeks from the date the injury was received.

68 The term excludes death resulting from the willful
69 misconduct or intoxication of the public safety officer.
70 The division of workers' compensation shall have the burden
71 of proving such willful misconduct or intoxication;

72 (9) "Law enforcement officer", any person employed by
73 the state or a local governmental entity as a police
74 officer, peace officer certified under chapter 590, or
75 serving as an auxiliary police officer or in some like
76 position involving the enforcement of the law and protection
77 of the public interest at the risk of that person's life;

78 (10) "Local governmental entity", includes counties,
79 municipalities, townships, board or other political
80 subdivision, cities under special charter, or under the
81 commission form of government, fire protection districts,
82 ambulance districts, and municipal corporations;

83 (11) "Public safety officer", any law enforcement
84 officer, firefighter, uniformed employee of the office of
85 the state fire marshal, emergency medical technician, police
86 officer, capitol police officer, parole officer, probation
87 officer, state correctional employee, water safety officer,
88 park ranger, conservation officer, or highway patrolman
89 employed by the state of Missouri or a political subdivision
90 thereof who is killed in the line of duty or any emergency
91 medical technician, air ambulance pilot, air ambulance
92 registered professional nurse, air ambulance registered
93 respiratory therapist, or flight crew member who is killed
94 in the line of duty;

95 (12) "State", the state of Missouri and its
96 departments, divisions, boards, bureaus, commissions,
97 authorities, and colleges and universities;

98 (13) "Volunteer firefighter", a person having
99 principal employment other than as a firefighter, but who is
100 carried on the rolls of a regularly constituted fire

department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by survivors of the deceased with the division of workers' compensation not later than one year from the date of death of a public safety officer. If a claim is made within one year of the date of death of a public safety officer killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Any compensation awarded under the provisions of this section shall be distributed as follows:

(1) To the surviving spouse of the public safety officer if there is no child who survived the public safety officer;

(2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse if there is at least one child who survived the public safety officer, and a surviving spouse of the public safety officer;

(3) To the surviving child, or children, in equal shares, if there is no surviving spouse of the public safety officer;

(4) If there is no surviving spouse of the public safety officer and no surviving child:

134 (a) To the surviving individual, or individuals, in
135 shares per the designation or, otherwise, in equal shares,
136 designated by the public safety officer to receive benefits
137 under this subsection in the most recently executed
138 designation of beneficiary of the public safety officer on
139 file at the time of death with the public safety agency,
140 organization, or unit; or

141 (b) To the surviving individual, or individuals, in
142 equal shares, designated by the public safety officer to
143 receive benefits under the most recently executed life
144 insurance policy of the public safety officer on file at the
145 time of death with the public safety agency, organization,
146 or unit if there is no individual qualifying under paragraph
147 (a) of this subdivision;

148 (5) To the surviving parent, or parents, in equal
149 shares, of the public safety officer if there is no
150 individual qualifying under subdivision (1), (2), (3), or
151 (4) of this subsection; or

152 (6) To the surviving individual, or individuals, in
153 equal shares, who would qualify under the definition of the
154 term "child" but for age if there is no individual
155 qualifying under subdivision (1), (2), (3), (4), or (5) of
156 this subsection.

157 5. Notwithstanding subsection 3 of this section, no
158 compensation is payable under this section unless a claim is
159 filed within the time specified under this section setting
160 forth:

161 (1) The name, address, and title or designation of the
162 position in which the public safety officer was serving at
163 the time of his or her death;

164 (2) The name and address of the claimant;

165 (3) A full, factual account of the circumstances
166 resulting in or the course of events causing the death at
167 issue; and

168 (4) Such other information that is reasonably required
169 by the division.

170 When a claim is filed, the division of workers' compensation
171 shall make an investigation for substantiation of matters
172 set forth in the application.

173 6. The compensation provided for under this section is
174 in addition to, and not exclusive of, any pension rights,
175 death benefits, or other compensation the claimant may
176 otherwise be entitled to by law.

177 7. Neither employers nor workers' compensation
178 insurers shall have subrogation rights against any
179 compensation awarded for claims under this section. Such
180 compensation shall not be assignable, shall be exempt from
181 attachment, garnishment, and execution, and shall not be
182 subject to setoff or counterclaim, or be in any way liable
183 for any debt, except that the division or commission may
184 allow as lien on the compensation, reasonable attorney's
185 fees for services in connection with the proceedings for
186 compensation if the services are found to be necessary.
187 Such fees are subject to regulation as set forth in section
188 287.260.

189 8. Any person seeking compensation under this section
190 who is aggrieved by the decision of the division of workers'
191 compensation regarding his or her compensation claim, may
192 make application for a hearing as provided in section
193 287.450. The procedures applicable to the processing of
194 such hearings and determinations shall be those established
195 by this chapter. Decisions of the administrative law judge
196 under this section shall be binding, subject to review by
197 either party under the provisions of section 287.480.

198 9. Pursuant to section 23.253 of the Missouri sunset
199 act:

200 (1) The provisions of the new program authorized under
201 this section shall automatically sunset [six years after
202 June 19, 2019] on December 31, 2031, unless reauthorized by
203 an act of the general assembly; and

204 (2) If such program is reauthorized, the program
205 authorized under this section shall automatically sunset
206 twelve years after the effective date of the reauthorization
207 of this section; and

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

211 10. The provisions of this section, unless specified,
212 shall not be subject to other provisions of this chapter.

213 11. There is hereby created in the state treasury the
214 "Line of Duty Compensation Fund", which shall consist of
215 moneys appropriated to the fund and any voluntary
216 contributions, gifts, or bequests to the fund. The state
217 treasurer shall be custodian of the fund and shall approve
218 disbursements from the fund in accordance with sections
219 30.170 and 30.180. Upon appropriation, money in the fund
220 shall be used solely for paying claims under this section.
221 Notwithstanding the provisions of section 33.080 to the
222 contrary, any moneys remaining in the fund at the end of the
223 biennium shall not revert to the credit of the general
224 revenue fund. The state treasurer shall invest moneys in
225 the fund in the same manner as other funds are invested.
226 Any interest and moneys earned on such investments shall be
227 credited to the fund.

228 12. The division shall promulgate rules to administer
229 this section, including but not limited to the appointment
230 of claims to multiple claimants, record retention, and

231 procedures for information requests. Any rule or portion of
232 a rule, as that term is defined in section 536.010, that is
233 created under the authority delegated in this section shall
234 become effective only if it complies with and is subject to
235 all of the provisions of chapter 536 and, if applicable,
236 section 536.028. This section and chapter 536 are
237 nonseverable and if any of the powers vested with the
238 general assembly under chapter 536 to review, to delay the
239 effective date, or to disapprove and annul a rule are
240 subsequently held unconstitutional, then the grant of
241 rulemaking authority and any rule proposed or adopted after
242 June 19, 2009, shall be invalid and void.

292.606. 1. Fees shall be collected for a period of
2 six years from August 28, [2018] 2025.

3 2. (1) Any employer required to report under
4 subsection 1 of section 292.605, except local governments
5 and family-owned farm operations, shall submit an annual fee
6 to the commission of one hundred dollars along with the Tier
7 II form. Owners or operators of petroleum retail facilities
8 shall pay a fee of no more than fifty dollars for each such
9 facility. Any person, firm or corporation selling,
10 delivering or transporting petroleum or petroleum products
11 and whose primary business deals with petroleum products or
12 who is covered by the provisions of chapter 323, if such
13 person, firm or corporation is paying fees under the
14 provisions of the federal hazardous materials transportation
15 registration and fee assessment program, shall deduct such
16 federal fees from those fees owed to the state under the
17 provisions of this subsection. If the federal fees exceed
18 or are equal to what would otherwise be owed under this
19 subsection, such employer shall not be liable for state fees
20 under this subsection. In relation to petroleum products
21 "primary business" shall mean that the person, firm or

corporation shall earn more than fifty percent of hazardous chemical revenues from the sale, delivery or transport of petroleum products. For the purpose of calculating fees, all grades of gasoline are considered to be one product, all grades of heating oils, diesel fuels, kerosenes, naphthas, aviation turbine fuel, and all other heavy distillate products except for grades of gasoline are considered to be one product, and all varieties of motor lubricating oil are considered to be one product. For the purposes of this section "facility" shall mean all buildings, equipment, structures and other stationary items that are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person. If more than three hazardous substances or mixtures are reported on the Tier II form, the employer shall submit an additional twenty-dollar fee for each hazardous substance or mixture. Fees collected under this subdivision shall be for each hazardous chemical on hand at any one time in excess of ten thousand pounds or for extremely hazardous substances on hand at any one time in excess of five hundred pounds or the threshold planning quantity, whichever is less, or for explosives or blasting agents on hand at any one time in excess of one hundred pounds. However, no employer shall pay more than ten thousand dollars per year in fees. Moneys acquired through litigation and any administrative fees paid pursuant to subsection 3 of this section shall not be applied toward this cap.

(2) Employers engaged in transporting hazardous materials by pipeline except local gas distribution companies regulated by the Missouri public service commission shall pay to the commission a fee of two hundred fifty dollars for each county in which they operate.

54 (3) Payment of fees is due each year by March first.
55 A late fee of ten percent of the total owed, plus one
56 percent per month of the total, may be assessed by the
57 commission.

58 (4) If, on March first of each year, fees collected
59 under this section and natural resources damages made
60 available pursuant to section 640.235 exceed one million
61 dollars, any excess over one million dollars shall be
62 proportionately credited to fees payable in the succeeding
63 year by each employer who was required to pay a fee and who
64 did pay a fee in the year in which the excess occurred. The
65 limit of one million dollars contained herein shall be
66 reviewed by the commission concurrent with the review of
67 fees as required in subsection 1 of this section.

68 3. Beginning January 1, 2013, any employer filing its
69 Tier II form pursuant to subsection 1 of section 292.605 may
70 request that the commission distribute that employer's Tier
71 II report to the local emergency planning committees and
72 fire departments listed in its Tier II report. Any employer
73 opting to have the commission distribute its Tier II report
74 shall pay an additional fee of ten dollars for each facility
75 listed in the report at the time of filing to recoup the
76 commission's distribution costs. Fees shall be deposited in
77 the chemical emergency preparedness fund established under
78 section 292.607. An employer who pays the additional fee
79 and whose Tier II report includes all local emergency
80 planning committees and fire departments required to be
81 notified under subsection 1 of section 292.605 shall satisfy
82 the reporting requirements of subsection 1 of section
83 292.605. The commission shall develop a mechanism for an
84 employer to exercise its option to have the commission
85 distribute its Tier II report.

86 4. Local emergency planning committees receiving funds
87 under section 292.604 shall coordinate with the commission
88 and the department in chemical emergency planning, training,
89 preparedness, and response activities. Local emergency
90 planning committees receiving funds under this section,
91 section 260.394, sections 292.602, 292.604, 292.605, 292.615
92 and section 640.235 shall provide to the commission an
93 annual report of expenditures and activities.

94 5. Fees collected by the department and all funds
95 provided to local emergency planning committees shall be
96 used for chemical emergency preparedness purposes as
97 outlined in sections 292.600 to 292.625 and the federal act,
98 including contingency planning for chemical releases;
99 exercising, evaluating, and distributing plans, providing
100 training related to chemical emergency preparedness and
101 prevention of chemical accidents; identifying facilities
102 required to report; processing the information submitted by
103 facilities and making it available to the public; receiving
104 and handling emergency notifications of chemical releases;
105 operating a local emergency planning committee; and
106 providing public notice of chemical preparedness
107 activities. Local emergency planning committees receiving
108 funds under this section may combine such funds with other
109 local emergency planning committees to further the purposes
110 of sections 292.600 to 292.625, or the federal act.

111 6. The commission shall establish criteria and
112 guidance on how funds received by local emergency planning
113 committees may be used.

114 7. A one-time fee shall be assessed in accordance with
115 subsection 2 of this section and shall be calculated based
116 on the filing due on March 1, 2025, and shall be paid by
117 November 1, 2025.

301.551. 1. The department of revenue may require
that fingerprint submissions be made as part of an
application seeking licensure for a new motor vehicle
franchise dealer, used motor vehicle dealer, powersport
dealer, wholesale motor vehicle dealer, motor vehicle
dealer, public motor vehicle auction, recreational motor
vehicle dealer, trailer dealer, boat dealer, manufacturer,
or boat manufacturer, as such terms are defined in section
301.550.

2. If the department of revenue requires that
fingerprint submissions be made as part of such application,
the department of revenue shall require applicants to submit
the fingerprints to the Missouri state highway patrol for
the purpose of conducting a state and federal fingerprint-
based criminal history background check.

3. The fingerprints and any required fees shall be
sent to the Missouri state highway patrol's central
repository. The fingerprints shall be used for searching
the state criminal records repository and shall also be
forwarded to the Federal Bureau of Investigation for a
federal criminal records search under section 43.540. The
Missouri state highway patrol shall notify the department of
any criminal history record information or lack of criminal
history record information discovered on the individual.
Notwithstanding the provisions of section 610.120 to the
contrary, all records related to any criminal history
information discovered shall be accessible and available to
the department.

320.106. As used in sections 320.106 to 320.161,
unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard
87-1", a voluntary standard, or subsequent standard [which]
that may amend or supersede this standard for manufacturers,

importers, and distributors of fireworks, in which fireworks classifications are assigned based upon the weight and type of chemical composition contained for each specific type of device including, but not limited to, specific permissible and restricted chemicals. Such standard shall be construed to include the following APA standards:

(a) APA 87-1A Standard for Construction, Classification, Approval, and Transportation of Consumer Fireworks;

(b) APA 87-1B Standard for the Construction, Classification, Approval, and Transportation of Display Fireworks; and

(c) APA 87-1C Standard for the Construction, Classification, Approval, and Transportation of Entertainment and Technical Pyrotechnics;

As used in this chapter, the current editions of APA 87-1 are controlling. Any future editions or amendments to future editions adopted related to standards contained in APA 87-1 by the American Pyrotechnics Association shall only be in effect upon formal review of the fire marshal's office and promulgation of rules under their rulemaking authority as set out in this chapter and chapter 536;

(2) "Annual retailer", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(3) "Articles pyrotechnic", devices containing compositions, which produce a visual and audible effect primarily used in the entertainment and technical training/development industries, that comply with the limits and requirements of APA Standard 87-1C and that may not be offered for sale to the general public;

39 (4) "Chemical composition", all pyrotechnic and
40 explosive composition formulations contained in fireworks
41 devices as defined in American Pyrotechnics Association
42 (APA), Standard 87-1;

43 [(3)] (5) "Consumer fireworks", explosive and
44 pyrotechnic devices designed for sale and use by the general
45 public that conform with requirements set forth by the
46 United States Consumer Product Safety Commission (CPSC) and
47 designed primarily to produce visible or audible effects by
48 combustion [and includes] including, but not limited to,
49 aerial devices [and], ground devices, [all of which are
50 classified as fireworks, UN0336, within 49 CFR Part 172]
51 fuses, and novelties in compliance with APA Standard 87-1A;

52 [(4)] (6) "Discharge site", the area immediately
53 surrounding the fireworks mortars used for an outdoor
54 fireworks display;

55 [(5)] (7) "Dispenser", a device designed for the
56 measurement and delivery of liquids as fuel;

57 (8) "Display before a proximate audience", the
58 discharge or use of fireworks or special effects before a
59 proximate audience or in any indoor setting, in accordance
60 with the guidelines established by NFPA 1126: Code Standard
61 for the Use of Pyrotechnics Before a Proximate Audience;

62 [(6)] (9) "Display fireworks", [explosive] devices
63 [designed primarily to produce visible or audible effects by
64 combustion, deflagration or detonation. This term includes
65 devices containing more than two grains (130 mg) of
66 explosive composition intended for public display. These
67 devices are classified as fireworks, UN0333 or UN0334 or
68 UN0335, within 49 CFR Part 172] containing chemical
69 compositions that are intended for use in professional
70 firework shows, designed to produce visible or audible

71 effects, and comply with the limits and requirements of APA
72 Standard 87-1B;

73 [(7)] (10) "Display site", the immediate area where a
74 fireworks display is conducted, including the discharge
75 site, the fallout area, and the required separation distance
76 from mortars to spectator viewing areas, but not spectator
77 viewing areas or vehicle parking areas;

78 [(8)] (11) "Distributor", any person engaged in the
79 business of selling fireworks to wholesalers, [jobbers]
80 annual retailers, seasonal retailers, other persons, or
81 governmental bodies that possess the necessary permits as
82 specified in sections 320.106 to 320.161[, including any
83 person that imports any fireworks of any kind in any manner
84 into the state of Missouri];

85 [(9)] (12) "Fireworks", any composition or device for
86 producing a visible[, audible, or both visible and] or an
87 audible effect for entertainment purposes by combustion,
88 deflagration, or detonation and that meets the definition of
89 consumer[, proximate,] fireworks, articles pyrotechnic, or
90 display fireworks as set forth [by 49 CFR Part 171 to end,
91 United States Department of Transportation hazardous
92 materials regulations] in this section;

93 [(10)] (13) "Fireworks season", the period beginning
94 on the twentieth day of June and continuing through the
95 tenth day of July of the same year and the period beginning
96 on the twentieth day of December and continuing through the
97 second day of January of the next year, which shall be the
98 only periods of time that seasonal retailers may be
99 permitted to sell consumer fireworks;

100 [(11)] "Jobber", any person engaged in the business of
101 making sales of consumer fireworks at wholesale or retail
102 within the state of Missouri to nonlicensed buyers for use
103 and distribution outside the state of Missouri during a

calendar year from the first day of January through the
thirty-first day of December;]

(14) "Flame effect", the combustion of solids,
liquids, or gases using atmospheric oxygen to produce
thermal, physical, visual, or audible phenomena before an
audience;

(15) "Flame effect operator", the single individual
with overall responsibility for flame effect operations and
safety who has met additional requirements established by
promulgated rules and has successfully completed a proximate-
audience training course recognized and approved by the
state fire marshal;

[(12)] (16) "Licensed display operator", any person
who supervises, manages, or directs the discharge of outdoor
display fireworks or articles pyrotechnic, either by manual
or electrical means; who has met additional requirements
established by promulgated rule and has successfully
completed a display fireworks training course recognized and
approved by the state fire marshal;

(17) "Licensed pyrotechnic effects operator", an
individual who has responsibility for pyrotechnic safety and
who controls, initiates, or otherwise creates special
effects or uses fireworks or pyrotechnic material before a
proximate audience or in any indoor setting and who has met
additional requirements established by promulgated rules and
has successfully completed a proximate audience training
course recognized and approved by the state fire marshal;

[(13)] (18) "Manufacturer", any person engaged in the
making, manufacture, assembly, altering, or construction of
fireworks of any kind within the state of Missouri for the
purpose of selling or distributing;

135 [(14)] (19) "NFPA", National Fire Protection
136 Association, an international codes and standards
137 organization;

138 As used in chapter 320, the current editions of NFPA 1123,
139 NFPA 1124, and NFPA 1126 are controlling. Any future
140 editions or amendments to future editions adopted related to
141 standards contained in NFPA 1123, NFPA 1124, or NFPA 1126 by
142 the National Fire Protection Association shall only be in
143 effect upon formal review of the fire marshal's office and
144 promulgation of rules under their rulemaking authority as
145 set out in this chapter and chapter 536;

146 (20) "Outdoor fireworks display", a presentation of
147 fireworks before a public audience in accordance with the
148 guidelines established by NFPA 1123: Code for Fireworks
149 Display;

150 [(15)] (21) "Permanent structure", buildings and
151 structures with permanent foundations other than tents,
152 mobile homes, stands, and trailers;

153 [(16)] (22) "Permit", the written authority of the
154 state fire marshal issued pursuant to sections 320.106 to
155 320.161 to sell, possess, manufacture, discharge, or
156 distribute fireworks;

157 [(17)] (23) "Person", any corporation, association,
158 partnership or individual or group thereof;

159 [(18)] "Proximate fireworks", a chemical mixture used
160 in the entertainment industry to produce visible or audible
161 effects by combustion, deflagration, or detonation, as
162 classified within 49 CFR Part 172 as UN0431 or UN0432;

163 (19) "Pyrotechnic operator" or "special effects
164 operator", an individual who has responsibility for
165 pyrotechnic safety and who controls, initiates, or otherwise
166 creates special effects for proximate fireworks and who has
167 met additional requirements established by promulgated rules

and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;]

(24) "Proximate audience", an audience closer to pyrotechnic devices than permitted by NFPA 1123: Code for Fireworks Display;

[(20)] (25) "Sale", an exchange of articles of fireworks for money, including barter, exchange, [gift] or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

[(21)] (26) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season [as defined by subdivision (10) of this section];

(27) "Substantial damage", damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent of the market value of the structure before the damage occurred;

(28) "Substantial improvement", any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the improvement or repair is started. If the structure has substantial damage, any repairs are considered improvement regardless of the actual repair work performed. The term shall not include either of the following:

(a) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions; or

201 (b) Any alteration of a historic structure, provided
202 that the alteration will not preclude the structure's
203 continued designation as a historic structure;

204 [(22)] (29) "Wholesaler", any person engaged in the
205 business of making sales of consumer fireworks to any other
206 person engaged in the business of making sales of consumer
207 fireworks at retail within the state of Missouri.

 320.111. 1. It is unlawful for any person to
2 manufacture, sell, offer for sale, ship or cause to be
3 shipped into or within the state of Missouri except as
4 herein provided any item of fireworks, without first having
5 secured the required applicable permit as a manufacturer,
6 distributor, wholesaler, [jobber] annual retailer, or
7 seasonal retailer from the state fire marshal and applicable
8 federal permit or license. Possession of said permit is a
9 condition precedent to manufacturing, selling or offering
10 for sale, shipping or causing to be shipped any fireworks
11 into the state of Missouri, except as herein provided. This
12 provision applies to nonresidents as well as residents of
13 the state of Missouri.

14 2. The state fire marshal has the authority and is
15 authorized and directed to issue permits for the sale of
16 fireworks. No permit shall be issued to a person under the
17 age of eighteen years. All permits except for seasonal
18 retailers shall be for the calendar year or any fraction
19 thereof and shall expire on the thirty-first day of December
20 of each year.

21 3. Permits issued must be displayed in the permit
22 holder's place of business. No permit provided for herein
23 shall be transferable nor shall a person operate under a
24 permit issued to another person or under a permit issued for
25 another location. Manufacturer, wholesaler, [jobber] annual

26 retailer, and distributor permit holders operating out of
27 multiple locations shall obtain a permit for each location.

28 4. Failure to make application for a permit by May
29 thirty-first of the calendar year may result in the fire
30 marshal's refusal to issue a [license] permit to the
31 [licensee] permittee or applicant for such calendar year.

32 5. Any false statement or declaration made on a permit
33 application may result in the state fire marshal's refusal
34 to issue such permit to the requesting person for a period
35 of time not to exceed three years.

36 6. The state fire marshal is authorized [and directed
37 to charge the following] to assess permit and licensing fees
38 for permits and licenses:

39 (1) Manufacturer, a fee of [seven hundred seventy-
40 five] one thousand dollars per calendar year;

41 (2) Distributor, a fee of [seven hundred seventy-five]
42 one thousand dollars per calendar year;

43 (3) Wholesaler, a fee of [two hundred seventy-five]
44 five hundred dollars per calendar year;

45 (4) [Jobber] Annual retailer, a fee of [five] seven
46 hundred [twenty-five] fifty dollars per calendar year per
47 sales location;

48 (5) Seasonal retailer, a fee of [fifty] one hundred
49 fifty dollars per calendar year per sales location;

50 (6) [Display] Outdoor fireworks display permit, a fee
51 of one hundred dollars per calendar year per location;

52 (7) [Proximate fireworks display permit] Display
53 before a proximate audience, a fee of one hundred dollars
54 per calendar year per location;

55 (8) [Licensed] Display operator license, a fee of one
56 hundred dollars for a three-year license;

57 (9) Pyrotechnic effects operator license, a fee of one
58 hundred dollars for a three-year license.

59 7. A holder of a manufacturer's permit shall not be
60 required to have any additional permits in order to sell to
61 distributors, wholesalers, [jobbers] annual retailers or
62 seasonal retailers, or to sell display, or [proximate
63 fireworks] articles pyrotechnic.

64 8. A holder of a distributor's permit shall not be
65 required to have any additional permits in order to sell to
66 wholesalers, [jobbers] annual retailers, seasonal retailers
67 or to sell display fireworks, or [proximate fireworks]
68 articles pyrotechnic.

69 9. A holder of [a jobber's] an annual retailer permit
70 shall not be required to have any additional permit in order
71 to sell consumer fireworks at retail during the fireworks
72 season from such [jobber's] annual retailer's permanent
73 structure.

74 10. (1) All fees collected [for permits issued]
75 pursuant to this section shall be deposited [to the credit
76 of the fire education fund created pursuant to section
77 320.094] as follows:

78 (a) Eighty percent into the fire education fund
79 created under section 320.094; and

80 (b) Twenty percent into the cigarette fire safety
81 standard and firefighter protection act fund created under
82 section 320.371.

83 (2) Any person engaged in more than one permit
84 classification shall pay one permit fee based upon the
85 permit classification yielding the highest amount of revenue.

86 11. The state fire marshal is charged with the
87 enforcement of the provisions of sections 320.106 to 320.161
88 and may call upon any state, county or city peace officer
89 for assistance in the enforcement of the provisions of
90 sections 320.106 to 320.161. The state fire marshal may
91 promulgate rules pursuant to the requirements of this

92 section and chapter 536 necessary to carry out his or her
93 responsibilities under this act including rules requiring
94 training, examination, and licensing of licensed display
95 operators and pyrotechnic effects operators engaging in or
96 responsible for the handling and use of display fireworks
97 and [proximate fireworks] articles pyrotechnic. The test
98 shall incorporate the rules of the state fire marshal, which
99 shall be based upon nationally recognized standards. No
100 rule or portion of a rule promulgated pursuant to this
101 chapter shall become effective unless it has been
102 promulgated pursuant to the provisions of chapter 536.

103 12. The state fire marshal, upon notification by the
104 department of revenue, may withhold permits from applicants
105 upon evidence that all state sales taxes for the preceding
106 year or years have not been paid; except, this subsection
107 shall not apply if an applicant is pursuing any proper
108 remedy at law challenging the amount, collection, or
109 assessment of any sales tax.

110 13. A holder of a distributor, wholesaler, or
111 [jobber's] annual retailer's permit shall be required to
112 operate out of a permanent structure in compliance with all
113 applicable building and fire regulations in the city or
114 county in which said person is operating a fireworks
115 business. Seasonal retail permit locations shall be in
116 compliance with all applicable building and fire
117 regulations. The applicant may be subject to a fire safety
118 inspection by the state fire marshal based upon promulgated
119 rules and regulations adopted by the state fire marshal.

120 14. It is unlawful for any manufacturer, distributor,
121 wholesaler, or [jobber] annual retailer to sell consumer
122 fireworks to a seasonal retailer who has not acquired an
123 appropriate permit from the state fire marshal for the
124 current permit period. A seasonal retailer shall acquire

and present the appropriate permit from the state fire marshal before any manufacturer, distributor, wholesaler or [jobber] annual retailer is allowed to sell consumer fireworks to such seasonal retailer, provided that such seasonal retailer is purchasing the consumer fireworks for resale in this state.

15. The state fire marshal and the marshal's deputies may conduct inspections of any premises and all portions of buildings where fireworks are stored, manufactured, kept or being offered for sale. All persons selling, offering for sale, barter, gift, exchange, or offer thereof any fireworks shall cooperate fully with the state fire marshal and the marshal's deputies during any such inspection. This inspection shall be performed during normal business hours.

16. In addition to any other penalty, any person who manufactures, sells, offers for sale, ships or causes to be shipped into or caused to be shipped into the state of Missouri, for use in Missouri, any items of fireworks without first having the required applicable permit shall be assessed a civil penalty of up to a one thousand dollar fine for each day of operation up to a maximum of ten thousand dollars.

320.116. 1. The state fire marshal may revoke any permit or license issued pursuant to sections 320.106 to 320.161 upon evidence that the holder has willfully violated any of the provisions of sections 320.106 to 320.161. If a holder of a permit has multiple permitted locations, any suspension or revocation shall only apply to the permitted location where the violation resulting in suspension or revocation occurred.

2. The state fire marshal may revoke or suspend any permit issued under sections 320.106 to 320.161 upon evidence that the influence of alcohol or any illicit

12 controlled substance is taking place by any permit holder,
13 employee, or representative within the permitted annual or
14 seasonal retail sales location during normal business hours.

15 3. The state fire marshal may refuse to issue a
16 license or permit to any applicant when the permit or
17 license of the individual, corporation, or partner is under
18 suspension or revocation. The state fire marshal may refuse
19 to issue a license or permit to a person who is a partner,
20 shareholder, manager, officer, spouse, or relative of the
21 applicant or a party to the applicant.

22 4. The state fire marshal, in his or her discretion,
23 may refuse to issue a permit, for a period not to exceed
24 three years, to a person whose permit has been revoked for
25 the possession or sale of illegal fireworks, as referred to
26 in section 320.136.

27 **[3.]** 5. The state fire marshal, the marshal's
28 deputies, the marshal's designees or any authorized police
29 or peace officer shall seize as contraband any illegal
30 fireworks as defined pursuant to sections 320.106 to
31 320.161. Such illegal fireworks seized in the enforcement
32 of sections 320.106 to 320.161 shall be held in custody of
33 the state fire marshal in proper storage facilities. The
34 person surrendering the fireworks may bring an in rem
35 proceeding in the circuit court of the county where the
36 fireworks were seized. Upon hearing, the circuit court may
37 authorize the return of all or part of the confiscated
38 fireworks or the court may authorize and direct that such
39 contraband fireworks be destroyed. If a proceeding is not
40 brought within thirty days, the fireworks shall be destroyed
41 by the state fire marshal. The state fire marshal shall
42 seize, take, remove or cause to be removed, at the expense
43 of the owner, all stocks of fireworks offered or exposed for
44 sale, stored or held in violation of the provisions of

sections 320.106 to 320.161. All costs, including any expenses incurred with the seizure, shall be the responsibility of the adjudicated party if case disposition is in the favor of the state fire marshal.

[4.] 6. Any person aggrieved by any official action of the state fire marshal affecting their permit status including revocation, suspension, failure to renew a permit, or refusal to grant a permit may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045.

320.121. 1. The provisions of sections 320.106 to 320.161 shall not be construed to abrogate or in any way affect the powers of the following political subdivisions to regulate or prohibit fireworks within its corporate limits:

- (1) Any city, town, or village in this state; or
- (2) Any county operating under a charter form of government.

2. It is unlawful for any manufacturer, distributor, wholesaler, [jobber] annual retailer, or seasonal retailer to sell or ship by common carrier fireworks to consumers within the corporate limits of the following political subdivisions which prohibit the sale or possession of fireworks:

- (1) Any city, town, or village in this state; or
- (2) Any county operating under a charter form of government.

320.126. 1. Any person, entity, partnership, corporation, or association transporting display fireworks or [proximate fireworks] articles pyrotechnic or display fireworks and [proximate fireworks] articles pyrotechnic into the state of Missouri for the purpose of resale [or to conduct a display] shall be permitted by the state fire

7 marshal as a distributor or manufacturer and have obtained
8 any applicable federal license or permit.

9 2. [Sale of display or proximate fireworks shall be
10 limited to a holder of a federal license or permit and a
11 distributor or manufacturer permit issued by the state fire
12 marshal] Only holders of a state-issued manufacturer or
13 distributor permit shall be allowed to sell display
14 fireworks and articles pyrotechnic within the state of
15 Missouri. A permitted manufacturer or distributor may sell
16 display fireworks and articles pyrotechnic only to those
17 persons who maintain either a state-issued manufacturer or
18 distributor permit or a valid state-issued display operator
19 license or pyrotechnic effect operator license. For the
20 sale of display fireworks, proof of any required federal
21 license or permit shall be required prior to finalizing any
22 sell or transfer.

23 3. Possession of display [or proximate fireworks for
24 resale to holders of a permit for display or proximate]
25 fireworks or articles pyrotechnic shall be confined to
26 holders of a state manufacturer or distributor permit [and
27 applicable federal license or permit] or holders of either a
28 valid state-issued display operator license or pyrotechnic
29 effect operator license. For possession of display
30 fireworks, proof of any required federal license or permit
31 shall be maintained by the possessor.

32 4. [Permits for display or proximate fireworks may be
33 granted to municipalities, fair associations, amusement
34 parks, organizations, persons, firms or corporations. Such
35 permits may be granted upon application and approval by the
36 state fire marshal or local fire service authorities of the
37 community where the display is proposed to be held. All
38 applications submitted for display or proximate fireworks
39 permits must be submitted to the office of the state fire

40 marshal a minimum of ten working days prior to the date of
41 the event. The application shall be made on a form provided
42 or approved by the state fire marshal. Every such display
43 shall be supervised, managed, or directed by a Missouri
44 licensed operator, or pyrotechnic operator on site pursuant
45 to subdivisions (11) and (18) of section 320.106 and shall
46 be located, discharged, or fired so as in the opinion of the
47 permitting authority, after proper inspection based on the
48 most current edition of the National Fire Protection
49 Association standards, NFPA 1123, 1124, and 1126, to not be
50 hazardous to any person or property. After a permit has
51 been granted, the sale, possession, use and distribution of
52 fireworks for such display shall be lawful for that purpose
53 only. A copy of all permits issued for display or proximate
54 fireworks shall be forwarded by the permit holder to the
55 state fire marshal's office. No permit granted hereunder
56 shall be transferable and shall apply to only one location.
57 No holder of a manufacturer or distributor permit shall
58 sell, barter, or transfer display or proximate fireworks to
59 anyone not possessing an applicable permit or license.

60 5. Possession of display or proximate fireworks shall
61 be limited to a holder of a display or proximate fireworks
62 permit issued by the authority having jurisdiction where the
63 display or proximate fireworks is proposed to be held or the
64 state fire marshal or holder of a state manufacturer or
65 distributor permit and applicable federal license or permit.

66 6. Before issuing any permit for a display or
67 proximate fireworks, the municipality, fair association,
68 amusement park, organization, firm, persons, or corporation
69 making application therefor shall furnish proof of financial
70 responsibility in an amount established by promulgated rule
71 to the permitting authority in order to satisfy claims for
72 damages to property or personal injuries arising out of any

act or omission on the part of such person, firm or corporation or any agent or employee thereof.

7. Any establishment where proximate fireworks are to be discharged shall be inspected by the state fire marshal or local fire department having jurisdiction for compliance with NFPA 101 Life Safety Code or equivalent nationally recognized code in relation to means of egress, occupancy load, and automatic sprinkler and fire alarm systems. All permits issued will be forwarded to the state fire marshal by the permit holder. Permits will be issued in the same manner as those required in this section] This section shall not be construed to prohibit a holder of a manufacturer or distributor permit from transporting or selling display fireworks or articles pyrotechnic to persons who are not residents of this state.

320.127. 1. Permits for outdoor fireworks displays or displays before a proximate audience may be granted to municipalities, fair associations, amusement parks, organizations, persons, firms, or corporations. Such permits may be granted upon application and approval by the state fire marshal or local fire service authorities of the community where the outdoor fireworks display or the display before a proximate audience is proposed to be held. All applications submitted to the state fire marshal for an outdoor fireworks display permit or a display before a proximate audience permit shall be submitted to the office of the state fire marshal a minimum of ten working days prior to the date of the event. The application shall be made on a form provided or approved by the state fire marshal. Every such outdoor fireworks display or display before a proximate audience shall be supervised, managed, or directed by a Missouri licensed display operator, or pyrotechnic effects operator on site and shall be located,

19 discharged, or fired so as in the opinion of the permitting
20 authority, after proper inspection based on the National
21 Fire Protection Association standards, NFPA 1123, 1124, and
22 1126, to not be hazardous to any person or property. A copy
23 of all permits issued for outdoor fireworks displays or
24 displays before a proximate audience issued by a local fire
25 service authority shall be forwarded by the permit holder to
26 the state fire marshal's office upon request. No permit
27 granted hereunder shall be transferable and each permit
28 shall apply to only one location.

29 2. Before issuing any permit for outdoor fireworks
30 display or a display before a proximate audience, the
31 municipality, fair association, amusement park,
32 organization, firm, persons, or corporation making
33 application therefore shall furnish proof of financial
34 responsibility in an amount established by promulgated rule
35 to the permitting authority in order to satisfy claims for
36 damages to property or personal injuries arising out of any
37 act or omission on the part of such person, firm, or
38 corporation or any agent or employee thereof.

39 3. Any establishment, venue, or shoot site where an
40 outdoor fireworks display or a display before a proximate
41 audience is to take place shall be inspected by the state
42 fire marshal or local fire department having jurisdiction
43 for compliance with NFPA 1123 Code for Fireworks Display,
44 NFPA 1126 Code for the Use of Pyrotechnics Before a
45 Proximate Audience, and NFPA 101 Life Safety Code or
46 equivalent nationally recognized code in relation to means
47 of egress, occupancy load, and automatic sprinkler and fire
48 alarm systems. All permits issued shall be forwarded to the
49 state fire marshal by the permit holder, upon the state fire
50 marshal's request. Permits shall be issued in the same
51 manner as those required in this section.

52 4. Notwithstanding any provisions of this section to
53 the contrary, a holder of a valid state-issued display
54 operator license conducting a private outdoor firework
55 display for a non-commercial purpose shall not be subject to
56 the permitting requirements in subsections 1 through 3 of
57 this section; provided, however, that all such non-
58 commercial, private outdoor firework displays shall be
59 conducted in compliance with NFPA 1123 and any ordinance,
60 rule, or regulation promulgated by the local authority
61 having jurisdiction over the location where the private
62 outdoor firework display will be held. The state fire
63 marshal may, through its rule making authority set out in
64 chapters 320 and 536, establish a reasonable notice-only
65 rule requiring the licensed display operator to notify the
66 local authority having jurisdiction over such matters at
67 least five calendar days prior to the private outdoor
68 firework display event described in this subsection. For
69 the purposes of this section, "non-commercial purpose" shall
70 mean not connected with or engaged in for a commercial
71 purpose or in exchange for any monetary consideration.

320.131. 1. It is unlawful for any person to possess,
2 sell or use within the state of Missouri, or ship into the
3 state of Missouri, except as provided in section 320.126,
4 any pyrotechnics commonly known as "fireworks" and defined
5 as consumer fireworks in [subdivision (3) of] section
6 320.106 [other than items now or hereafter classified as
7 fireworks UN0336, 1.4G by the United States Department of
8 Transportation] that comply with the construction, chemical
9 composition, labeling and other regulations relative to
10 consumer fireworks regulations promulgated by the United
11 States Consumer Product Safety Commission and permitted for
12 use by the general public pursuant to such commission's
13 regulations.

14 2. No wholesaler, [jobber] annual retailer, or
15 seasonal retailer, or any other person shall sell, offer for
16 sale, store, display, or have in their possession any
17 consumer fireworks [that have not been approved as fireworks
18 UN0336, 1.4G by the United States Department of
19 Transportation] that do not comply with the construction,
20 chemical composition, labeling, and other regulations
21 relative to consumer fireworks regulations promulgated by
22 the United States Consumer Product Safety Commission and
23 permitted for use by the general public pursuant to such
24 commission's regulations.

25 3. [No jobber, wholesaler, manufacturer, or
26 distributor shall sell to seasonal retailer dealers, or any
27 other person, in this state for the purpose of resale, or
28 use, in this state, any consumer fireworks which do not have
29 the numbers and letter "1.4G" printed within an orange,
30 diamond-shaped label printed on or attached to the fireworks
31 shipping carton.

32 4.] This section does not prohibit a manufacturer,
33 distributor or any other person possessing the proper
34 permits as specified by state and federal law from storing,
35 selling, shipping or otherwise transporting display
36 fireworks or [proximate fireworks] articles pyrotechnic.

37 [5.] 4. Matches, toy pistols, toy canes, toy guns,
38 party poppers, or other devices in which paper caps
39 containing twenty-five hundredths grains or less of
40 explosive compound, provided that they are so constructed
41 that the hand cannot come into contact with the cap when in
42 place for use, and toy pistol paper caps which contain less
43 than twenty-five hundredths grains of explosive mixture
44 shall be permitted for sale and use at all times and shall
45 not be regulated by the provisions of sections 320.106 to
46 320.161.

320.141. Permissible items of consumer fireworks
defined in section 320.131 may be sold at wholesale or
retail by holders of [a jobber's] an annual retailer permit
to [nonlicensed] nonpermitted buyers [from outside the state
of Missouri] during a calendar year from the first day of
January until the thirty-first day of December. Permissible
items of consumer fireworks defined in section 320.131 may
be sold at retail by holders of a seasonal retail permit
during the selling periods of the twentieth day of June
through the tenth day of July and the twentieth day of
December through the second day of January.

320.147. 1. A person selling or offering fireworks
for sale or barter or trade shall permit the state fire
marshal and the marshal's deputies to conduct inspections,
based on the code of state regulations, of the business
premises or any location where fireworks are stored, kept,
or sold. Such person shall cooperate with such inspection
or investigation. Failure to cooperate or refusal to allow
an inspection shall result in suspension or revocation of
the permittee's permit or refusal of a permit to be issued.
Such inspection shall be performed during normal business
hours.

2. All new construction or substantial improvements of
a permanent structure shall be constructed with all
applicable building codes or fire codes adopted by the local
political subdivision to whom has authority over such
matter. All new construction or substantial improvements of
a permanent structure located in a jurisdiction without a
local building code or fire code shall submit a full set of
construction plans to the state fire marshal for review.
The state fire marshal may review such plans for compliance
with fire protection standards and issue recommendations.

320.151. 1. It is unlawful to attempt to sell or to
sell at retail any fireworks to children under the age of
fourteen years except when such child is in the presence of
a parent or guardian.

2. It is unlawful for any person under the age of
sixteen to sell fireworks or work in a facility where
fireworks are stored, sold, or offered for sale unless
supervised by an adult.

3. It is unlawful to explode or ignite consumer
fireworks within six hundred feet of any church, hospital,
mental health facility, school, or within one hundred feet
of any location where fireworks are stored, sold, or offered
for sale.

4. No person shall ignite or discharge any permissible
articles of consumer fireworks within or throw the same from
a motorized vehicle including watercraft or any other means
of transportation, except where display permit has been
issued for a floating vessel or floating platform, nor shall
any person place or throw any ignited article of fireworks
into or at a motorized vehicle including watercraft or any
other means of transportation, or at or near any person or
group of people.

5. No person shall ignite or discharge consumer
fireworks within three hundred feet of any permanent storage
of ignitable liquid, gases, gasoline pump, gasoline filling
station, or any nonpermanent structure where fireworks are
stored, sold or offered for sale.

6. No items of explosive or pyrotechnic composition
other than [fireworks as defined by subdivisions (3), (5),
and (17) of section 320.106] consumer fireworks, display
fireworks, or articles pyrotechnic shall be displayed, sold,
or offered for sale within the applicable permit location as
identified on such permit granted by the state fire marshal.

34 7. [Proximate fireworks shall not be allowed to be
35 stored with consumer fireworks.]

36 8.] All storage and transportation of fireworks shall
37 be in accordance with all federal and state rules and
38 regulations.

39 [9.] 8. Nothing in sections 320.106 to 320.161 shall
40 be construed to prevent permittees from demonstrating or
41 testing fireworks. Any such demonstration or test shall
42 require the notification and approval of the local fire
43 service or the state fire marshal.

 320.371. 1. There is hereby created in the state
2 treasury the "Cigarette Fire Safety Standard and Firefighter
3 Protection Act Fund" which shall consist of moneys collected
4 under sections 320.106 to 320.161 and sections 320.350 to
5 320.374. The fund shall be administered by the state fire
6 marshal. Upon appropriation, moneys in the fund shall be
7 made available to the state fire marshal to support fire
8 safety and prevention programs.

9 2. Notwithstanding the provisions of section 33.080 to
10 the contrary, any moneys remaining in the fund at the end of
11 the biennium shall not revert to the credit of the general
12 revenue fund.

13 3. The state treasurer shall invest moneys in the fund
14 in the same manner as other funds are invested. Any
15 interest and moneys earned on such investments shall be
16 credited to the fund.

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

3 (1) "License", a license, certificate, registration,
4 permit, accreditation, or military occupational speciality
5 that enables a person to legally practice an occupation or
6 profession in a particular jurisdiction;

7 (2) "Military", the Armed Forces of the United States
8 including the Air Force, Army, Coast Guard, Marine Corps,
9 Navy, Space Force, National Guard and any other military
10 branch that is designated by Congress as part of the Armed
11 Forces of the United States, and all reserve components and
12 auxiliaries. Such term also includes the military reserves
13 and militia of any United States territory or state;

14 (3) "Missouri law enforcement officer", any person
15 employed by or otherwise serving in a position for the state
16 or a local governmental entity as a police officer, peace
17 officer certified under chapter 590, auxiliary police
18 officer, sheriff, sheriff's deputy, member of the patrol as
19 that term is defined in section 43.010, or in some like
20 position involving the enforcement of the law and protection
21 of the public interest at the risk of that person's life and
22 who is a permanent resident of the state of Missouri or who
23 is domiciled in the state of Missouri;

24 (4) "Nonresident military or law enforcement
25 spouse" [,]:

26 (a) A nonresident spouse of an active duty member of
27 the Armed Forces of the United States who has been
28 transferred or is scheduled to be transferred to the state
29 of Missouri, or who has been transferred or is scheduled to
30 be transferred to an adjacent state and is or will be
31 domiciled in the state of Missouri, or has moved to the
32 state of Missouri on a permanent change-of-station basis; or

33 (b) A nonresident spouse of a person residing outside
34 the state who has accepted an offer of employment from the
35 state or a local governmental entity in the state and who
36 will become a Missouri law enforcement officer upon the
37 commencement of such employment;

38 [(4)] (5) "Oversight body", any board, department,
39 agency, or office of a jurisdiction that issues licenses;

40 [(5)] (6) "Resident military or law enforcement
41 spouse", a spouse of an active duty member of the Armed
42 Forces of the United States who has been transferred or is
43 scheduled to be transferred to the state of Missouri or an
44 adjacent state and who is a permanent resident of the state
45 of Missouri, who is domiciled in the state of Missouri, or
46 who has Missouri as his or her home of record or a spouse of
47 a Missouri law enforcement officer.

48 2. Any person who holds a valid current license issued
49 by another state, a branch or unit of the military, a
50 territory of the United States, or the District of Columbia,
51 and who has been licensed for at least one year in such
52 other jurisdiction, may submit an application for a license
53 in Missouri in the same occupation or profession, and at the
54 same practice level, for which he or she holds the current
55 license, along with proof of current licensure and proof of
56 licensure for at least one year in the other jurisdiction,
57 to the relevant oversight body in this state.

58 3. The oversight body in this state shall:

59 (1) Within six months of receiving an application
60 described in subsection 2 of this section, waive any
61 examination, educational, or experience requirements for
62 licensure in this state for the applicant if it determines
63 that there were minimum education requirements and, if
64 applicable, work experience and clinical supervision
65 requirements in effect and the other state verifies that the
66 person met those requirements in order to be licensed or
67 certified in that state. An oversight body that administers
68 an examination on laws of this state as part of its
69 licensing application requirement may require an applicant
70 to take and pass an examination specific to the laws of this
71 state; or

72 (2) Within thirty days of receiving an application
73 described in subsection 2 of this section from a nonresident
74 military or law enforcement spouse or a resident military or
75 law enforcement spouse, waive any examination, educational,
76 or experience requirements for licensure in this state for
77 the applicant and issue such applicant a license under this
78 section if such applicant otherwise meets the requirements
79 of this section.

80 4. (1) The oversight body shall not waive any
81 examination, educational, or experience requirements for any
82 applicant who has had his or her license revoked by an
83 oversight body outside the state; who is currently under
84 investigation, who has a complaint pending, or who is
85 currently under disciplinary action, except as provided in
86 subdivision (2) of this subsection, with an oversight body
87 outside the state; who does not hold a license in good
88 standing with an oversight body outside the state; who has a
89 criminal record that would disqualify him or her for
90 licensure in Missouri; or who does not hold a valid current
91 license in the other jurisdiction on the date the oversight
92 body receives his or her application under this section.

93 (2) If another jurisdiction has taken disciplinary
94 action against an applicant, the oversight body shall
95 determine if the cause for the action was corrected and the
96 matter resolved. If the matter has not been resolved by
97 that jurisdiction, the oversight body may deny a license
98 until the matter is resolved.

99 5. Nothing in this section shall prohibit the
100 oversight body from denying a license to an applicant under
101 this section for any reason described in any section
102 associated with the occupation or profession for which the
103 applicant seeks a license.

104 6. Any person who is licensed under the provisions of
105 this section shall be subject to the applicable oversight
106 body's jurisdiction and all rules and regulations pertaining
107 to the practice of the licensed occupation or profession in
108 this state.

109 7. This section shall not be construed to waive any
110 requirement for an applicant to pay any fees, post any bonds
111 or surety bonds, or submit proof of insurance associated
112 with the license the applicant seeks.

113 8. This section shall not apply to business,
114 professional, or occupational licenses issued or required by
115 political subdivisions.

116 9. The provisions of this section shall not impede an
117 oversight body's authority to require an applicant to submit
118 fingerprints as part of the application process.

119 10. [The provisions of this section shall not apply to
120 an oversight body that has entered into a licensing compact
121 with another state for the regulation of practice under the
122 oversight body's jurisdiction.] The provisions of this
123 section shall not be construed to alter the authority
124 granted by, or any requirements promulgated pursuant to, any
125 interjurisdictional or interstate compacts adopted by
126 Missouri statute or any reciprocity agreements with other
127 states in effect [on August 28, 2018], and whenever possible
128 this section shall be interpreted so as to imply no conflict
129 between it and any compact, or any reciprocity agreements
130 with other states in effect [on August 28, 2018].

131 11. Notwithstanding any other provision of law, a
132 license issued under this section shall be valid only in
133 this state and shall not make a licensee eligible to be part
134 of an interstate compact. An applicant who is licensed in
135 another state pursuant to an interstate compact shall not be

136 eligible for licensure by an oversight body under the
137 provisions of this section.

138 12. The provisions of this section shall not apply to
139 any occupation set forth in subsection 6 of section 290.257,
140 or any electrical contractor licensed under sections 324.900
141 to 324.945.

324.055. 1. The Missouri board of occupational
2 therapy may require that fingerprint submissions be made as
3 part of an application seeking licensure as an occupational
4 therapist or an occupational therapy assistant, or a limited
5 permit to practice occupational therapy, as such terms are
6 defined in section 324.050 and as provided in section
7 324.077.

8 2. If the Missouri board of occupational therapy
9 requires that fingerprint submissions be made as part of
10 such application, the Missouri board of occupational therapy
11 shall require applicants to submit the fingerprints to the
12 Missouri state highway patrol for the purpose of conducting
13 a state and federal fingerprint-based criminal history
14 background check.

15 3. The fingerprints and any required fees shall be
16 sent to the Missouri state highway patrol's central
17 repository. The fingerprints shall be used for searching
18 the state criminal records repository and shall also be
19 forwarded to the Federal Bureau of Investigation for a
20 federal criminal records search under section 43.540. The
21 Missouri state highway patrol shall notify the Missouri
22 board of occupational therapy of any criminal history record
23 information or lack of criminal history record information
24 discovered on the individual. Notwithstanding the
25 provisions of section 610.120 to the contrary, all records
26 related to any criminal history information discovered shall

27 be accessible and available to the Missouri board of
28 occupational therapy.

324.129. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application seeking licensure as a
4 licensed clinical perfusionist and provisional clinical
5 licensed perfusionist, as defined in section 324.128.

6 2. If the state board of registration for the healing
7 arts requires that fingerprint submissions be made as part
8 of such application, the state board of registration for the
9 healing arts shall require applicants to submit the
10 fingerprints to the Missouri state highway patrol for the
11 purpose of conducting a state and federal fingerprint-based
12 criminal history background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the state board
20 of registration for the healing arts of any criminal history
21 record information or lack of criminal history record
22 information discovered on the individual. Notwithstanding
23 the provisions of section 610.120 to the contrary, all
24 records related to any criminal history information
25 discovered shall be accessible and available to the state
26 board of registration for the healing arts.

324.246. 1. The board of therapeutic massage may
2 require that fingerprint submissions be made as part of an
3 application seeking a license, provisional license, or
4 student license as a massage therapist and a license as a

5 massage business, as such terms are defined in section
6 324.240 and as provided in sections 324.247 and 324.265.

7 2. If the board of therapeutic massage requires that
8 fingerprint submissions be made as part of such application,
9 the board of therapeutic massage shall require applicants to
10 submit the fingerprints to the Missouri state highway patrol
11 for the purpose of conducting a state and federal
12 fingerprint-based criminal history background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the board of
20 therapeutic massage of any criminal history record
21 information or lack of criminal history record information
22 discovered on the individual. Notwithstanding the
23 provisions of section 610.120 to the contrary, all records
24 related to any criminal history information discovered shall
25 be accessible and available to the board of therapeutic
26 massage.

324.488. 1. The state board of chiropractic examiners
2 may require that fingerprint submissions be made as part of
3 an application seeking licensure as an acupuncturist, as
4 such term is defined in section 324.475.

5 2. If the state board of chiropractic examiners
6 requires that fingerprint submissions be made as part of
7 such application, the state board of chiropractic examiners
8 shall require applicants to submit the fingerprints to the
9 Missouri state highway patrol for the purpose of conducting
10 a state and federal fingerprint-based criminal history
11 background check.

12 3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the state board
19 of chiropractic examiners of any criminal history record
20 information or lack of criminal history record information
21 discovered on the individual. Notwithstanding the
22 provisions of section 610.120 to the contrary, all records
23 related to any criminal history information discovered shall
24 be accessible and available to the state board of
25 chiropractic examiners.

324.1105. 1. The board of private investigator and
2 private fire investigator examiners may require that
3 fingerprint submissions be made as part of an application
4 seeking licensure as a private investigator or private fire
5 investigator or as an employee of a private investigator
6 agency or private fire investigator agency, as such terms
7 are defined in section 324.1100.

8 2. If the board of private investigator and private
9 fire investigator examiners requires that fingerprint
10 submissions be made as part of such application, the board
11 of private investigator and private fire investigator
12 examiners shall require applicants to submit the
13 fingerprints to the Missouri state highway patrol for the
14 purpose of conducting a state and federal fingerprint-based
15 criminal history background check.

16 3. The fingerprints and any required fees shall be
17 sent to the Missouri state highway patrol's central
18 repository. The fingerprints shall be used for searching
19 the state criminal records repository and shall also be

20 forwarded to the Federal Bureau of Investigation for a
21 federal criminal records search under section 43.540. The
22 Missouri state highway patrol shall notify the board of
23 private investigator and private fire investigator examiners
24 of any criminal history record information or lack of
25 criminal history record information discovered on the
26 individual. Notwithstanding the provisions of section
27 610.120 to the contrary, all records related to any criminal
28 history information discovered shall be accessible and
29 available to the board of private investigator and private
30 fire investigator examiners.

326.257. 1. The Missouri state board of accountancy
2 may require that fingerprint submissions be made as part of
3 an application seeking licensure as a certified public
4 accountant and a permit for a certified public accounting
5 firm, as defined in section 326.256.

2. If the Missouri state board of accountancy requires
7 that fingerprint submissions be made as part of such
8 application, the Missouri state board of accountancy shall
9 require applicants to submit the fingerprints to the
10 Missouri state highway patrol for the purpose of conducting
11 a state and federal fingerprint-based criminal history
12 background check.

3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the Missouri
20 state board of accountancy of any criminal history record
21 information or lack of criminal history record information
22 discovered on the individual. Notwithstanding the

23 provisions of section 610.120 to the contrary, all records
24 related to any criminal history information discovered shall
25 be accessible and available to the Missouri state board of
26 accountancy.

330.025. 1. The state board of podiatric medicine may
2 require that fingerprint submissions be made as part of an
3 application seeking a permanent license or a temporary
4 license to practice podiatric medicine, as provided in
5 sections 330.045 and 330.065, or a permanent podiatric
6 medicine license with ankle certification, as such term is
7 defined in subsection 4 of this section.

2. If the state board of podiatric medicine requires
9 that fingerprint submissions be made as part of such
10 application, the state board of podiatric medicine shall
11 require applicants to submit the fingerprints to the
12 Missouri state highway patrol for the purpose of conducting
13 a state and federal fingerprint-based criminal history
14 background check.

3. The fingerprints and any required fees shall be
16 sent to the Missouri state highway patrol's central
17 repository. The fingerprints shall be used for searching
18 the state criminal records repository and shall also be
19 forwarded to the Federal Bureau of Investigation for a
20 federal criminal records search under section 43.540. The
21 Missouri state highway patrol shall notify the state board
22 of podiatric medicine of any criminal history record
23 information or lack of criminal history record information
24 discovered on the individual. Notwithstanding the
25 provisions of section 610.120 to the contrary, all records
26 related to any criminal history information discovered shall
27 be accessible and available to the state board of podiatric
28 medicine.

29 4. For purposes of this section, the term "permanent
30 podiatric medicine license with ankle certification" means a
31 license issued to a doctor of podiatric medicine who has met
32 the requirements for performing surgery on the ankle as
33 provided in section 330.010.

331.025. 1. The state board of chiropractic examiners
2 may require that fingerprint submissions be made as part of
3 an application seeking licensure to engage in the practice
4 of chiropractic, as such term is defined in section 331.010.

5 2. If the state board of chiropractic examiners
6 requires that fingerprint submissions be made as part of
7 such application, the state board of chiropractic examiners
8 shall require applicants to submit the fingerprints to the
9 Missouri state highway patrol for the purpose of conducting
10 a state and federal fingerprint-based criminal history
11 background check.

12 3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the state board
19 of chiropractic examiners of any criminal history record
20 information or lack of criminal history record information
21 discovered on the individual. Notwithstanding the
22 provisions of section 610.120 to the contrary, all records
23 related to any criminal history information discovered shall
24 be accessible and available to the state board of
25 chiropractic examiners.

332.015. 1. The Missouri dental board may require
2 that fingerprint submissions be made as part of an
3 application seeking licensure as a dentist, a dental

4 specialist, a volunteer dentist, a temporary dentist, a
5 dental hygienist, or a volunteer dental hygienist, a limited
6 dental teaching license, and a dental faculty permit, as
7 provided in sections 332.091, 332.112, 332.113, 332.171,
8 332.181, 332.183, 332.201, and 332.425.

9 2. If the Missouri dental board requires that
10 fingerprint submissions be made as part of such application,
11 the Missouri dental board shall require applicants to submit
12 the fingerprints to the Missouri state highway patrol for
13 the purpose of conducting a state and federal fingerprint-
14 based criminal history background check.

15 3. The fingerprints and any required fees shall be
16 sent to the Missouri state highway patrol's central
17 repository. The fingerprints shall be used for searching
18 the state criminal records repository and shall also be
19 forwarded to the Federal Bureau of Investigation for a
20 federal criminal records search under section 43.540. The
21 Missouri state highway patrol shall notify the Missouri
22 dental board of any criminal history record information or
23 lack of criminal history record information discovered on
24 the individual. Notwithstanding the provisions of section
25 610.120 to the contrary, all records related to any criminal
26 history information discovered shall be accessible and
27 available to the Missouri dental board.

334.015. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application for a permanent license,
4 temporary license, or limited license as a physician and
5 assistant physician, as provided in sections 334.035,
6 334.036, 334.045, 334.046, and 334.112.

7 2. If the state board of registration for the healing
8 arts requires that fingerprint submissions be made as part
9 of such application, the state board of registration for the

10 healing arts shall require applicants to submit the
11 fingerprints to the Missouri state highway patrol for the
12 purpose of conducting a state and federal fingerprint-based
13 criminal history background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the state board
21 of registration for the healing arts of any criminal history
22 record information or lack of criminal history record
23 information discovered on the individual. Notwithstanding
24 the provisions of section 610.120 to the contrary, all
25 records related to any criminal history information
26 discovered shall be accessible and available to the state
27 board of registration for the healing arts.

334.403. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application seeking licensure as an
4 anesthesiologist assistant, as such term is defined in
5 section 334.400, or a temporary license to practice as an
6 anesthesiologist assistant, as provided in section 334.406.

7 2. If the state board of registration for the healing
8 arts requires that fingerprint submissions be made as part
9 of such application, the state board of registration for the
10 healing arts shall require applicants to submit the
11 fingerprints to the Missouri state highway patrol for the
12 purpose of conducting a state and federal fingerprint-based
13 criminal history background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central

16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the state board
21 of registration for the healing arts of any criminal history
22 record information or lack of criminal history record
23 information discovered on the individual. Notwithstanding
24 the provisions of section 610.120 to the contrary, all
25 records related to any criminal history information
26 discovered shall be accessible and available to the state
27 board of registration for the healing arts.

334.501. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application seeking a license or
4 temporary license as a physical therapist or physical
5 therapist assistant, as such terms are defined in section
6 334.500 and as provided in section 334.550.

2. If the state board of registration for the healing
8 arts requires that fingerprint submissions be made as part
9 of such application, the state board of registration for the
10 healing arts shall require applicants to submit the
11 fingerprints to the Missouri state highway patrol for the
12 purpose of conducting a state and federal fingerprint-based
13 criminal history background check.

3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the state board
21 of registration for the healing arts of any criminal history

22 record information or lack of criminal history record
23 information discovered on the individual. Notwithstanding
24 the provisions of section 610.120 to the contrary, all
25 records related to any criminal history information
26 discovered shall be accessible and available to the state
27 board of registration for the healing arts.

334.701. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application seeking licensure as an
4 athletic trainer, as such term is defined in section 334.702.

5 2. If the state board of registration for the healing
6 arts requires that fingerprint submissions be made as part
7 of such application, the state board of registration for the
8 healing arts shall require applicants to submit the
9 fingerprints to the Missouri state highway patrol for the
10 purpose of conducting a state and federal fingerprint-based
11 criminal history background check.

12 3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the state board
19 of registration for the healing arts of any criminal history
20 record information or lack of criminal history record
21 information discovered on the individual. Notwithstanding
22 the provisions of section 610.120 to the contrary, all
23 records related to any criminal history information
24 discovered shall be accessible and available to the state
25 board of registration for the healing arts.

334.739. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be

3 made as part of an application seeking a license or
4 temporary license as a physician assistant, as such term is
5 defined in section 334.735 and as provided in section
6 334.736.

7 2. If the state board of registration for the healing
8 arts requires that fingerprint submissions be made as part
9 of such application, the state board of registration for the
10 healing arts shall require applicants to submit the
11 fingerprints to the Missouri state highway patrol for the
12 purpose of conducting a state and federal fingerprint-based
13 criminal history background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the state board
21 of registration for the healing arts of any criminal history
22 record information or lack of criminal history record
23 information discovered on the individual. Notwithstanding
24 the provisions of section 610.120 to the contrary, all
25 records related to any criminal history information
26 discovered shall be accessible and available to the state
27 board of registration for the healing arts.

334.805. 1. The Missouri board for respiratory care
2 may require that fingerprint submissions be made as part of
3 an application seeking licensure as a respiratory care
4 practitioner, an educational permit to practice respiratory
5 care, or a temporary permit to practice respiratory care, as
6 such terms are defined in section 334.800 and as provided in
7 section 334.890.

8 2. If the Missouri board for respiratory care requires
9 that fingerprint submissions be made as part of such
10 application, the Missouri board for respiratory care shall
11 require applicants to submit the fingerprints to the
12 Missouri state highway patrol for the purpose of conducting
13 a state and federal fingerprint-based criminal history
14 background check.

15 3. The fingerprints and any required fees shall be
16 sent to the Missouri state highway patrol's central
17 repository. The fingerprints shall be used for searching
18 the state criminal records repository and shall also be
19 forwarded to the Federal Bureau of Investigation for a
20 federal criminal records search under section 43.540. The
21 Missouri state highway patrol shall notify the Missouri
22 board for respiratory care of any criminal history record
23 information or lack of criminal history record information
24 discovered on the individual. Notwithstanding the
25 provisions of section 610.120 to the contrary, all records
26 related to any criminal history information discovered shall
27 be accessible and available to the Missouri board for
28 respiratory care.

335.022. 1. The state board of nursing may require
2 applicants to submit fingerprints to the Missouri state
3 highway patrol for the purpose of conducting a state and
4 federal fingerprint-based criminal history background check
5 for employment purposes with the state board of nursing.

6 2. The fingerprints and any required fees shall be
7 sent to the Missouri state highway patrol's central
8 repository. The fingerprints shall be used for searching
9 the state criminal records repository and shall also be
10 forwarded to the Federal Bureau of Investigation for a
11 federal criminal records search under section 43.540. The
12 Missouri state highway patrol shall notify the state board

13 of nursing of any criminal history record information or
14 lack of criminal history record information discovered on
15 the individual. Notwithstanding the provisions of section
16 610.120 to the contrary, all records related to any criminal
17 history information discovered shall be accessible and
18 available to the state board of nursing.

335.042. 1. The state board of nursing may require
2 that fingerprint submissions be made as part of an
3 application seeking licensure to practice as a registered
4 nurse, practical nurse, and advanced practice registered
5 nurse, as such terms are defined in section 335.016.

6 2. If the state board of nursing requires that
7 fingerprint submissions be made as part of such application,
8 the state board of nursing shall require nursing applicants
9 to submit the fingerprints to the Missouri state highway
10 patrol for the purpose of conducting a state and federal
11 fingerprint-based criminal history background check.

12 3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the state board
19 of nursing of any criminal history record information or
20 lack of criminal history record information discovered on
21 the individual. Notwithstanding the provisions of section
22 610.120 to the contrary, all records related to any criminal
23 history information discovered shall be accessible and
24 available to the state board of nursing.

336.025. 1. The state board of optometry may require
2 that fingerprint submissions be made as part of an

3 application seeking licensure to practice as an optometrist,
4 as provided in sections 336.010 and 336.030.

5 2. If the state board of optometry requires that
6 fingerprint submissions be made as part of such application,
7 the state board of optometry shall require applicants to
8 submit the fingerprints to the Missouri state highway patrol
9 for the purpose of conducting a state and federal
10 fingerprint-based criminal history background check.

11 3. The fingerprints and any required fees shall be
12 sent to the Missouri state highway patrol's central
13 repository. The fingerprints shall be used for searching
14 the state criminal records repository and shall also be
15 forwarded to the Federal Bureau of Investigation for a
16 federal criminal records search under section 43.540. The
17 Missouri state highway patrol shall notify the state board
18 of optometry of any criminal history record information or
19 lack of criminal history record information discovered on
20 the individual. Notwithstanding the provisions of section
21 610.120 to the contrary, all records related to any criminal
22 history information discovered shall be accessible and
23 available to the state board of optometry.

337.018. 1. The state committee of psychologists may
2 require that fingerprint submissions be made as part of an
3 application seeking licensure as a licensed psychologist,
4 provisional licensed psychologist, and temporary licensed
5 psychologist.

6 2. If the state committee of psychologists requires
7 that fingerprint submissions be made as part of such
8 application, the state committee of psychologists shall
9 require applicants to submit the fingerprints to the
10 Missouri state highway patrol for the purpose of conducting
11 a state and federal fingerprint-based criminal history
12 background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the state
20 committee of psychologists of any criminal history record
21 information or lack of criminal history record information
22 discovered on the individual. Notwithstanding the
23 provisions of section 610.120 to the contrary, all records
24 related to any criminal history information discovered shall
25 be accessible and available to the state committee of
26 psychologists.

337.308. 1. The behavior analyst advisory board may
2 require that fingerprint submissions be made as part of an
3 application seeking licensure, provisional licensure, or
4 temporary licensure as a licensed behavior analyst or a
5 licensed assistant behavior analyst, as such terms are
6 defined in section 337.300.

7 2. If the behavior analyst advisory board requires
8 that fingerprint submissions be made as part of such
9 application, the behavior analyst advisory board shall
10 require applicants to submit the fingerprints to the
11 Missouri state highway patrol for the purpose of conducting
12 a state and federal fingerprint-based criminal history
13 background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The

20 Missouri state highway patrol shall notify the behavior
21 analyst advisory board of any criminal history record
22 information or lack of criminal history record information
23 discovered on the individual. Notwithstanding the
24 provisions of section 610.120 to the contrary, all records
25 related to any criminal history information discovered shall
26 be accessible and available to the behavior analyst advisory
27 board.

337.501. 1. The committee for professional counselors
2 may require that fingerprint submissions be made as part of
3 an application seeking licensure as a licensed professional
4 counselor and provisional licensed professional counselor,
5 as defined in section 337.500.

6 2. If the committee for professional counselors
7 requires that fingerprint submissions be made as part of
8 such application, the committee for professional counselors
9 shall require applicants to submit the fingerprints to the
10 Missouri state highway patrol for the purpose of conducting
11 a state and federal fingerprint-based criminal history
12 background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the committee for
20 professional counselors of any criminal history record
21 information or lack of criminal history record information
22 discovered on the individual. Notwithstanding the
23 provisions of section 610.120 to the contrary, all records
24 related to any criminal history information discovered shall

25 be accessible and available to the committee for
26 professional counselors.

337.605. 1. The state committee for social workers
2 may require that fingerprint submissions be made as part of
3 an application seeking a license or a temporary permit to
4 practice as a licensed clinical social worker, licensed
5 advanced macro social worker, licensed master social worker,
6 and licensed baccalaureate social worker, as such terms are
7 defined in section 337.600 and as provided in section
8 337.621.

9 2. If the state committee for social workers requires
10 that fingerprint submissions be made as part of such
11 application, the state committee for social workers shall
12 require applicants to submit the fingerprints to the
13 Missouri state highway patrol for the purpose of conducting
14 a state and federal fingerprint-based criminal history
15 background check.

16 3. The fingerprints and any required fees shall be
17 sent to the Missouri state highway patrol's central
18 repository. The fingerprints shall be used for searching
19 the state criminal records repository and shall also be
20 forwarded to the Federal Bureau of Investigation for a
21 federal criminal records search under section 43.540. The
22 Missouri state highway patrol shall notify the state
23 committee for social workers of any criminal history record
24 information or lack of criminal history record information
25 discovered on the individual. Notwithstanding the
26 provisions of section 610.120 to the contrary, all records
27 related to any criminal history information discovered shall
28 be accessible and available to the state committee for
29 social workers.

337.702. 1. The state committee of marital and family
2 therapists may require that fingerprint submissions be made

3 as part of an application seeking licensure as a licensed
4 marital and family therapist or provisional licensed marital
5 and family therapist as such terms are defined in section
6 337.700.

7 2. If the state committee of marital and family
8 therapists requires that fingerprint submissions be made as
9 part of such application, the state committee of marital and
10 family therapists shall require applicants to submit the
11 fingerprints to the Missouri state highway patrol for the
12 purpose of conducting a state and federal fingerprint-based
13 criminal history background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the state
21 committee of marital and family therapists of any criminal
22 history record information or lack of criminal history
23 record information discovered on the individual.
24 Notwithstanding the provisions of section 610.120 to the
25 contrary, all records related to any criminal history
26 information discovered shall be accessible and available to
27 the state committee of marital and family therapists.

338.052. 1. The board of pharmacy may require that
2 fingerprint submissions be made as part of an application
3 seeking a license to practice pharmacy as a pharmacist, a
4 certificate of registration as a pharmacy technician, a
5 license as an intern pharmacist, a license as a wholesale
6 drug distributor, a license as a third-party logistics
7 provider, a temporary license as a pharmacist, a permit for
8 the practice of pharmacy to be conducted at a pharmacy, and

9 a license as a drug outsourcer, as provided in sections
10 338.010, 338.013, 338.035, 338.043, 338.050, 338.210, and
11 338.330, and a manager-in-charge, wholesale drug distributor
12 facility manager, third-party logistics provider facility
13 manager, wholesale drug distributor facility owner, or third-
14 party logistics provider facility owner, as such terms are
15 defined in subsection 4 of this section.

16 2. If the board of pharmacy requires that fingerprint
17 submissions be made as part of such application, the board
18 of pharmacy shall require applicants to submit the
19 fingerprints to the Missouri state highway patrol for the
20 purpose of conducting a state and federal fingerprint-based
21 criminal history background check.

22 3. The fingerprints and any required fees shall be
23 sent to the Missouri state highway patrol's central
24 repository. The fingerprints shall be used for searching
25 the state criminal records repository and shall also be
26 forwarded to the Federal Bureau of Investigation for a
27 federal criminal records search under section 43.540. The
28 Missouri state highway patrol shall notify the board of
29 pharmacy of any criminal history record information or lack
30 of criminal history record information discovered on the
31 individual. Notwithstanding the provisions of section
32 610.120 to the contrary, all records related to any criminal
33 history information discovered shall be accessible and
34 available to the board of pharmacy.

35 4. For purposes of this section, the following terms
36 mean:

37 (1) "Manager-in-charge", a person who directly
38 supervises a licensed wholesale drug distributor or a third-
39 party logistics provider, as such terms are defined in
40 section 338.330, and whose fingerprints are required by
41 federal or state law for licensure of a wholesale drug

distributor facility or third-party logistics provider facility;

(2) "Third-party logistics provider facility manager", a person who is a manager and direct supervisor of a licensed third-party logistics provider, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a third-party logistics provider facility;

(3) "Third-party logistics provider facility owner", a person who is an owner with greater than ten percent ownership interest of a licensed third-party logistics provider, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a third-party logistics provider facility;

(4) "Wholesale drug distributor facility manager", a person who is a manager of a wholesale drug distributor, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a wholesale drug distributor facility;

(5) "Wholesale drug distributor facility owner", a person who is an owner with greater than ten percent ownership interest of a licensed wholesale drug distributor, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a wholesale drug distributor facility.

339.015. 1. The Missouri real estate commission may require that fingerprint submissions be made as part of an application seeking licensure as a real estate broker, real estate salesperson, and real estate broker-salesperson, as such terms are defined in section 339.010 and as provided in sections 339.030 and 339.040.

2. If the Missouri real estate commission requires that fingerprint submissions be made as part of such

9 application, the Missouri real estate commission shall
10 require applicants to submit the fingerprints to the
11 Missouri state highway patrol for the purpose of conducting
12 a state and federal fingerprint-based criminal history
13 background check.

14 3. The fingerprints and any required fees shall be
15 sent to the Missouri state highway patrol's central
16 repository. The fingerprints shall be used for searching
17 the state criminal records repository and shall also be
18 forwarded to the Federal Bureau of Investigation for a
19 federal criminal records search under section 43.540. The
20 Missouri state highway patrol shall notify the Missouri real
21 estate commission of any criminal history record information
22 or lack of criminal history record information discovered on
23 the individual. Notwithstanding the provisions of section
24 610.120 to the contrary, all records related to any criminal
25 history information discovered shall be accessible and
26 available to the Missouri real estate commission.

339.510. 1. The Missouri real estate appraisers
2 commission may require that fingerprint submissions be made
3 as part of an application seeking licensure as a certified
4 residential appraiser, a certified residential appraiser
5 trainee, a certified general appraiser, a certified general
6 appraiser trainee, a state-licensed appraiser, a state-
7 licensed appraiser trainee, an appraisal management company,
8 a controlling person of an appraisal management company, and
9 an owner of an appraisal management company.

10 2. If the Missouri real estate appraisers commission
11 requires that fingerprint submissions be made as part of
12 such application, the Missouri real estate appraisers
13 commission shall require applicants to submit the
14 fingerprints to the Missouri state highway patrol for the

15 purpose of conducting a state and federal fingerprint-based
16 criminal history background check.

17 3. The fingerprints and any required fees shall be
18 sent to the Missouri state highway patrol's central
19 repository. The fingerprints shall be used for searching
20 the state criminal records repository and shall also be
21 forwarded to the Federal Bureau of Investigation for a
22 federal criminal records search under section 43.540. The
23 Missouri state highway patrol shall notify the Missouri real
24 estate appraisers commission of any criminal history record
25 information or lack of criminal history record information
26 discovered on the individual. Notwithstanding the
27 provisions of section 610.120 to the contrary, all records
28 related to any criminal history information discovered shall
29 be accessible and available to the Missouri real estate
30 appraisers commission.

31 4. For purposes of this section, the following terms
32 mean:

33 (1) "Appraisal management company", an individual that
34 utilizes an appraisal panel and performs appraisal
35 management services for licensure;

36 (2) "Appraisal management services", to perform any of
37 the following functions on behalf of a lender, financial
38 institution, or client:

39 (a) Administer an appraiser panel;

40 (b) Recruit, qualify, verify licensing or
41 certification, and negotiate fees and service level
42 expectations with persons who are part of an appraiser panel;

43 (c) Receive an order for an appraisal from one
44 individual and deliver the order for the appraisal to an
45 appraiser that is part of an appraiser panel for completion;

46 (d) Track and determine the status of orders for
47 appraisals performed by appraisers who are part of an
48 appraisal panel;

49 (e) Conduct quality control of a completed appraisal
50 performed by an appraiser who is part of an appraisal panel
51 prior to the delivery of the appraisal to the individual who
52 ordered the appraisal; and

53 (f) Provide a completed appraisal performed by an
54 appraiser who is part of an appraisal panel to one or more
55 individuals who have ordered an appraisal;

56 (3) "Certified general appraiser", an individual who
57 is qualified by education, experience, and examination to
58 appraise any real property, and whose fingerprints are
59 required for licensure;

60 (4) "Certified general appraiser trainee", an
61 individual who, under supervision, is qualified to appraise
62 certain real property and whose fingerprints are required
63 for licensure;

64 (5) "Certified residential appraiser", an individual
65 who is qualified to appraise certain real property and whose
66 fingerprints are required for licensure;

67 (6) "Certified residential appraiser trainee", an
68 individual who, under supervision, is qualified to appraise
69 certain real property and whose fingerprints are required
70 for licensure;

71 (7) "Controlling person of an appraisal management
72 company":

73 (a) An owner of an appraisal management company;

74 (b) An individual employed, appointed, or authorized
75 by an appraisal management company that has the authority to
76 enter into a contractual relationship with other persons for
77 the performance of appraisal management services and has the

78 authority to enter into agreements with appraisers for the
79 performance of appraisals; or

80 (c) An individual who possesses the power to direct or
81 cause the direction of the management or policies of an
82 appraisal management company whose fingerprints are required
83 for licensure;

84 (8) "Owner of an appraisal management company", an
85 individual who owns ten percent or more of a licensed
86 appraisal management company and whose fingerprints are
87 required for licensure;

88 (9) "State-licensed appraiser", an individual who is
89 qualified to appraise certain real property and whose
90 fingerprints are required for licensure;

91 (10) "State-licensed appraiser trainee", an individual
92 who, under supervision, is qualified to appraise certain
93 real property and whose fingerprints are required for
94 licensure.

345.016. 1. The state board of registration for the
2 healing arts may require that fingerprint submissions be
3 made as part of an application seeking a license, as
4 described in section 345.020, or provisional license, as
5 described in section 345.021, as an audiologist, an
6 audiology aide, a speech-language pathologist, a speech-
7 language pathology aide, and a speech-language pathology
8 assistant, as such terms are defined in section 345.015.

9 2. If the state board of registration for the healing
10 arts requires that fingerprint submissions be made as part
11 of such application, the state board of registration for the
12 healing arts shall require applicants to submit the
13 fingerprints to the Missouri state highway patrol for the
14 purpose of conducting a state and federal fingerprint-based
15 criminal history background check.

16 3. The fingerprints and any required fees shall be
17 sent to the Missouri state highway patrol's central
18 repository. The fingerprints shall be used for searching
19 the state criminal records repository and shall also be
20 forwarded to the Federal Bureau of Investigation for a
21 federal criminal records search under section 43.540. The
22 Missouri state highway patrol shall notify the state board
23 of registration for the healing arts of any criminal history
24 record information or lack of criminal history record
25 information discovered on the individual. Notwithstanding
26 the provisions of section 610.120 to the contrary, all
27 records related to any criminal history information
28 discovered shall be accessible and available to the state
29 board of registration for the healing arts.

374.711. 1. The department of commerce and insurance
2 may require that fingerprint submissions be made as part of
3 an application seeking a license, or renewal of a license,
4 as a general bail bond agent, a bail bond agent, or a surety
5 recovery agent, as such terms are defined in section 374.700.

6 2. If the department of commerce and insurance
7 requires that fingerprint submissions be made as part of
8 such application, the department of commerce and insurance
9 shall require applicants to submit the fingerprints to the
10 Missouri state highway patrol for the purpose of conducting
11 a state and federal fingerprint-based criminal history
12 background check.

13 3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the department of

20 any criminal history record information or lack of criminal
21 history record information discovered on the individual.
22 Notwithstanding the provisions of section 610.120 to the
23 contrary, all records related to any criminal history
24 information discovered shall be accessible and available to
25 the department.

436.225. 1. The director of the division of
2 professional registration may require that fingerprint
3 submissions be made as part of an application seeking
4 licensure as an athlete agent.

2. If the director of the division of professional
6 registration requires that fingerprint submissions be made
7 as part of such application, the director of the division of
8 professional registration shall require applicants to submit
9 the fingerprints to the Missouri state highway patrol for
10 the purpose of conducting a state and federal fingerprint-
11 based criminal history background check.

3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the director of
19 the division of professional registration of any criminal
20 history record information or lack of criminal history
21 record information discovered on the individual.

22 Notwithstanding the provisions of section 610.120 to the
23 contrary, all records related to any criminal history
24 information discovered shall be accessible and available to
25 the director of the division of professional registration.

4. For purposes of this section, the term "athlete
27 agent" means an individual who:

28 (1) Recruits or solicits a student athlete to enter
29 into an agency contract or, for compensation, procures
30 employment or offers, promises, attempts, or negotiates to
31 obtain employment for a student athlete as a professional
32 athlete or member of a professional sports team or
33 organization;

34 (2) For compensation or in anticipation of
35 compensation related to a student athlete's participation in
36 athletics:

37 (a) Serves the student athlete in an advisory capacity
38 on a matter related to finances, business pursuits, or
39 career management decisions, unless the individual is an
40 employee of an educational institution acting exclusively as
41 an employee of the educational institution for the benefit
42 of the educational institution; or

43 (b) Manages the business affairs of the student
44 athlete by providing assistance with bills, payments,
45 contracts, or taxes; or

46 (3) In anticipation of representing a student athlete
47 for a purpose related to the student athlete's participation
48 in athletics:

49 (a) Gives consideration to the student athlete or
50 another person;

51 (b) Serves the student athlete in an advisory capacity
52 on a matter related to finances, business pursuits, or
53 career management decisions; or

54 (c) Manages the business affairs of the student
55 athlete by providing assistance with bills, payments,
56 contracts, or taxes.

443.702. 1. The division of finance may require that
2 fingerprint submissions be made as part of an application
3 seeking licensure to act as a residential mortgage loan
4 broker or a mortgage loan originator.

5 2. If the division of finance requires that
6 fingerprint submissions be made as part of such application,
7 the division of finance shall require applicants to submit
8 the fingerprints to the Missouri state highway patrol for
9 the purpose of conducting a state and federal fingerprint-
10 based criminal history background check.

11 3. The fingerprints and any required fees shall be
12 sent to the Missouri state highway patrol's central
13 repository. The fingerprints shall be used for searching
14 the state criminal records repository and shall also be
15 forwarded to the Federal Bureau of Investigation for a
16 federal criminal records search under section 43.540. The
17 Missouri state highway patrol shall notify the division of
18 finance of any criminal history record information or lack
19 of criminal history record information discovered on the
20 individual. Notwithstanding the provisions of section
21 610.120 to the contrary, all records related to any criminal
22 history information discovered shall be accessible and
23 available to the division of finance.

24 4. For purposes of this section, the following terms
25 mean:

26 (1) "Mortgage loan originator", an individual who for
27 compensation or gain or in the expectation of compensation
28 or gain takes a residential mortgage loan application, or
29 offers or negotiates terms of a residential mortgage loan.
30 Mortgage loan originator does not include:

31 (a) An individual engaged solely as a loan processor
32 or underwriter except as otherwise provided in sections
33 443.701 to 443.893;

34 (b) An individual that only performs real estate
35 brokerage activities and is licensed or registered in
36 accordance with the law of this state, unless the person is
37 compensated by a lender, a mortgage broker, or other

38 mortgage loan originator or by any agent of such lender,
39 mortgage broker, or other mortgage loan originator;

40 (c) An individual solely involved in extensions of
41 credit relating to time-share plans, as the term time-share
42 plans is defined in 11 U.S.C. Section 101(53D);

43 (d) An individual who is servicing a mortgage loan; or

44 (e) An individual employed by a licensed mortgage
45 broker or loan originator who accepts or receives
46 residential mortgage loan applications;

47 (2) "Residential mortgage loan broker", an individual,
48 other than an exempt individual, engaged in the business of
49 brokering, funding, servicing, or purchasing residential
50 mortgage loans.

476.802. 1. The office of state courts administrator
2 may require that fingerprint submissions be made as part of
3 the application of certification as a qualified interpreter,
4 pursuant to section 476.800.

5 2. If the office of state courts administrator
6 requires that fingerprint submissions be made as part of
7 such application, the office of state courts administrator
8 shall submit fingerprints to the Missouri state highway
9 patrol for the purpose of conducting a state and federal
10 fingerprint-based criminal history background check on
11 applicants.

12 3. The fingerprints and any required fees shall be
13 sent to the Missouri state highway patrol's central
14 repository. The fingerprints shall be used for searching
15 the state criminal records repository and shall also be
16 forwarded to the Federal Bureau of Investigation for a
17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the office of
19 state courts administrator of any criminal history record
20 information or lack of criminal history record information

21 discovered on the individual. Notwithstanding the
22 provisions of section 610.120 to the contrary, all records
23 related to any criminal history information discovered shall
24 be accessible and available to the office of state courts
25 administrator of Missouri.

484.125. 1. The Missouri supreme court may require
2 that fingerprint submissions be made as part of an
3 application of licensure for admission or reinstatement to
4 the Missouri Bar in order to engage in the practice of law
5 or law business, as such terms are defined in section
6 484.010.

2. If the Missouri supreme court requires that
8 fingerprint submissions be made as part of such application,
9 the Missouri supreme court shall submit the fingerprints to
10 the Missouri state highway patrol for the purpose of
11 conducting a state and federal fingerprint-based criminal
12 history background check.

3. The fingerprints and any required fees shall be
14 sent to the Missouri state highway patrol's central
15 repository. The fingerprints shall be used for searching
16 the state criminal records repository and shall also be
17 forwarded to the Federal Bureau of Investigation for a
18 federal criminal records search under section 43.540. The
19 Missouri state highway patrol shall notify the Missouri
20 supreme court of any criminal history record information or
21 lack of criminal history record information discovered on
22 the individual. Notwithstanding the provisions of section
23 610.120 to the contrary, all records related to any criminal
24 history information discovered shall be accessible and
25 available to the Missouri supreme court.

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

3 (1) "Childhood sexual abuse", any act committed by the
4 defendant against the plaintiff which act occurred when the
5 plaintiff was under the age of eighteen years and which act
6 would have been a violation of section 566.030, [566.040,
7 566.050] 566.031, 566.032, 566.034, 566.060, [566.070,
8 566.080, 566.090] 566.061, 566.062, 566.064, 566.067,
9 566.068, 566.069, 566.071, 566.083, 566.086, 566.093,
10 566.095, 566.100, [566.110, or 566.120, or section] 566.101,
11 566.209, 566.210, 566.211, 568.020, or 573.200;

12 (2) "Injury" or "illness", either a physical injury or
13 illness or a psychological injury or illness. A
14 psychological injury or illness need not be accompanied by
15 physical injury or illness.

16 2. Any action to recover damages from injury or
17 illness caused by childhood sexual abuse in an action
18 brought pursuant to this section shall be commenced within
19 ten years of the plaintiff attaining the age of twenty-one
20 or within three years of the date the plaintiff discovers,
21 or reasonably should have discovered, that the injury or
22 illness was caused by childhood sexual abuse, whichever
23 later occurs.

24 3. This section shall apply to any action [commenced]
25 arising on or after August 28, [2004, including any action
26 which would have been barred by the application of the
27 statute of limitation applicable prior to that date] 2025.

28 4. Notwithstanding any other provision of law to the
29 contrary, a nondisclosure agreement by any party to a
30 childhood sexual abuse action shall not be judicially
31 enforceable in a dispute involving childhood sexual abuse
32 allegations or claims, and shall be void.

 568.070. 1. A person commits the offense of unlawful
2 transactions with a child if he or she:

3 (1) Being a pawnbroker, junk dealer, dealer in
4 secondhand goods, or any employee of such person, with
5 criminal negligence buys or receives any personal property
6 other than agricultural products from an unemancipated
7 minor, unless the child's custodial parent or guardian has
8 consented in writing to the transaction; or

9 (2) Knowingly permits a minor child to enter or remain
10 in a place where illegal activity in controlled substances,
11 as defined in chapter 579, is maintained or conducted; or

12 (3) With criminal negligence sells blasting caps, bulk
13 gunpowder, or explosives to a child under the age of
14 seventeen, or fireworks as defined in section [320.110]
15 320.106, to a child under the age of fourteen, unless the
16 child's custodial parent or guardian has consented in
17 writing to the transaction. Criminal negligence as to the
18 age of the child is not an element of this crime.

19 2. The offense of unlawful transactions with a child
20 is a class B misdemeanor.

590.060. 1. The POST commission shall establish
2 minimum standards for training instructors and training
3 centers, and the director shall establish minimum
4 qualifications for admittance into a basic training course.

5 2. The director shall license training instructors,
6 centers, and curricula, and may probate, suspend and revoke
7 such licenses upon written notice stating the reasons for
8 such action. Any person aggrieved by a decision pursuant to
9 this subsection may appeal as provided in chapter 536.

10 3. Each person seeking entrance into a basic training
11 program shall submit [a fingerprint card and authorization
12 for a criminal history background check to include the
13 records of the Federal Bureau of Investigation to the
14 training center where such person is seeking entrance. The
15 training center shall cause a criminal history background

check to be made and shall cause the resulting report to be forwarded to the director. The person seeking entrance may be charged a fee for the cost of this procedure]

fingerprints for the purpose of conducting a state and federal fingerprint-based background check. Fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the director of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the director.

640.011. 1. The department of natural resources may require that fingerprint submissions be made as part of an application seeking employment or to volunteer with the department of natural resources.

2. If the department of natural resources requires that fingerprint submissions be made as part of such application, the department of natural resources shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a

17 federal criminal records search under section 43.540. The
18 Missouri state highway patrol shall notify the department of
19 natural resources of any criminal history record information
20 or lack of criminal history record information discovered on
21 the individual. Notwithstanding the provisions of section
22 610.120 to the contrary, all records related to any criminal
23 history information discovered shall be accessible and
24 available to the department of natural resources.

Section B. Because immediate action is necessary to
2 authorize the line of duty compensation act before
3 expiration to prevent a lapse in coverage and ensure the
4 continued payment of benefits, the repeal and reenactment of
5 section 287.243 of section A of this act is deemed necessary
6 for the immediate preservation of the public health,
7 welfare, peace, and safety, and is hereby declared to be an
8 emergency act within the meaning of the constitution, and
9 the repeal and reenactment of section 287.243 of section A
10 of this act shall be in full force and effect upon its
11 passage and approval.

✓

Kurtis Gregory (21)

Tim Taylor (48)