

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 271

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

0908S.05P

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 87.140, 87.145, 87.155, 87.260, 87.350, 144.757, 190.053, 190.101, 190.109, 190.800, 197.135, 321.220, 321.552, 321.554, and 321.556, RSMo, and to enact in lieu thereof twenty new sections relating to emergency services, with penalty provisions.

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

Section A. Sections 87.140, 87.145, 87.155, 87.260,
2 87.350, 144.757, 190.053, 190.101, 190.109, 190.800, 197.135,
3 321.220, 321.552, 321.554, and 321.556, RSMo, are repealed and
4 twenty new sections enacted in lieu thereof, to be known as
5 sections 64.003, 87.140, 87.145, 87.155, 87.260, 87.350,
6 144.757, 190.053, 190.076, 190.101, 190.109, 190.112, 190.166,
7 190.800, 197.135, 321.220, 321.552, 321.554, 321.556, and
8 537.038, to read as follows:

**64.003. Notwithstanding any provision of law to the
2 contrary, no fire protection or fire prevention ordinance
3 adopted by any county in this state shall be exercised so as
4 to impose regulations or to require permits with respect to
5 the erection, maintenance, repair, alteration, or extension
6 of farm buildings or farm structures.**

87.140. 1. The general administration and the
2 responsibility for the proper operation of the retirement

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

3 system shall be vested in a board of trustees of nine
4 persons. The board shall be constituted as follows:

5 (1) The chief of the fire department of the city, ex
6 officio;

7 (2) The comptroller or deputy comptroller of the city,
8 ex officio;

9 (3) Two members to be appointed by the mayor of the
10 city to serve for a term of two years;

11 (4) Three members to be elected by the members of the
12 retirement system for a term of three years who shall be
13 members of the system and hold office only while members of
14 the system;

15 (5) Two members who shall be retired firemen to be
16 elected by the retired firemen of the city and who shall
17 hold office for a term of three years.

18 2. If a vacancy occurs in the office of trustee, the
19 vacancy shall be filled for the unexpired term in the same
20 manner as the office was previously filled.

21 3. The trustees shall serve without compensation, but
22 they shall be reimbursed from the expense fund for all
23 necessary expenses which they may incur through service on
24 the board.

25 4. Each trustee shall, within ten days after his
26 appointment or election, take an oath of office before the
27 clerk of circuit court of the city, that, so far as it
28 devolves upon him, he will diligently and honestly
29 administer the affairs of the board and that he will not
30 knowingly violate or willingly permit to be violated any of
31 the provisions of the law applicable to the retirement
32 system. The oath shall be subscribed to by the member
33 making it and certified by the clerk of circuit court and
34 filed in his office.

35 5. Each trustee shall be entitled to one vote on the
36 board. Five votes shall be necessary for a decision by the
37 trustees at any meeting of the board.

38 **6. Notwithstanding any provision of sections 87.120 to**
39 **87.371 to the contrary, the board of trustees of the**
40 **retirement system shall not be prevented from simultaneously**
41 **acting as the trustees of any other pension plan that**
42 **provides retirement, disability, and death benefits for**
43 **firefighters employed by any city not within a county and**
44 **their covered dependents. The administration of the other**
45 **pension plan shall be in accordance with the terms of such**
46 **pension plan. Nothing in this subsection shall prevent the**
47 **board of alderman of a city not within a county from**
48 **adopting ordinances to govern the pensioning of firefighters**
49 **and their covered dependents in any other pension plan**
50 **simultaneously administered by the board of trustees of the**
51 **retirement system.**

 87.145. The board of trustees shall have exclusive
2 original jurisdiction in all matters relating to or
3 affecting the funds herein provided for, including, in
4 addition to all other matters, all claims for benefits and
5 refunds under this law, and its action, decision or
6 determination in any matter shall be reviewable under
7 chapter 536 only, and any party to the proceedings shall
8 have a right of appeal from the decision of the reviewing
9 court. Subject to the limitations of sections 87.120 to
10 87.370, the board of trustees shall, from time to time,
11 establish rules and regulations for the administration of
12 funds created by this law, for the transaction of its
13 business, and for the limitation of the time within which
14 claims may be filed. **The administration of any pension**
15 **plan, other than the retirement system, includes the ability**

16 of the board of trustees, from time to time, to establish
17 rules and regulations for the administration of funds of
18 such other pension plan and for the transaction of such
19 other pension plan's business. Nothing in this section
20 shall prevent the board of alderman of a city not within a
21 county from adopting ordinances to govern the pensioning of
22 firefighters and their covered dependents in any other
23 pension plan simultaneously administered by the board of
24 trustees of the retirement system.

87.155. 1. The board of trustees shall keep in
2 convenient form such data as is necessary for actuarial
3 valuation of the funds of the retirement system and for
4 checking the experience of the system.

5 2. The board of trustees shall keep a record of all
6 its proceedings which shall be open to public inspection.
7 It shall publish annually a report showing the fiscal
8 transactions of the retirement system for the preceding
9 fiscal year, the amount of the accumulated cash and
10 securities of the system, and the last balance sheet showing
11 the financial condition of the system by means of an
12 actuarial valuation of the assets and liabilities of the
13 retirement system.

14 3. To the extent the board of trustees administers a
15 pension plan other than the retirement system, the board of
16 trustees shall maintain separate records of all proceedings
17 of such other pension plan.

87.260. The board of trustees of the firefighters'
2 retirement system shall have the exclusive authority and
3 discretion to invest and reinvest the funds in property of
4 any kind, real or personal. The board of trustees shall
5 invest and manage the fund as a prudent investor would, by
6 considering the purposes, terms, distribution requirements,

7 and other circumstances of the firefighters' retirement
8 system. In satisfying this standard, the board of trustees
9 shall exercise reasonable care, skill, and caution. No
10 trustee shall have any interest as a trustee in the gains or
11 profits made on any investment, except benefits from
12 interest in investments common to all members of the plan,
13 if entitled thereto. **To the extent the board of trustees**
14 **administers a pension plan other than the retirement system,**
15 **the board of trustees shall also have the authority and**
16 **discretion to invest and reinvest the funds of such other**
17 **pension plan in property of any kind, real or personal. The**
18 **board of trustees may choose to invest the funds of the**
19 **retirement system and the funds of the other pension plan in**
20 **the same investments so long as the amounts invested and the**
21 **gains, profits, or losses on such investments are accounted**
22 **for separately. No benefits due to the firefighters or**
23 **their covered dependents from the other pension plan shall**
24 **be paid from the funds of the retirement system. Nothing in**
25 **this section shall prevent the board of alderman of a city**
26 **not within a county from adopting ordinances to govern the**
27 **pensioning of firefighters and their covered dependents in**
28 **any other pension plan simultaneously administered by the**
29 **board of trustees of the retirement system.**

87.350. The expense fund shall be the fund to which
2 shall be credited all money provided to pay the
3 administration expenses of the retirement system and from
4 which shall be paid all the expenses necessary in connection
5 with the administration and operation of the system.
6 Annually the board of trustees shall estimate the amount of
7 money necessary to be paid into the expense fund during the
8 ensuing year to provide for the expense of operation of the
9 retirement system. Such estimate shall be provided by the

board of trustees from interest and other earnings on assets of the retirement system. **In no event shall any expenses, including administrative expenses, incurred by the board of trustees in the administration of any pension plan other than the retirement system or in the investment of any funds of any pension plan other than the retirement system be paid from the funds of the retirement system. Such expenses shall be paid entirely from the funds of the other pension plan.**

144.757. 1. **As used in sections 144.757 to 144.761, "taxing jurisdiction" shall include any county, municipality, or any other political subdivision authorized to impose a sales tax under section 94.850, 94.890, 190.040, 190.305, 190.335, 190.455, or 321.552 or any other statute authorizing the imposition of a sales tax for emergency services.**

2. (1) **Notwithstanding any other provision of law to the contrary, any [county or municipality] taxing jurisdiction may, by a majority vote of its governing body, impose a local use tax if a local sales tax is imposed as defined in section 32.085 or if a sales tax is imposed under section 94.850 [or], 94.890, [with] 190.040, 190.305, 190.335, 190.455, or 321.552 or any other statute authorizing the imposition of a sales tax for emergency services.**

(2) **Such local use tax shall be imposed on the same property and services upon which the local sales tax or sales tax is imposed at a rate equal to the rate of the corresponding local sales tax [and any] or sales tax imposed [under section 94.850 or 94.890] by such [county or municipality; provided, however, that no ordinance or order**

23 enacted pursuant to sections 144.757 to 144.761] **taxing**
24 **jurisdiction.**

25 **(3) No such use tax** shall be effective unless the
26 governing body of the [county or municipality] **taxing**
27 **jurisdiction** submits to the voters thereof at a municipal,
28 county, or state general, primary, or special election a
29 proposal to authorize the governing body [of the county or
30 municipality] to impose a local use tax pursuant to sections
31 144.757 to 144.761.

32 [(1)] **(4) The ballot of submission for a local use tax**
33 **corresponding to a local sales tax, as defined in section**
34 **32.085, or a sales tax under section 94.850 or 94.890** shall
35 contain substantially the following language:

36 Shall the _____ (county or municipality's name)
37 impose a local use tax at the same rate as the
38 total local sales tax rate, provided that if the
39 local sales tax rate is reduced or raised by voter
40 approval, the local use tax rate shall also be
41 reduced or raised by the same action?

42 ☐ YES ☐ NO

43 If you are in favor of the question, place an "X"
44 in the box opposite "YES". If you are opposed to
45 the question, place an "X" in the box opposite "NO".
46

47 **(5) The ballot of submission for a local use tax**
48 **corresponding to a sales tax imposed under section 190.040,**
49 **190.305, 190.335, 190.455, or 321.552 or any other statute**
50 **authorizing the imposition of a sales tax for emergency**
51 **services shall contain substantially the following language:**

52 "Shall the _____ (insert taxing jurisdiction's
53 name) impose a local use tax at the same rate as
54 the _____ (insert name of the corresponding sales
55 tax), provided that if the _____ (insert name of

56 the corresponding sales tax) rate is reduced or
57 raised by voter approval, the local use tax rate
58 shall also be reduced or raised by the same
59 action?".

60 [(2)] If [any of such ballots are submitted on August
61 6, 1996, and if a majority of the votes cast on the proposal
62 by the qualified voters voting thereon are in favor of the
63 proposal, then the ordinance or order and any amendments
64 thereto shall be in effect October 1, 1996, provided the
65 director of revenue receives notice of adoption of the local
66 use tax on or before August 16, 1996. If any of such
67 ballots are submitted after December 31, 1996, and if] a
68 majority of the votes cast on the proposal by the qualified
69 voters voting thereon are in favor of the proposal, then the
70 ordinance or order and any amendments thereto shall be in
71 effect on the first day of the calendar quarter which begins
72 at least forty-five days after the director of revenue
73 receives notice of adoption of the local use tax. If a
74 majority of the votes cast by the qualified voters voting
75 are opposed to the proposal, then the governing body of the
76 [**county or municipality**] **taxing jurisdiction** shall have no
77 power to impose the local use tax as herein authorized
78 unless and until the governing body of the [**county or**
79 **municipality**] **taxing jurisdiction** shall again have submitted
80 another proposal to authorize the governing body of the
81 [**county or municipality**] **taxing jurisdiction** to impose the
82 local use tax and such proposal is approved by a majority of
83 the qualified voters voting thereon.

84 [2.] 3. The local use tax may be imposed at the same
85 rate as [**the local**] **any sales tax listed in subsection 1 of**
86 **this section** then currently in effect in the county or
87 municipality upon all transactions which are subject to the

88 taxes imposed pursuant to sections 144.600 to 144.745 within
89 the county or municipality adopting such tax; provided,
90 however, that if any local sales tax is repealed or the rate
91 thereof is reduced or raised by voter approval, the local
92 use tax rate shall also be deemed to be repealed, reduced,
93 or raised by the same action repealing, reducing, or raising
94 [the local] such sales tax. **A county or municipality**
95 **collecting a local use tax corresponding to a sales tax**
96 **imposed for an emergency service shall disburse a**
97 **proportional share of such local use tax to such emergency**
98 **service agency or department.**

99 [3.] 4. For purposes of sections 144.757 to 144.761,
100 the use tax may be referred to or described as the
101 equivalent of a sales tax on purchases made from out-of-
102 state sellers by in-state buyers and on certain
103 intrabusiness transactions. Such a description shall not
104 change the classification, form or subject of the use tax or
105 the manner in which it is collected. The use tax shall not
106 be described as a new tax or as not a new tax and shall not
107 be advertised or promoted in a manner in violation of
108 section 115.646.

109 5. **Notwithstanding any other provision of law to the**
110 **contrary, a local use tax corresponding to a sales tax**
111 **imposed under section 190.040, 190.305, 190.335, 190.455, or**
112 **321.552 or any other statute authorizing the imposition of a**
113 **sales tax for emergency services shall be collected,**
114 **deposited, distributed, refunded, repealed, or otherwise**
115 **administered as provided in the authorizing statute for the**
116 **corresponding sales tax.**

190.053. 1. All members of the board of directors of
2 an ambulance district first elected on or after January 1,
3 2008, shall attend and complete an educational seminar or

conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

(1) Information relating to the roles and duties of an ambulance district director;

(2) A review of all state statutes and regulations relevant to ambulance districts;

(3) State ethics laws;

(4) State sunshine laws, chapter 610;

(5) Financial and fiduciary responsibility;

(6) State laws relating to the setting of tax rates;

and

(7) State laws relating to revenue limitations.

2. [If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. If any ambulance district board member fails to attend a training session within twelve months of taking office regardless of whether the board member received an attendance fee for a training session, the board member shall be ineligible to run for reelection for another term of office until the board member satisfies the training requirement of this section; however, this requirement shall only apply to board members elected after August 28, 2022]

All members of the board of directors of an ambulance district shall complete three hours of continuing education for each term of office. The continuing education shall be offered by a statewide

36 association organized for the benefit of ambulance districts
37 or be approved by the state advisory council on emergency
38 medical services.

39 3. Any ambulance district board member who fails to
40 complete the initial training and continuing education
41 requirements on or before the anniversary date of his or her
42 election or appointment shall immediately be disqualified
43 from office and his or her position shall be vacant without
44 further process or declaration. The vacancy shall be filled
45 in the manner provided for pursuant to section 190.052.

190.076. Each ambulance district shall arrange for an
2 audit of the records and accounts of the district at least
3 every three years by a certified public accountant or firm
4 of certified public accountants. The audit shall be made
5 available to the public on the district's website or
6 otherwise freely available by other electronic means.

190.101. 1. There is hereby established a "State
2 Advisory Council on Emergency Medical Services" which shall
3 consist of [sixteen] no more than twenty-three members, one
4 of which shall be [a resident] the chief paramedic of a city
5 not within a county. The members of the council shall be
6 appointed [by the governor with the advice and consent of
7 the senate] in accordance with subsection 2 of this section
8 and shall serve terms of four years. The [governor shall
9 designate one of the members as chairperson] council members
10 shall annually select a chairperson, along with other
11 officers as the council deems necessary. The chairperson
12 may appoint subcommittees that include noncouncil members.

13 2. Council members shall be appointed as follows:

14 (1) The director of the department of health and
15 senior services shall make appointments to the council from
16 the recommendations provided by the following:

17 (a) The statewide professional association
18 representing ambulance service managers;

19 (b) The statewide professional association
20 representing emergency medical technicians and paramedics;

21 (c) The statewide professional association
22 representing ambulance districts;

23 (d) The statewide professional association
24 representing fire chiefs;

25 (e) The statewide professional association
26 representing fire protection districts;

27 (f) The statewide professional association
28 representing firefighters;

29 (g) The statewide professional association
30 representing emergency nurses;

31 (h) The statewide professional association
32 representing the air ambulance industry;

33 (i) The statewide professional association
34 representing emergency medicine physicians;

35 (j) The statewide association representing hospitals;
36 and

37 (k) The statewide association representing pediatric
38 emergency professionals;

39 (2) The director of health and senior services shall
40 appoint a member to the council with a background in mobile
41 integrated health care-community paramedicine (MIH-CP);

42 (3) Each regional EMS advisory committee shall appoint
43 one member; and

44 (4) The time-critical diagnosis advisory committee
45 established under section 190.257 shall appoint one member.

46 3. The state EMS medical directors advisory committee
47 and the regional EMS advisory committees will be recognized

48 as subcommittees of the state advisory council on emergency
49 medical services.

50 [3.] 4. The council shall have geographical
51 representation and representation from appropriate areas of
52 expertise in emergency medical services including
53 volunteers, professional organizations involved in emergency
54 medical services, EMT's, paramedics, nurses, firefighters,
55 physicians, ambulance service administrators, hospital
56 administrators and other health care providers concerned
57 with emergency medical services. [The regional EMS advisory
58 committees shall serve as a resource for the identification
59 of potential members of the state advisory council on
60 emergency medical services.]

61 4.] 5. The state EMS medical director, as described
62 under section 190.103, shall serve as an ex officio member
63 of the council.

64 [5.] 6. The members of the council and subcommittees
65 shall serve without compensation except that members of the
66 council shall, subject to appropriations, be reimbursed for
67 reasonable travel expenses and meeting expenses related to
68 the functions of the council.

69 [6.] 7. The purpose of the council is to make
70 recommendations to the governor, the general assembly, and
71 the department on policies, plans, procedures and proposed
72 regulations on how to improve the statewide emergency
73 medical services system. The council shall advise the
74 governor, the general assembly, and the department on all
75 aspects of the emergency medical services system.

76 [7.] 8. (1) There is hereby established a standing
77 subcommittee of the council to monitor the implementation of
78 the recognition of the EMS personnel licensure interstate
79 compact under sections 190.900 to 190.939, the interstate

commission for EMS personnel practice, and the involvement of the state of Missouri. The subcommittee shall meet at least biannually and receive reports from the Missouri delegate to the interstate commission for EMS personnel practice. The subcommittee shall consist of at least seven members appointed by the chair of the council, to include at least two members as recommended by the Missouri state council of firefighters and one member as recommended by the Missouri Association of Fire Chiefs. The subcommittee may submit reports and recommendations to the council, the department of health and senior services, the general assembly, and the governor regarding the participation of Missouri with the recognition of the EMS personnel licensure interstate compact.

(2) The subcommittee shall formally request a public hearing for any rule proposed by the interstate commission for EMS personnel practice in accordance with subsection 7 of section 190.930. The hearing request shall include the request that the hearing be presented live through the internet. The Missouri delegate to the interstate commission for EMS personnel practice shall be responsible for ensuring that all hearings, notices of, and related rulemaking communications as required by the compact be communicated to the council and emergency medical services personnel under the provisions of subsections 4, 5, 6, and 8 of section 190.930.

(3) The department of health and senior services shall not establish or increase fees for Missouri emergency medical services personnel licensure in accordance with this chapter for the purpose of creating the funds necessary for payment of an annual assessment under subdivision (3) of subsection 5 of section 190.924.

112 [8.] 9. The council shall consult with the time-
113 critical diagnosis advisory committee, as described under
114 section 190.257, regarding time-critical diagnosis.

 190.109. 1. The department shall, within a reasonable
2 time after receipt of an application, cause such
3 investigation as the department deems necessary to be made
4 of the applicant for a ground ambulance license.

5 2. Any person that owned and operated a licensed
6 ambulance on December 31, 1997, shall receive an ambulance
7 service license from the department, unless suspended,
8 revoked or terminated, for that ambulance service area which
9 was, on December 31, 1997, described and filed with the
10 department as the primary service area for its licensed
11 ambulances on August 28, 1998, provided that the person
12 makes application and adheres to the rules and regulations
13 promulgated by the department pursuant to sections 190.001
14 to 190.245.

15 3. The department shall issue a new ground ambulance
16 service license to an ambulance service that is not
17 currently licensed by the department, or is currently
18 licensed by the department and is seeking to expand its
19 ambulance service area, except as provided in subsection 4
20 of this section, to be valid for a period of five years,
21 unless suspended, revoked or terminated, when the director
22 finds that the applicant meets the requirements of ambulance
23 service licensure established pursuant to sections 190.100
24 to 190.245 and the rules adopted by the department pursuant
25 to sections 190.001 to 190.245. In order to be considered
26 for a new ambulance service license, an ambulance service
27 shall submit to the department a letter of endorsement from
28 each ambulance district or fire protection district that is
29 authorized to provide ambulance service, or from each

municipality not within an ambulance district or fire protection district that is authorized to provide ambulance service, in which the ambulance service proposes to operate. If an ambulance service proposes to operate in unincorporated portions of a county not within an ambulance district or fire protection district that is authorized to provide ambulance service, in order to be considered for a new ambulance service license, the ambulance service shall submit to the department a letter of endorsement from the county. Any letter of endorsement required pursuant to this section shall verify that the political subdivision has conducted a public hearing regarding the endorsement and that the governing body of the political subdivision has adopted a resolution approving the endorsement. The letter of endorsement shall affirmatively state that the proposed ambulance service:

(1) Will provide a benefit to public health that outweighs the associated costs;

(2) Will maintain or enhance the public's access to ambulance services;

(3) Will maintain or improve the public health and promote the continued development of the regional emergency medical service system;

(4) Has demonstrated the appropriate expertise in the operation of ambulance services; and

(5) Has demonstrated the financial resources necessary for the operation of the proposed ambulance service.

4. A contract between a political subdivision and a licensed ambulance service for the provision of ambulance services for that political subdivision shall expand, without further action by the department, the ambulance service area of the licensed ambulance service to include

the jurisdictional boundaries of the political subdivision. The termination of the aforementioned contract shall result in a reduction of the licensed ambulance service's ambulance service area by removing the geographic area of the political subdivision from its ambulance service area, except that licensed ambulance service providers may provide ambulance services as are needed at and around the state fair grounds for protection of attendees at the state fair.

5. The department shall renew a ground ambulance service license if the applicant meets the requirements established pursuant to sections 190.001 to 190.245, and the rules adopted by the department pursuant to sections 190.001 to 190.245.

6. The department shall promulgate rules relating to the requirements for a ground ambulance service license including, but not limited to:

- (1) Vehicle design, specification, operation and maintenance standards;
- (2) Equipment requirements;
- (3) Staffing requirements;
- (4) Five-year license renewal;
- (5) Records and forms;
- (6) Medical control plans;
- (7) Medical director qualifications;
- (8) Standards for medical communications;
- (9) Memorandums of understanding with emergency medical response agencies that provide advanced life support;
- (10) Quality improvement committees; **[and]**
- (11) Response time, patient care and transportation standards;
- (12) Participation with regional emergency medical services advisory committees; and**

(13) Ambulance service administrator qualifications.

7. Application for a ground ambulance service license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the ground ambulance service meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

190.112. 1. Each ambulance service licensed under this chapter shall identify to the department the individual serving as the ambulance service administrator who is responsible for the operations and staffing of the ambulance service. The ambulance service administrator shall be required to have achieved basic training of at least forty hours regarding the operations of an ambulance service and two hours of annual continuing education. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services and shall include the following:

- (1) Basic principles of accounting and economics;**
- (2) State and federal laws applicable to ambulance services;**
- (3) Regulatory requirements applicable to ambulance services;**
- (4) Human resources management and laws;**
- (5) Grant writing, contracts, and fundraising;**
- (6) State sunshine laws in chapter 610, as well as applicable ethics requirements; and**
- (7) Volunteer and community involvement.**

23 2. Ambulance service administrators serving in this
24 capacity as of August 28, 2025, shall have until January 1,
25 2026, to demonstrate compliance with the provisions of this
26 section.

 190.166. 1. In addition to the provisions of section
2 190.165, the department of health and senior services may
3 refuse to issue, deny renewal of, or suspend a license
4 required pursuant to section 190.109, or take other
5 corrective actions as described in this section, based on
6 the following considerations:

7 (1) The license holder is determined to be financially
8 insolvent;

9 (2) The ambulance service has inadequate personnel to
10 operate the ambulance service to provide basic emergency
11 operations. The ambulance service shall not be deemed to
12 have such inadequate personnel as long as the ambulance
13 service staffs to meet the needs of its emergency call
14 volume. Smaller ambulance services shall have the ability
15 to staff a minimum of one ambulance unit twenty-four hours
16 each day, seven days each week, with at least two licensed
17 emergency medical technicians, and have a reasonable plan
18 and schedule for the services of a second ambulance unit;

19 (3) The ambulance service requires an inordinate
20 amount of mutual aid from neighboring services, such as more
21 than ten percent of the total runs in the service area in
22 any given month, or than would be considered prudent and
23 thus cannot provide an appropriate level of emergency
24 response for the service area as would be considered prudent
25 by the typical ground ambulance services operator;

26 (4) The principal manager, board members, or other
27 executives are determined to be criminally liable for
28 actions related to the license or service provided;

29 (5) The license holder or principal manager, board
30 members, or other executives are determined by the Centers
31 for Medicare and Medicaid Services to be ineligible for
32 participation in Medicare;

33 (6) The license holder or principal manager, board
34 members, or other executives are determined by the MO
35 HealthNet division to be ineligible for participation in MO
36 HealthNet;

37 (7) The ambulance service administrator has failed to
38 meet the required qualifications or failed to complete the
39 training required pursuant to section 190.112; and

40 (8) Three or more board members have failed to
41 complete required training pursuant to section 190.053 if
42 the ambulance service is an ambulance district.

43 2. If the department makes a determination of
44 insolvency or insufficiency of operations of a license
45 holder under subsection 1 of this section, then the
46 department may require the license holder to submit a
47 corrective plan within fifteen days and require
48 implementation of the corrective plan within thirty days.

49 3. The department shall be required to provide notice
50 of any determination by the department of insolvency or
51 insufficiency of operations of a license holder to other
52 license holders operating in the license holder's vicinity,
53 members of the general assembly who represent the license
54 holder's service area, the governing officials of any county
55 or municipal entity in the license holder's service area,
56 the appropriate regional emergency medical services advisory
57 committee, and the state advisory council on emergency
58 medical services.

59 4. The department shall immediately engage with other
60 license holders in the area to determine the extent to which

61 ground ambulance service may be provided to the affected
62 service area during the time in which the license holder is
63 unable to provide adequate services, including any long-term
64 service arrangements. The nature of the agreement between
65 the license holder and other license holders providing
66 services to the affected area may include an agreement to
67 provide services, a joint powers agreement, formal
68 consideration, or some payment for services rendered.

69 5. Any license holder who provides assistance in the
70 service area of another license holder whose license has
71 been suspended under this section shall have the right to
72 seek reasonable compensation from the license holder whose
73 license to operate has been suspended for all calls, stand-
74 by time, and responses to medical emergencies during such
75 time as the license remains suspended. The reasonable
76 compensation shall not be limited to those expenses incurred
77 in actual responses, but may also include reasonable
78 expenses to maintain ambulance service, including, but not
79 limited to, the daily operation costs of maintaining the
80 service, personnel wages and benefits, equipment purchases
81 and maintenance, and other costs incurred in the operation
82 of a ground ambulance service. The license holder providing
83 assistance shall be entitled to an award of costs and
84 reasonable attorney fees in any action to enforce the
85 provisions of this subsection.

190.800. 1. Each ground ambulance service, except for
2 any ambulance service owned and operated by [an entity owned
3 and operated by the state of Missouri, including but not
4 limited to any hospital owned or operated by the board of
5 curators, as defined in chapter 172, or] any department of
6 the state, shall, in addition to all other fees and taxes
7 now required or paid, pay an ambulance service reimbursement

allowance tax for the privilege of engaging in the business of providing ambulance services in this state.

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

(1) "Ambulance", the same meaning as such term is defined in section 190.100;

(2) "Ambulance service", the same meaning as such term is defined in section 190.100;

(3) "Engaging in the business of providing ambulance services in this state", accepting payment for such services.

197.135. 1. Beginning January 1, 2023, or no later than six months after the establishment of the statewide telehealth network under section 192.2520, whichever is later, any hospital licensed under this chapter shall perform a forensic examination using an evidentiary collection kit upon the request and consent of the victim of a sexual offense, or the victim's guardian, when the victim is at least fourteen years of age. In the case of minor consent, the provisions of subsection 2 of section 595.220 shall apply. Victims under fourteen years of age shall be referred, and victims fourteen years of age or older but less than eighteen years of age may be referred, to a SAFE CARE provider, as such term is defined in section 334.950, for medical or forensic evaluation and case review. Nothing in this section shall be interpreted to preclude a hospital from performing a forensic examination for a victim under fourteen years of age upon the request and consent of the victim or victim's guardian, subject to the provisions of section 595.220 and the rules promulgated by the department of public safety.

2. (1) An appropriate medical provider, as such term is defined in section 595.220, shall perform the forensic

examination of a victim of a sexual offense. The hospital shall ensure that any provider performing the examination has received training conducting such examinations that is, at a minimum, equivalent to the training offered by the statewide telehealth network under subsection 4 of section 192.2520. Nothing in this section shall require providers to utilize the training offered by the statewide telehealth network, as long as the training utilized is, at a minimum, equivalent to the training offered by the statewide telehealth network.

(2) If the provider is not a sexual assault nurse examiner (SANE), or another similarly trained physician or nurse, then the hospital shall utilize telehealth services during the examination, such as those provided by the statewide telehealth network, to provide guidance and support through a SANE, or other similarly trained physician or nurse, who may observe the live forensic examination and who shall communicate with and support the onsite provider with the examination, forensic evidence collection, and proper transmission and storage of the examination evidence.

3. The department of health and senior services may issue a waiver of the telehealth requirements of subsection 2 of this section if the hospital demonstrates to the department, in writing, a technological hardship in accessing telehealth services or a lack of access to adequate broadband services sufficient to access telehealth services. Such waivers shall be granted sparingly and for no more than a year in length at a time, with the opportunity for renewal at the department's discretion.

4. The department shall waive the requirements of this section if the statewide telehealth network established under section 192.2520 ceases operation, the director of the

55 department of health and senior services has provided
56 written notice to hospitals licensed under this chapter that
57 the network has ceased operation, and the hospital cannot,
58 in good faith, comply with the requirements of this section
59 without assistance or resources of the statewide telehealth
60 network. Such waiver shall remain in effect until such time
61 as the statewide telehealth network resumes operation or
62 until the hospital is able to demonstrate compliance with
63 the provisions of this section without the assistance or
64 resources of the statewide telehealth network.

65 5. The provisions of section 595.220 shall apply to
66 the reimbursement of the reasonable costs of the
67 examinations and the provision of the evidentiary collection
68 kits.

69 6. No individual hospital shall be required to comply
70 with the provisions of this section and section 192.2520
71 unless and until the department provides such hospital with
72 access to the statewide telehealth network for the purposes
73 of mentoring and training services required under section
74 192.2520 without charge to the hospital.

75 **7. A specialty hospital shall be considered exempt**
76 **from the provisions of this section and section 192.2520 if**
77 **such hospital has a policy for the transfer of a victim of a**
78 **sexual offense to an appropriate hospital with an emergency**
79 **department. As used in this section, "specialty hospital"**
80 **shall mean a hospital licensed under this chapter and**
81 **designated by the department as something other than a**
82 **general acute care hospital.**

321.220. For the purpose of providing fire protection
2 to the property within the district, the district and, on
3 its behalf, the board shall have the following powers,
4 authority and privileges:

- 5 (1) To have perpetual existence;
- 6 (2) To have and use a corporate seal;
- 7 (3) To sue and be sued, and be a party to suits,
8 actions and proceedings;
- 9 (4) To enter into contracts, franchises and agreements
10 with any person, partnership, association or corporation,
11 public or private, affecting the affairs of the district,
12 including contracts with any municipality, district or
13 state, or the United States of America, and any of their
14 agencies, political subdivisions or instrumentalities, for
15 the planning, development, construction, acquisition or
16 operation of any public improvement or facility, or for a
17 common service relating to the control or prevention of
18 fires, including the installation, operation and maintenance
19 of water supply distribution, fire hydrant and fire alarm
20 systems; provided, that a notice shall be published for bids
21 on all construction or purchase contracts for work or
22 material or both, outside the authority contained in
23 subdivision (9) of this section, involving an expense of ten
24 thousand dollars or more;
- 25 (5) Upon approval of the voters as herein provided, to
26 borrow money and incur indebtedness and evidence the same by
27 certificates, notes or debentures, and to issue bonds, in
28 accordance with the provisions of this chapter;
- 29 (6) To acquire, construct, purchase, maintain, dispose
30 of and encumber real and personal property, fire stations,
31 fire protection and fire-fighting apparatus and auxiliary
32 equipment therefor, and any interest therein, including
33 leases and easements;
- 34 (7) To refund any bonded indebtedness of the district
35 without an election. The terms and conditions of refunding
36 bonds shall be substantially the same as those of the

original issue of bonds, and the board shall provide for the payment of interest, at not to exceed the legal rate, and the principal of such refunding bonds in the same manner as is provided for the payment of interest and principal of bonds refunded;

(8) To have the management, control and supervision of all the business and affairs of the district, and the construction, installation, operation and maintenance of district improvements therein;

(9) To hire and retain agents, employees, engineers and attorneys, including part-time or volunteer firemen;

(10) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property within the district necessary to the exercise of the powers herein granted;

(11) To receive and accept by bequest, gift or donation any kind of property. Notwithstanding any other provision of law to the contrary, any property received by the fire protection district as a gift or any property purchased by the fire protection district at a price below the actual market value of the property may be returned to the donor or resold to the seller if such property is not used for the specific purpose for which it was acquired;

(12) To adopt and amend bylaws, fire protection and fire prevention ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the board and of the district, and refer to the proper authorities for prosecution any infraction thereof detrimental to the district. **However, fire protection and fire prevention**

69 **ordinances shall not be exercised so as to impose**
70 **regulations or to require permits with respect to the**
71 **erection, maintenance, repair, alteration, or extension of**
72 **farm buildings or farm structures.** Any person violating any
73 such ordinance is hereby declared to be guilty of a
74 misdemeanor, and upon conviction thereof shall be punished
75 as is provided by law therefor. The prosecuting attorney
76 for the county in which the violation occurs shall prosecute
77 such violations in the circuit court of that county. The
78 legal officer or attorney for the fire district may be
79 appointed by the prosecuting attorney as special assistant
80 prosecuting attorney for the prosecution of any such
81 violation. The enactments of the fire district in
82 delegating administrative authority to officials of the
83 district may provide standards of action for the
84 administrative officials, which standards are declared as
85 industrial codes adopted by nationally organized and
86 recognized trade bodies. The board shall have the power to
87 adopt an ordinance, rule, or regulation allowing the
88 district to charge individuals who reside outside of the
89 district, but who receive emergency services within the
90 boundaries of the district, for the actual and reasonable
91 cost of such services. However, such actual and reasonable
92 costs shall not exceed one hundred dollars for responding to
93 each fire call or alarm and two hundred fifty dollars for
94 each hour or a proportional sum for each quarter hour spent
95 in combating a fire or emergency;

96 (13) To pay all court costs and expenses connected
97 with the first election or any subsequent election in the
98 district;

99 (14) To have and exercise all rights and powers
100 necessary or incidental to or implied from the specific

101 powers granted herein. Such specific powers shall not be
102 considered as a limitation upon any power necessary or
103 appropriate to carry out the purposes and intent of this
104 chapter;

105 (15) To provide for health, accident, disability and
106 pension benefits for the salaried members of its organized
107 fire department of the district and such other benefits for
108 their spouses and eligible unemancipated children, through
109 either or both a contributory or noncontributory plan. For
110 purposes of this section, "eligible unemancipated child"
111 means a natural or adopted child of an insured, or a
112 stepchild of an insured who is domiciled with the insured,
113 who is less than twenty-three years of age, who is not
114 married, not employed on a full-time basis, not maintaining
115 a separate residence except for full-time students in an
116 accredited school or institution of higher learning, and who
117 is dependent on parents or guardians for at least fifty
118 percent of his or her support. The type and amount of such
119 benefits shall be determined by the board of directors of
120 the fire protection district within the level of available
121 revenues of the pension program and other available revenues
122 of the district. If an employee contributory plan is
123 adopted, then at least one voting member of the board of
124 trustees shall be a member of the fire district elected by
125 the contributing members, which shall not be the same as the
126 board of directors;

127 (16) To contract with any municipality that is
128 contiguous to a fire protection district for the fire
129 protection district to provide fire protection to the
130 municipality for a fee as hereinafter provided;

131 (17) To provide for life insurance, accident,
132 sickness, health, disability, annuity, length of service,

pension, retirement and other employee-type fringe benefits, subject to the provisions of section 70.615, for the volunteer members of any organized fire department of the district and such other benefits for their spouses and eligible unemancipated children, through either a contributory or noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district;

(18) To contract for services with any rural, volunteer or subscription fire department or organization, or volunteer fire protection association, as defined in section 320.300, for the purpose of providing the benefits described in subdivision (17) of this section.

321.552. 1. [Except in any county of the first classification with over two hundred thousand inhabitants, or any county of the first classification without a charter form of government and with more than seventy-three thousand seven hundred but less than seventy-three thousand eight

6 hundred inhabitants; or any county of the first
7 classification without a charter form of government and with
8 more than one hundred eighty-four thousand but less than one
9 hundred eighty-eight thousand inhabitants; or any county
10 with a charter form of government with over one million
11 inhabitants; or any county with a charter form of government
12 with over two hundred eighty thousand inhabitants but less
13 than three hundred thousand inhabitants,] The governing body
14 of any ambulance or fire protection district may impose a
15 sales tax in an amount up to [one-half of] one percent on
16 all retail sales made in such ambulance or fire protection
17 district which are subject to taxation pursuant to the
18 provisions of sections 144.010 to 144.525 provided that such
19 sales tax shall be accompanied by a reduction in the
20 district's tax rate as defined in section 137.073. The tax
21 authorized by this section shall be in addition to any and
22 all other sales taxes allowed by law, except that no sales
23 tax imposed pursuant to the provisions of this section shall
24 be effective unless the governing body of the ambulance or
25 fire protection district submits to the voters of such
26 ambulance or fire protection district, at a municipal or
27 state general, primary or special election, a proposal to
28 authorize the governing body of the ambulance or fire
29 protection district to impose a tax pursuant to this section.

30 2. The ballot of submission shall contain, but need
31 not be limited to, the following language:

32 Shall _____ (insert name of ambulance or fire
33 protection district) impose a sales tax of _____
34 (insert amount up to [one-half of] one percent)
35 for the purpose of providing revenues for the
36 operation of the _____ (insert name of ambulance
37 or fire protection district) and the total
38 property tax levy on properties in the _____

(insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

71 5. All sales taxes collected by the director of
72 revenue pursuant to this section, less one percent for cost
73 of collection which shall be deposited in the state's
74 general revenue fund after payment of premiums for surety
75 bonds as provided in section 32.087, shall be deposited in a
76 special trust fund, which is hereby created, to be known as
77 the "Ambulance or Fire Protection District Sales Tax Trust
78 Fund". The moneys in the ambulance or fire protection
79 district sales tax trust fund shall not be deemed to be
80 state funds and shall not be commingled with any funds of
81 the state. The director of revenue shall keep accurate
82 records of the amount of money in the trust and the amount
83 collected in each district imposing a sales tax pursuant to
84 this section, and the records shall be open to inspection by
85 officers of the county and to the public. Not later than
86 the tenth day of each month the director of revenue shall
87 distribute all moneys deposited in the trust fund during the
88 preceding month to the governing body of the district which
89 levied the tax; such funds shall be deposited with the board
90 treasurer of each such district.

91 6. The director of revenue may make refunds from the
92 amounts in the trust fund and credit any district for
93 erroneous payments and overpayments made, and may redeem
94 dishonored checks and drafts deposited to the credit of such
95 district. If any district abolishes the tax, the district
96 shall notify the director of revenue of the action at least
97 ninety days prior to the effective date of the repeal and
98 the director of revenue may order retention in the trust
99 fund, for a period of one year, of two percent of the amount
100 collected after receipt of such notice to cover possible
101 refunds or overpayment of the tax and to redeem dishonored
102 checks and drafts deposited to the credit of such accounts.

103 After one year has elapsed after the effective date of
104 abolition of the tax in such district, the director of
105 revenue shall remit the balance in the account to the
106 district and close the account of that district. The
107 director of revenue shall notify each district of each
108 instance of any amount refunded or any check redeemed from
109 receipts due the district.

110 7. Except as modified in this section, all provisions
111 of sections 32.085 and 32.087 shall apply to the tax imposed
112 pursuant to this section.

321.554. 1. [Except in any county of the first
2 classification with more than two hundred forty thousand
3 three hundred but less than two hundred forty thousand four
4 hundred inhabitants, or any county of the first
5 classification with more than seventy-three thousand seven
6 hundred but less than seventy-three thousand eight hundred
7 inhabitants, or any county of the first classification with
8 more than one hundred eighty-four thousand but less than one
9 hundred eighty-eight thousand inhabitants, or any county
10 with a charter form of government and with more than one
11 million inhabitants, or any county with a charter form of
12 government and with more than two hundred fifty thousand but
13 less than three hundred fifty thousand inhabitants,] When
14 the revenue from the ambulance or fire protection district
15 sales tax is collected for distribution pursuant to section
16 321.552, the board of the ambulance or fire protection
17 district, after determining its budget for the year pursuant
18 to section 67.010 and the rate of levy needed to produce the
19 required revenue and after making any other adjustments to
20 the levy that may be required by any other law, shall reduce
21 the total operating levy of the district in an amount
22 sufficient to decrease the revenue it would have received

therefrom by an amount equal to fifty percent of the previous fiscal year's sales tax receipts. Loss of revenue due to a decrease in the assessed valuation of real property located within the ambulance or fire protection district as a result of general reassessment and from state-assessed railroad and utility distributable property based upon the previous fiscal year's receipts shall be considered in lowering the rate of levy to comply with this section in the year of general reassessment and in each subsequent year. In the event that in the immediately preceding year the ambulance or fire protection district actually received more or less sales tax revenue than estimated, the ambulance or fire protection district board may adjust its operating levy for the current year to reflect such increase or decrease. The director of revenue shall certify the amount payable from the ambulance or fire protection district sales tax trust fund to the general revenue fund to the state treasurer.

2. Except that, in the first year in which any sales tax is collected pursuant to section 321.552, any taxing authority subject to this section shall not reduce the tax rate as defined in section 137.073.

3. In a year of general reassessment, as defined by section 137.073, or assessment maintenance as defined by section 137.115 in which an ambulance or fire protection district in reliance upon the information then available to it relating to the total assessed valuation of such ambulance or fire protection district revises its property tax levy pursuant to section 137.073 or 137.115, and it is subsequently determined by decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433 or due to clerical errors or corrections in the

55 calculation or recordation of assessed valuations that the
56 assessed valuation of such ambulance or fire protection
57 district has been changed, and but for such change the
58 ambulance or fire protection district would have adopted a
59 different levy on the date of its original action, then the
60 ambulance or fire protection district may adjust its levy to
61 an amount to reflect such change in assessed valuation,
62 including, if necessary, a change in the levy reduction
63 required by this section to the amount it would have levied
64 had the correct assessed valuation been known to it on the
65 date of its original action, provided:

66 (1) The ambulance or fire protection district first
67 levies the maximum levy allowed without a vote of the people
68 by Article X, Section 11(b) of the Constitution; and

69 (2) The ambulance or fire protection district first
70 adopts the tax rate ceiling otherwise authorized by other
71 laws of this state; and

72 (3) The levy adjustment or reduction may include a one-
73 time correction to recoup lost revenues the ambulance or
74 fire protection district was entitled to receive during the
75 prior year.

321.556. 1. [Except in any county of the first
2 classification with more than two hundred forty thousand
3 three hundred but less than two hundred forty thousand four
4 hundred inhabitants, or any county of the first
5 classification with more than seventy-three thousand seven
6 hundred but less than seventy-three thousand eight hundred
7 inhabitants, or any county of the first classification with
8 more than one hundred eighty-four thousand but less than one
9 hundred eighty-eight thousand inhabitants, or any county
10 with a charter form of government and with more than one
11 million inhabitants, or any county with a charter form of

government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants,] The governing body of any ambulance or fire protection district, when presented with a petition signed by at least twenty percent of the registered voters in the ambulance or fire protection district that voted in the last gubernatorial election, calling for an election to repeal the tax pursuant to section 321.552, shall submit the question to the voters using the same procedure by which the imposition of the tax was voted. The ballot of submission shall be in substantially the following form:

Shall _____ (insert name of ambulance or fire protection district) repeal the _____ (insert amount up to one-half) of one percent sales tax now in effect in the _____ (insert name of ambulance or fire protection district) and reestablish the property tax levy in the district to the rate in existence prior to the enactment of the sales tax?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

2. If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved.

537.038. Any person may, without compensation, render emergency care or assistance at the scene of an emergency or accident and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross

5 negligence or by willful or wanton acts or omissions by such
6 person in rendering such emergency care.

✓