

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
**HOUSE BILL NOS. 235, 171, 237,
238 & 292**
95TH GENERAL ASSEMBLY

0855L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 28.160, 41.950, 210.841, 301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 347.179, 347.183, 351.047, 351.120, 351.125, 351.127, 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 355.821, 355.856, 356.211, 359.681, 452.305, 452.310, 452.312, 452.343, 454.500, 454.905, 454.951, 455.513, 476.055, 477.600, 478.003, 478.320, 478.464, 478.513, 478.630, 479.080, 487.020, 511.350, 511.480, 514.040, 517.041, 517.141, 517.151, 535.030, 566.226, and 630.407, RSMo, and to enact in lieu thereof eighty-five new sections relating to courts, with penalty provisions.

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

Section A. Sections 28.160, 41.950, 210.841, 301.131, 301.150, 301.310, 301.420, 2 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 3 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 347.179, 347.183, 351.047, 351.120, 4 351.125, 351.127, 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 5 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 6 355.821, 355.856, 356.211, 359.681, 452.305, 452.310, 452.312, 452.343, 454.500, 454.905, 7 454.951, 455.513, 476.055, 477.600, 478.003, 478.320, 478.464, 478.513, 478.630, 479.080, 8 487.020, 511.350, 511.480, 514.040, 517.041, 517.141, 517.151, 535.030, 566.226, and 630.407, 9 RSMo, are repealed and eighty-five new sections enacted in lieu thereof, to be known as sections 10 28.160, 41.950, 210.841, 301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365,
 12 307.375, 307.390, 307.400, 347.179, 347.183, 351.047, 351.120, 351.122, 351.125, 351.127,
 13 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021,
 14 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 355.821, 355.856,
 15 355.857, 356.211, 359.681, 441.645, 452.305, 452.310, 452.312, 452.343, 452.430, 454.500,
 16 454.905, 454.951, 455.513, 475.375, 476.055, 477.600, 478.003, 478.320, 478.325, 478.464,
 17 478.513, 478.630, 478.712, 478.713, 479.080, 487.020, 488.006, 509.520, 511.350, 511.480,
 18 514.040, 517.041, 535.030, 566.226, and 630.407, to read as follows:

28.160. 1. The state shall be entitled to fees for services to be rendered by the secretary
 2 of state as follows:

3	For issuing commission to notary public	\$15.00
4	For countersigning and sealing certificates of	
5	official character	10.00
6	For all other certificates	5.00
7	For copying archive and state library records,	
8	papers or documents, for each page 8 ½ x 14	
9	inches and smaller, not to exceed the actual	
10	cost of document search and duplication	
11	For duplicating microfilm, for each roll, not to	
12	exceed the actual cost of staff time required	
13	for searches and duplication	
14	For copying all other records, papers or documents,	
15	for each page 8 ½ x 14 inches and smaller, not	
16	to exceed the actual cost of document search	
17	and duplication	
18	For certifying copies of records and papers or documents	5.00
19	For causing service of process to be made	10.00
20	For electronic telephone transmittal, per page	2.00

21 2. There is hereby established the "Secretary of State's Technology Trust Fund Account"
 22 which shall be administered by the state treasurer. All yield, interest, income, increment, or gain
 23 received from time deposit of moneys in the state treasury to the credit of the secretary of state's
 24 technology trust fund account shall be credited by the state treasurer to the account. The
 25 provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the fund shall
 26 not be transferred and placed to the credit of general revenue until the amount in the fund at the
 27 end of a biennium exceeds five million dollars. In any such biennium the amount in the fund in
 28 excess of five million dollars shall be transferred to general revenue.

29 3. The secretary of state may collect an additional fee of ten dollars for the issuance of
30 new and renewal notary commissions which shall be deposited in the state treasury and credited
31 to the secretary of state's technology trust fund account.

32 4. The secretary of state may ask the general assembly to appropriate funds from the
33 technology trust fund for the purposes of establishing, procuring, developing, modernizing and
34 maintaining:

35 (1) An electronic data processing system and programs capable of maintaining a
36 centralized database of all registered voters in the state;

37 (2) Library services offered to the citizens of this state;

38 (3) Administrative rules services, equipment and functions;

39 (4) Services, equipment and functions relating to securities;

40 (5) Services, equipment and functions relating to corporations and business
41 organizations;

42 (6) Services, equipment and functions relating to the Uniform Commercial Code;

43 (7) Services, equipment and functions relating to archives;

44 (8) Services, equipment and functions relating to record services; and

45 (9) Services, equipment and functions relating to state and local elections.

46 5. Notwithstanding any provision of this section to the contrary, the secretary of state
47 shall not collect fees, for processing apostilles, certifications and authentications prior to the
48 placement of a child for adoption, in excess of one hundred dollars per child per adoption, or per
49 multiple children to be adopted at the same time.

50 **6. (1) The secretary of state may promulgate rules to establish fees to be charged**
51 **and collected for special handling in connection with filing documents, issuing certificates,**
52 **and other services performed by the office, including expedited filing. Any rule or portion**
53 **of a rule, as that term is defined in section 536.010, RSMo, that is created under the**
54 **authority delegated in this section shall become effective only if it complies with and is**
55 **subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**
56 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**
57 **vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the**
58 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
59 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**
60 **2009, shall be invalid and void.**

61 **(2) Fees charged under this subsection shall approximate the estimated cost of**
62 **special handling and shall not exceed three hundred dollars per document filed or**
63 **document requested. Requests for special handling or expedited filing may be filed, and**
64 **the fees under this subsection may be charged, only if the special handling does not cause**

65 **disruption or delay in the process of normal handling of documents. Such determination**
66 **shall be at the discretion of the secretary of state or his or her designee, and neither the**
67 **secretary of state nor his or her designee shall be liable in any manner for the acceptance**
68 **or rejection of requests for special handling or expedited filing.**

69 **(3) The secretary of state shall, by rule, define the term "special handling in**
70 **connection with filing documents, issuing certificates, and other services performed by the**
71 **office, including expedited filing" and the type of filings subject to the special handling fee**
72 **under this subsection.**

41.950. 1. Any resident of this state who is a member of the national guard or of any
2 reserve component of the armed forces of the United States or who is a member of the United
3 States Army, the United States Navy, the United States Air Force, the United States Marine
4 Corps, the United States Coast Guard or an officer of the United States Public Health Service
5 detailed by proper authority for duty with any branch of the United States armed forces described
6 in this section and who is engaged in the performance of active duty in the military service of the
7 United States in a military conflict in which reserve components have been called to active duty
8 under the authority of 10 U.S.C. 672(d) or 10 U.S.C. 673b or any such subsequent call or order
9 by the President or Congress for any period of thirty days or more shall be relieved from certain
10 provisions of state law, as follows:

11 (1) No person performing such military service who owns a motor vehicle shall be
12 required to maintain financial responsibility on such motor vehicle as required under section
13 303.025, RSMo, until such time as that person completes such military service, unless any
14 person shall be operating such motor vehicle while the vehicle owner is performing such military
15 service;

16 (2) No person failing to renew his driver's license while performing such military service
17 shall be required to take a complete examination as required under section 302.173, RSMo, when
18 renewing his license within sixty days after completing such military service;

19 (3) Any motor vehicle registration required under chapter 301, RSMo, that expires for
20 any person performing such military service may be renewed by such person within sixty days
21 of completing such military service without being required to pay a delinquent registration fee;
22 however, such motor vehicle shall not be operated while the person is performing such military
23 service unless the motor vehicle registration is renewed;

24 (4) Any person enrolled by the supreme court of Missouri or licensed, registered or
25 certified under chapter 168, 256, [289,] 317, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333,
26 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 375, 640 or 644, RSMo, and
27 interpreters licensed under sections 209.319 to 209.339, RSMo, whose license, registration or

28 certification expires while performing such military service, may renew such license, registration
29 or certification within sixty days of completing such military service without penalty;

30 (5) In the case of [annual] **corporate registration** reports, franchise tax reports or other
31 reports required to be filed with the office of secretary of state, where the filing of such report
32 would be delayed because of a person performing such military service, such reports shall be
33 filed without penalty within one hundred twenty days of the completion of such military service;

34 (6) No person performing such military service who is subject to a criminal summons
35 for a traffic violation shall be subject to nonappearance sanctions for such violation until after
36 one hundred eighty days after the completion of such military service;

37 (7) No person performing such military service who is required under state law to file
38 financial disclosure reports shall be required to file such reports while performing such military
39 service; however, such reports covering that period of time that such military service is
40 performed shall be filed within one hundred eighty days after the completion of such military
41 service;

42 (8) Any person with an indebtedness, liability or obligation for state income tax or
43 property tax on personal or real property who is performing such military service or a spouse of
44 such person filing a combined return or owning property jointly shall be granted an extension
45 to file any papers or to pay any obligation until one hundred eighty days after the completion of
46 such military service or continuous hospitalization as a result of such military service
47 notwithstanding the provisions of section 143.991, RSMo, to the contrary and shall be allowed
48 to pay such tax without penalty or interest if paid within the one hundred eighty-day period;

49 (9) Notwithstanding other provisions of the law to the contrary, for the purposes of this
50 section, interest shall be allowed and paid on any overpayment of tax imposed by sections
51 143.011 to 143.998, RSMo, at the rate of six percent per annum from the original due date of the
52 return or the date the tax was paid, whichever is later;

53 (10) No state agency, board, commission or administrative tribunal shall take any
54 administrative action against any person performing such military service for that person's failure
55 to take any required action or meet any required obligation not already provided for in
56 subdivisions (1) to (8) of this subsection until one hundred eighty days after the completion of
57 such military service, except that any agency, board, commission or administrative tribunal
58 affected by this subdivision may, in its discretion, extend the time required to take such action
59 or meet such obligation beyond the one hundred eighty-day period;

60 (11) Any disciplinary or administrative action or proceeding before any state agency,
61 board, commission or administrative tribunal where the person performing such military service
62 is a necessary party, which occurs during such period of military service, shall be stayed by the

63 administrative entity before which it is pending until sixty days after the end of such military
64 service.

65 2. Upon completing such military service, the person shall provide the appropriate
66 agency, board, commission or administrative tribunal an official order from the appropriate
67 military authority as evidence of such military service.

68 3. The provisions of this section shall apply to any individual [defined] **described** in
69 subsection 1 of this section who performs such military service on or after August 2, 1990.

210.841. 1. The judgment or order of the court determining the existence or
2 nonexistence of the parent and child relationship is determinative for all purposes.

3 2. If the judgment or order of the court varies with the child's birth certificate, the court
4 shall order that an amended birth registration be made pursuant to section 210.849.

5 3. The judgment or order shall contain **the last four digits of** the Social Security number
6 of each party [and] . **The full Social Security number of each party and the child shall be**
7 **retained in the manner required under section 509.520, RSMo. The judgment or order**
8 may contain any [other] provision directed against the appropriate party to the proceeding
9 concerning:

10 (1) The duty of support;

11 (2) The custody and guardianship of the child;

12 (3) Visitation privileges with the child;

13 (4) The furnishing of bond or other security for the payment of the judgment; or

14 (5) Any matter in the best interest of the child. The judgment or order may direct the
15 father to pay the reasonable expenses of the mother's pregnancy and confinement.

16 4. Support judgments or orders ordinarily shall be for periodic payments. In the best
17 interests of the child, a lump sum payment or the purchase of an annuity may be ordered in lieu
18 of periodic payments of support. The court may limit the father's liability for past support of the
19 child to the proportion of the expenses already incurred that the court deems just.

20 5. There shall be a rebuttable presumption that the amount of support that would result
21 from the application of supreme court rule 88.01 is the correct amount of child support to be
22 awarded. A written finding or specific finding on the record that the application of supreme
23 court rule 88.01 would be unjust or inappropriate in a particular case, after considering all
24 relevant factors including the factors in subsection 6 of this section, shall be sufficient to rebut
25 the presumption in the case.

26 6. In determining the amount to be paid by a parent for support of the child and the
27 period during which the duty of support is owed, the court shall consider all relevant facts,
28 including:

29 (1) The needs of the child;

- 30 (2) The standard of living and circumstances of the parents;
31 (3) The relative financial means of the parents;
32 (4) The earning ability of the parents;
33 (5) The need and capacity of the child for education, including higher education;
34 (6) The age of the child;
35 (7) The financial resources and earning capacity of the child;
36 (8) The responsibility of the parents for the support of other children;
37 (9) The value of the services contributed by the custodial parent; and
38 (10) The standard of living and circumstances of the family prior to the dissolution of
39 marriage of parents or during the period of cohabitation of the parents.

40 7. Any award for periodic child support may be retroactive to the date of service of the
41 original petition upon the obligor.

301.131. 1. Any motor vehicle over twenty-five years old which is owned solely as a
2 collector's item and which is used and intended to be used for exhibition and educational
3 purposes shall be permanently registered upon payment of a registration fee of twenty-five
4 dollars. Upon the transfer of the title to any such vehicle the registration shall be canceled and
5 the license plates issued therefor shall be returned to the director of revenue.

6 2. The owner of any such vehicle shall file an application in a form prescribed by the
7 director, if such vehicle meets the requirements of this section, and a certificate of registration
8 shall be issued therefor. Such certificate need not specify the horsepower of the motor vehicle.

9 3. The director shall issue to the owner of any motor vehicle registered pursuant to this
10 section the same number of license plates which would be issued with a regular annual
11 registration, containing the number assigned to the registration certificate issued by the director
12 of revenue. Such license plates shall be made with fully reflective material with a common color
13 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
14 prescribed by section 301.130.

15 4. Historic vehicles may be driven to and from repair facilities one hundred miles from
16 the vehicle's location, and in addition may be driven up to one thousand miles per year for
17 personal use. The owner of the historic vehicle shall be responsible for keeping a log of the
18 miles driven for personal use each calendar year. Such log must be kept in the historic vehicle
19 when the vehicle is driven on any state road. The historic vehicle's mileage driven in an antique
20 auto tour or event and mileage driven to and from such a tour or event shall not be considered
21 mileage driven for the purpose of the mileage limitations in this section. Violation of this section
22 is [a class C misdemeanor] **punishable under section 301.440** and in addition to any other
23 penalties prescribed by law, upon [conviction] **a plea or finding of guilt** thereof, the director of

24 revenue shall revoke the historic motor vehicle license plates of such violator which were issued
25 pursuant to this section.

26 5. Notwithstanding any provisions of this section to the contrary, any person possessing
27 a license plate issued by the state of Missouri that is over twenty-five years old, in which the year
28 of the issuance of such plate is consistent with the year of the manufacture of the vehicle, the
29 owner of the vehicle may register such plate as an historic vehicle plate as set forth in
30 subsections 1 and 2 of this section, provided that the configuration of letters, numbers or
31 combination of letters and numbers of such plate are not identical to the configuration of letters,
32 numbers or combination of letters and numbers of any plates already issued to an owner by the
33 director. Such license plate shall not be required to possess the characteristic features of
34 reflective material and common color scheme and design as prescribed in section 301.130. The
35 owner of the historic vehicle registered pursuant to this subsection shall keep the certificate of
36 registration in the vehicle at all times. The certificate of registration shall be prima facie
37 evidence that the vehicle has been properly registered with the director and that all fees have
38 been paid.

 301.150. 1. License plates issued to owners of motor vehicles registered pursuant to the
2 monthly series system of registration as provided in section 301.030 shall be removed on the sale
3 or transfer of ownership of such vehicles. The plates, if still current, may thereafter be retained
4 and preserved by the person to whom issued, to be fastened to such other motor vehicles as such
5 person shall thereafter register in the person's name.

6 2. If application for registration of another motor vehicle is not made to the director of
7 revenue within one year following the sale or transfer of ownership of a motor vehicle, the
8 license plates held by the person who sold or transferred ownership of such motor vehicle shall
9 be declared void, and new license plates bearing the same numbers may be issued to another
10 registrant.

11 3. It shall be unlawful to fasten voided plates to any motor vehicle. Violation of this
12 section [shall be deemed a class C misdemeanor] **is punishable under section 301.440.**

 301.310. 1. Whenever a law enforcement officer observes a plate to be in such condition
2 as to hinder or make difficult identification of same, he shall notify the director of revenue and
3 instruct the owner to apply for a duplicate plate.

4 2. If the owner has not made application within fifteen days, the director of revenue may
5 cancel such registration and notify the registrant and such cancellation shall remain in force until
6 the application has been filed.

7 3. The director of revenue may at his discretion replace worn plates without cost to the
8 registrant.

9 4. Failure to surrender a mutilated or worn plate for which duplicate has been issued
10 [shall be deemed a misdemeanor] **is punishable under section 301.440.**

301.420. No person shall willfully or knowingly make a false statement in any
2 application for the registration of a motor vehicle or trailer, or as a dealer, or in an application
3 for or assignment of a certificate of ownership. All blanks or forms issued by the director of
4 revenue for the purpose of making application for registration of certificate of ownership shall
5 conspicuously bear on the face thereof the following words: "Any false statement in this
6 application is a violation of the law and may be punished by fine or imprisonment or both".
7 **Violation of this section is a class C misdemeanor.**

301.440. Any person who violates any provision of sections 301.010 to 301.440 for
2 which no specific punishment is provided [shall upon conviction thereof be punished] **is, upon**
3 **a plea or finding of guilt, guilty of an infraction punishable** by a fine of not less than five
4 dollars or more than five hundred dollars [or by imprisonment in the county jail for a term not
5 exceeding one year, or by both the fine and imprisonment].

301.716. 1. **Any violation of the provisions of sections 301.700 to 301.714 is an**
2 **infraction.** An arrest **or service of summons** for violations of the provisions of sections
3 301.700 to 301.714 and section 577.065, RSMo, or the provisions of this chapter, chapter 304,
4 RSMo, or 307, RSMo, as such provisions relate to all-terrain vehicles may be made by the duly
5 authorized law enforcement officer of any political subdivision of the state, the highway patrol
6 and the state water patrol.

7 2. Violations of sections 301.700 to 301.714 and section 577.065, RSMo, or the
8 provisions of this chapter, chapter 304, RSMo, or 307, RSMo, as such provisions relate to
9 all-terrain vehicles or any rule or order hereunder may be referred to the proper prosecuting
10 attorney or circuit attorney who may, with or without such reference, institute appropriate
11 [criminal] proceedings.

12 3. Nothing in sections 301.700 to 301.714 and section 577.065, RSMo, or the provisions
13 of this chapter, chapter 304, RSMo, or 307, RSMo, as such provisions relate to all-terrain
14 vehicles limits the power of the state to punish any person for any conduct which constitutes a
15 crime by statute or at common law.

307.010. 1. All motor vehicles, and every trailer and semitrailer operating upon the
2 public highways of this state and carrying goods or material or farm products which may
3 reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as
4 a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or
5 semitrailer shall have a protective cover or be sufficiently secured so that no portion of such
6 goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while
7 being transported or carried.

8 2. Operation of a motor vehicle, trailer or semitrailer in violation of this section [shall
9 be a class C misdemeanor] **is an infraction**, and any person [convicted] **who pleads or is found**
10 **guilty** thereof shall be punished as provided by law.

307.015. 1. Trucks, semitrailers, and trailers, except utility trailers, without rear fenders,
2 attached to a commercial motor vehicle registered for over twenty-four thousand pounds shall
3 be equipped with mud flaps for the rear wheels when operated on the public highways of this
4 state. If mud flaps are used, they shall be wide enough to cover the full tread width of the tire
5 or tires being protected; shall be so installed that they extend from the underside of the vehicle
6 body in a vertical plane behind the rear wheels to within eight inches of the ground; and shall be
7 constructed of a rigid material or a flexible material which is of a sufficiently rigid character to
8 provide adequate protection when the vehicle is in motion. No provisions of this section shall
9 apply to a motor vehicle in transit and in process of delivery equipped with temporary mud flaps,
10 to farm implements, or to any vehicle which is not required to be registered.

11 2. Any person who violates this section is guilty of [a class B misdemeanor] **an**
12 **infraction** and, upon [conviction] **a plea or finding of guilt**, shall be punished as provided by
13 law.

307.090. 1. Any motor vehicle may be equipped with not to exceed one spotlight but
2 every lighted spotlight shall be so aimed and used so as not to be dazzling or glaring to any
3 person.

4 2. Notwithstanding the provisions of section 307.120, violation of this section is [a class
5 C misdemeanor] **an infraction**.

307.120. Any person violating any of the provisions of sections 307.020 to 307.120
2 [shall] **is**, upon conviction thereof, [be deemed] guilty of [a misdemeanor] **an infraction**. The
3 term "person" as used in sections 307.020 to 307.120 shall mean and include any individual,
4 association, joint stock company, copartnership or corporation.

307.125. 1. Any person who shall place or drive or cause to be placed or driven upon
2 or along any state or supplementary state highway of this state any animal-driven vehicle
3 whatsoever, whether in motion or at rest, shall after sunset to one-half hour before sunrise have
4 attached to every such vehicle at the rear thereof a red taillight or a red reflecting device of not
5 less than three inches in diameter of effective area or its equivalent in area. When such device
6 shall consist of reflecting buttons there shall be no less than seven of such buttons covering an
7 area equal to a circle with a three-inch diameter. The total subtended effective angle of reflection
8 of every such device shall be no less than sixty degrees and the spread and efficiency of the
9 reflected light shall be sufficient for the reflected light to be visible to the driver of any motor
10 vehicle approaching such animal-drawn vehicle from the rear of a distance of not less than five
11 hundred feet.

12 2. In addition, any person who operates any such animal-driven vehicle during the hours
13 between sunset and one-half hour before sunrise shall have at least one light flashing at all times
14 the vehicle is on any highway of this state. Such light or lights shall be amber in the front and
15 red in the back and shall be placed on the left side of the vehicle at a height of no more than six
16 feet from the ground and shall be visible from the front and the back of the vehicle at a distance
17 of at least five hundred feet. Any person violating the provisions of this section [shall be] **is**
18 guilty of [a class C misdemeanor] **an infraction**.

19 3. Any person operating an animal-driven vehicle during the hours between sunset and
20 one-half hour before sunrise may, in lieu of the requirements of subsection 2 of this section, use
21 lamps or lanterns complying with the rules promulgated by the director of the department of
22 public safety.

23 4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
24 is created under the authority delegated in this section shall become effective only if it complies
25 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section
26 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers
27 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
28 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
29 grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be
30 invalid and void.

 307.155. Any person violating any of the provisions of sections 307.130 to 307.160
2 [shall be deemed] **is** guilty of [a class C misdemeanor] **an infraction** and shall be punished by
3 a fine of not to exceed fifty dollars for each offense.

 307.172. 1. No person shall operate any passenger motor vehicle upon the public streets
2 or highways of this state, the body of which has been altered in such a manner that the front or
3 rear of the vehicle is raised at such an angle as to obstruct the vision of the operator of the street
4 or highway in front or to the rear of the vehicle.

5 2. Every motor vehicle which is licensed in this state and operated upon the public streets
6 or highways of this state shall be equipped with front and rear bumpers if such vehicle was
7 equipped with bumpers as standard equipment. This subsection shall not apply to motor vehicles
8 designed or modified primarily for off-highway purposes while such vehicles are in tow or to
9 motorcycles or motor-driven cycles, or to motor vehicles registered as historic motor vehicles
10 when the original design of such vehicles did not include bumpers nor shall the provisions of this
11 subsection prohibit the use of drop bumpers. The superintendent of the Missouri state highway
12 patrol shall adopt rules and regulations relating to bumper standards. Maximum bumper heights
13 of both the front and rear bumpers of motor vehicles shall be determined by weight category of
14 gross vehicle weight rating (GVWR) measured from a level surface to the highest point of the

15 bottom of the bumper when the vehicle is unloaded and the tires are inflated to the
 16 manufacturer's recommended pressure. Maximum bumper heights are as follows:

	Maximum front bumper height	Maximum rear bumper height
19 Motor vehicles except		
20 commercial motor		
21 vehicles	22 inches	22 inches
22 Commercial motor		
23 vehicles (GVWR)		
24 4,500 lbs and under	24 inches	26 inches
25 4,501 lbs through		
26 7,500 lbs	27 inches	29 inches
27 7,501 lbs through		
28 9,000 lbs	28 inches	30 inches
29 9001 lbs through		
30 11,500 lbs	29 inches	31 inches

31 3. A motor vehicle in violation of this section shall not be approved during any motor
 32 vehicle safety inspection required pursuant to sections 307.350 to 307.390.

33 4. Any person knowingly violating the provisions of this section is guilty of [a class C
 34 misdemeanor] **an infraction.**

307.173. 1. Any person may operate a motor vehicle with front sidewing vents or
 2 windows located immediately to the left and right of the driver that have a sun screening device,
 3 in conjunction with safety glazing material, that has a light transmission of thirty-five percent
 4 or more plus or minus three percent and a luminous reflectance of thirty-five percent or less plus
 5 or minus three percent. Except as provided in subsection 5 of this section, any sun screening
 6 device applied to front sidewing vents or windows located immediately to the left and right of
 7 the driver in excess of the requirements of this section shall be prohibited without a permit
 8 pursuant to a physician's prescription as described below. A permit to operate a motor vehicle
 9 with front sidewing vents or windows located immediately to the left and right of the driver that
 10 have a sun screening device, in conjunction with safety glazing material, which permits less light
 11 transmission and luminous reflectance than allowed under the requirements of this subsection,
 12 may be issued by the department of public safety to a person having a serious medical condition
 13 which requires the use of a sun screening device if the permittee's physician prescribes its use.
 14 The director of the department of public safety shall promulgate rules and regulations for the
 15 issuance of the permit. The permit shall allow operation of the vehicle by any titleholder or
 16 relative within the second degree by consanguinity or affinity, which shall mean a spouse, each

17 grandparent, parent, brother, sister, niece, nephew, aunt, uncle, child, and grandchild of a person,
18 who resides in the household. Except as provided in subsection 2 of this section, all sun
19 screening devices applied to the windshield of a motor vehicle are prohibited.

20 2. This section shall not prohibit labels, stickers, decalcomania, or informational signs
21 on motor vehicles or the application of tinted or solar screening material to recreational vehicles
22 as defined in section 700.010, RSMo, provided that such material does not interfere with the
23 driver's normal view of the road. This section shall not prohibit factory-installed tinted glass,
24 the equivalent replacement thereof or tinting material applied to the upper portion of the motor
25 vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

26 3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that
27 is created under the authority delegated in this section shall become effective only if it complies
28 with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section
29 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers
30 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
31 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the
32 grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be
33 invalid and void.

34 4. Any person who violates the provisions of this section is guilty of [a class C
35 misdemeanor] **an infraction**.

36 5. Any vehicle licensed with a historical license plate shall be exempt from the
37 requirements of this section.

307.195. 1. No person shall operate a motorized bicycle on any highway or street in this
2 state unless the person has a valid license to operate a motor vehicle.

3 2. No motorized bicycle may be operated on any public thoroughfare located within this
4 state which has been designated as part of the federal interstate highway system.

5 3. Violation of this section [shall be deemed a class C misdemeanor] **is an infraction**.

307.198. 1. Every all-terrain vehicle, except those used in competitive events, shall have
2 the following equipment:

3 (1) A lighted headlamp and tail lamp which shall be in operation at any time in which
4 an all-terrain vehicle is being used on any street or highway in this state pursuant to section
5 304.013, RSMo;

6 (2) An equilateral triangular emblem, to be mounted on the rear of such vehicle at least
7 two feet above the roadway when such vehicle is operated upon any street or highway pursuant
8 to section 300.348, RSMo, or 304.013, RSMo. The emblem shall be constructed of substantial
9 material with a fluorescent yellow-orange finish and a reflective, red border at least one inch in
10 width. Each side of the emblem shall measure at least ten inches;

11 (3) A braking system maintained in good operating condition;
12 (4) An adequate muffler system in good working condition, and a United States Forest
13 Service qualified spark arrester.

14 2. A violation of this section [shall be a class C misdemeanor] **is an infraction.**

307.365. 1. No permit for an official inspection station shall be assigned or transferred
2 or used at any location other than therein designated and every permit shall be posted in a
3 conspicuous place at the location designated. The superintendent of the Missouri state highway
4 patrol shall design and furnish each official inspection station, at no cost, one official sign made
5 of metal or other durable material to be displayed in a conspicuous location to designate the
6 station as an official inspection station. Additional signs may be obtained by an official
7 inspection station for a fee equal to the cost to the state. Each inspection station shall also be
8 supplied with one or more posters which must be displayed in a conspicuous location at the place
9 of inspection and which informs the public that required repairs or corrections need not be made
10 at the inspection station.

11 2. No person operating an official inspection station pursuant to the provisions of
12 sections 307.350 to 307.390 may issue a certificate of inspection and approval for any vehicle
13 except upon an official form furnished by the superintendent of the Missouri state highway patrol
14 for that purpose and only after inspecting the vehicle and determining that its brakes, lighting
15 equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires,
16 wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety
17 equipment as required by the state are in proper condition and adjustment to be operated upon
18 the public highways of this state with safety to the driver or operator, other occupants therein,
19 as well as other persons and property upon the highways, as provided by sections 307.350 to
20 307.390 and the regulations prescribed by the superintendent of the Missouri state highway
21 patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake
22 testing. No person operating an official inspection station shall furnish, loan, give or sell a
23 certificate of inspection and approval to any other person except those entitled to receive it under
24 provisions of sections 307.350 to 307.390. No person shall have in such person's possession any
25 certificate of inspection and approval and/or inspection sticker with knowledge that the
26 certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.

27 3. The superintendent of the Missouri state highway patrol may require officially
28 designated stations to furnish reports upon forms furnished by the superintendent for that purpose
29 as the superintendent considers reasonably necessary for the proper and efficient administration
30 of sections 307.350 to 307.390.

31 4. If, upon inspection, defects or unsafe conditions are found, the owner may correct
32 them or shall have them corrected at any place the owner chooses within twenty days after the

33 defect or unsafe condition is found, and shall have the right to remove the vehicle to such place
34 for correction, but before the vehicle is operated thereafter upon the public highways of this state,
35 a certificate of inspection and approval must be obtained. The inspecting personnel of the
36 official inspection station must inform the owner that the corrections need not be made at the
37 inspection station.

38 5. A fee, not to exceed twelve dollars, as determined by each official inspection station,
39 may be charged by an official inspection station for each official inspection including the
40 issuance of the certificate of inspection and approval, sticker, seal or other device and a total fee,
41 not to exceed ten dollars, as determined by each official inspection station, may be charged for
42 an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate
43 of inspection and approval, sticker, seal or other device. Such fee shall be conspicuously posted
44 on the premises of each such official inspection station. No owner shall be charged an additional
45 inspection fee upon having corrected defects or unsafe conditions found in an inspection
46 completed within the previous twenty consecutive days, excluding Saturdays, Sundays and
47 holidays, if such follow-up inspection is made by the station making the initial inspection. Every
48 inspection for which a fee is charged shall be a complete inspection, and upon completion of the
49 inspection, if any defects are found the owner of the vehicle shall be furnished a list of the
50 defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have
51 any necessary repairs or corrections made at the official inspection station, the owner shall be
52 furnished a written estimate of the cost of such repairs before such repairs or corrections are
53 made by the official inspection station. The written estimate shall have plainly written upon it
54 that the owner understands that the corrections need not be made by the official inspection
55 station and shall have a signature line for the owner. The owner must sign below the statement
56 on the signature line before any repairs are made.

57 6. Certificates of inspection and approval, sticker, seal or other device shall be purchased
58 by the official inspection stations from the superintendent of the Missouri state highway patrol.
59 The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty
60 cents for each certificate of inspection, sticker, seal or other device issued to the official
61 inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal
62 or other device issued to official inspection stations operated by governmental entities. All fees
63 collected shall be deposited in the state treasury with one dollar of each fee collected credited to
64 the state highway fund and, for the purpose of administering and enforcing the state motor
65 vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund"
66 which is hereby created. The moneys collected and deposited in the highway patrol inspection
67 fund shall be expended subject to appropriations by the general assembly for the administration
68 and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The

69 unexpended balance in the fund at the end of each biennium exceeding the amount of the
70 appropriations from the fund for the first two fiscal years shall be transferred to the state road
71 fund, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general
72 revenue fund at the end of the biennium, shall not apply to the fund.

73 7. The owner or operator of any inspection station who discontinues operation during
74 the period that a station permit is valid or whose station permit is suspended or revoked shall
75 return all official signs and posters and any current unused inspection stickers, seals or other
76 devices to the superintendent of the Missouri state highway patrol and shall receive a full refund
77 on request except for official signs and posters, provided the request is made during the calendar
78 year or within sixty days thereafter in the manner prescribed by the superintendent of the
79 Missouri state highway patrol. Stations which have a valid permit shall exchange unused
80 previous year issue inspection stickers and/or decals for an identical number of current year
81 issue, provided the unused stickers and/or decals are submitted for exchange not later than April
82 thirtieth of the current calendar year, in the manner prescribed by the superintendent of the
83 Missouri state highway patrol.

84 **8. Notwithstanding the provisions of section 307.390 to the contrary, a violation of**
85 **this section is a class C misdemeanor.**

307.375. 1. The owner of every bus used to transport children to or from school in
2 addition to any other inspection required by law shall submit the vehicle to an official inspection
3 station, and obtain a certificate of inspection, sticker, seal or other device annually, but the
4 inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle
5 during the school year. The inspection shall, in addition to the inspection of the mechanism and
6 equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390,
7 include an inspection to ascertain that the following items are correctly fitted, adjusted, and in
8 good working condition:

9 (1) All mirrors, including crossview, inside, and outside;

10 (2) The front and rear warning flashers;

11 (3) The stop signal arm;

12 (4) The crossing control arm on public school buses required to have them pursuant to
13 section 304.050, RSMo;

14 (5) The rear bumper to determine that it is flush with the bus so that hitching of rides
15 cannot occur;

16 (6) The exhaust tailpipe shall be flush with or may extend not more than two inches
17 beyond the perimeter of the body or bumper;

18 (7) The emergency doors and exits to determine them to be unlocked and easily opened
19 as required;

- 20 (8) The lettering and signing on the front, side and rear of the bus;
21 (9) The service door;
22 (10) The step treads;
23 (11) The aisle mats or aisle runners;
24 (12) The emergency equipment which shall include as a minimum a first aid kit, flares
25 or fuses, and a fire extinguisher;
26 (13) The seats, including a determination that they are securely fastened to the floor;
27 (14) The emergency door buzzer;
28 (15) All hand hold grips;
29 (16) The interior glazing of the bus.

30 2. In addition to the inspection required by subsection 1 of this section, the Missouri state
31 highway patrol shall conduct an inspection after February first of each school year of all vehicles
32 required to be marked as school buses under section 304.050, RSMo. This inspection shall be
33 conducted by the Missouri highway patrol in cooperation with the department of elementary and
34 secondary education and shall include, as a minimum, items in subsection 1 of this section and
35 the following:

- 36 (1) The driver seat belts;
37 (2) The heating and defrosting systems;
38 (3) The reflectors;
39 (4) The bus steps;
40 (5) The aisles;
41 (6) The frame.

42 3. If, upon inspection, conditions which violate the standards in subsection 2 of this
43 section are found, the owner or operator shall have them corrected in ten days and notify the
44 superintendent of the Missouri state highway patrol or those persons authorized by the
45 superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus
46 shall not be used until corrections are made and the superintendent of the Missouri state highway
47 patrol or those persons authorized by the superintendent are notified.

48 4. The Missouri highway patrol may inspect any school bus at any time and if such
49 inspection reveals a deficiency affecting the safe operation of the bus, the provisions of
50 subsection 3 of this section shall be applicable.

51 **5. Notwithstanding the provisions of section 307.390 to the contrary, a violation of**
52 **this section is a class C misdemeanor.**

207.390. 1. Any person who violates any provision of sections 307.350 to 307.390 is
2 guilty of [a misdemeanor] **an infraction** and upon [conviction] **a plea or finding of guilt** shall
3 be punished as provided by law.

4 2. The superintendent of the Missouri state highway patrol may assign qualified persons
5 who are not highway patrol officers to investigate and enforce motor vehicle safety inspection
6 laws and regulations pursuant to sections 307.350 to 307.390 and sections 643.300 to 643.355,
7 RSMo. A person assigned by the superintendent pursuant to the authority granted by this
8 subsection shall be designated a motor vehicle inspector and shall have limited powers to issue
9 a uniform complaint and summons for a violation of the motor vehicle inspection laws and
10 regulations. A motor vehicle inspector shall not have authority to exercise the power granted in
11 this subsection until such inspector successfully completes training provided by, and to the
12 satisfaction of, the superintendent.

307.400. 1. It is unlawful for any person to operate any commercial motor vehicle as
2 defined in Title 49, Code of Federal Regulations, Part 390.5, either singly or in combination with
3 a trailer, as both vehicles are defined in Title 49, Code of Federal Regulations, Part 390.5, unless
4 such vehicles are equipped and operated as required by Parts 390 through 397, Title 49, Code
5 of Federal Regulations, as such regulations have been and may periodically be amended, whether
6 intrastate transportation or interstate transportation. Members of the Missouri state highway
7 patrol are authorized to enter the cargo area of a commercial motor vehicle or trailer to inspect
8 the contents when reasonable grounds exist to cause belief that the vehicle is transporting
9 hazardous materials as defined by Title 49 of the Code of Federal Regulations. The director of
10 the department of public safety is hereby authorized to further regulate the safety of commercial
11 motor vehicles and trailers as he deems necessary to govern and control their operation on the
12 public highways of this state by promulgating and publishing rules and regulations consistent
13 with this chapter. Any such rules shall, in addition to any other provisions deemed necessary by
14 the director, require:

15 (1) Every commercial motor vehicle and trailer and all parts thereof to be maintained in
16 a safe condition at all times;

17 (2) Accidents arising from or in connection with the operation of commercial motor
18 vehicles and trailers to be reported to the department of public safety in such detail and in such
19 manner as the director may require.

20 Except for the provisions of subdivisions (1) and (2) of this subsection, the provisions of this
21 section shall not apply to any commercial motor vehicle operated in intrastate commerce and
22 licensed for a gross weight of sixty thousand pounds or less when used exclusively for the
23 transportation of solid waste or forty-two thousand pounds or less when the license plate has
24 been designated for farm use by the letter "F" as authorized by the Revised Statutes of Missouri,
25 unless such vehicle is transporting hazardous materials as defined in Title 49, Code of Federal
26 Regulations.

27 2. Notwithstanding the provisions of subsection 1 of this section to the contrary, Part
28 391, Subpart E, Title 49, Code of Federal Regulations, relating to the physical requirements of
29 drivers shall not be applicable to drivers in intrastate commerce, provided such drivers were
30 licensed by this state as chauffeurs to operate commercial motor vehicles on May 13, 1988.
31 Persons who are otherwise qualified and licensed to operate a commercial motor vehicle in this
32 state may operate such vehicle intrastate at the age of eighteen years or older, except that any
33 person transporting hazardous material must be at least twenty-one years of age.

34 3. Commercial motor vehicles and drivers of such vehicles may be placed out of service
35 if the vehicles are not equipped and operated according to the requirements of this section.
36 Criteria used for placing vehicles and drivers out of service are the North American Uniform
37 Out-of-Service Criteria adopted by the Commercial Vehicle Safety Alliance and the United
38 States Department of Transportation, as such criteria have been and may periodically be
39 amended.

40 4. Notwithstanding the provisions of subsection 1 of this section to the contrary, Part
41 395, Title 49, Code of Federal Regulations, relating to the hours of drivers, shall not apply to any
42 vehicle owned or operated by any public utility, rural electric cooperative or other public service
43 organization, or to the driver of such vehicle, while providing restoration of essential utility
44 services during emergencies and operating intrastate. For the purposes of this subsection, the
45 term "essential utility services" means electric, gas, water, telephone and sewer services.

46 5. Part 395, Title 49, Code of Federal Regulations, relating to the hours of drivers, shall
47 not apply to drivers transporting agricultural commodities or farm supplies for agricultural
48 purposes in this state if such transportation:

49 (1) Is limited to an area within a one hundred air mile radius from the source of the
50 commodities or the distribution point for the farm supplies; and

51 (2) Is conducted during the planting and harvesting season within this state, as defined
52 by the department of public safety by regulation.

53 6. The provisions of Part 395.8, Title 49, Code of Federal Regulations, relating to
54 recording of a driver's duty status, shall not apply to drivers engaged in agricultural operations
55 referred to in subsection 5 of this section, if the motor carrier who employs the driver maintains
56 and retains for a period of six months accurate and true records showing:

57 (1) The total number of hours the driver is on duty each day; and

58 (2) The time at which the driver reports for, and is released from, duty each day.

59 7. Notwithstanding the provisions of subsection 1 of this section to the contrary, Parts
60 390 through 397, Title 49, Code of Federal Regulations shall not apply to commercial motor
61 vehicles operated in intrastate commerce to transport property, which have a gross vehicle weight
62 rating or gross combination weight rating of twenty-six thousand pounds or less. The exception

63 provided by this subsection shall not apply to vehicles transporting hazardous materials or to
64 vehicles designed to transport sixteen or more passengers including the driver as defined by Title
65 49 of the Code of Federal Regulations. Nothing in this subsection shall be construed to prohibit
66 persons designated by the department of public safety from inspecting vehicles defined in this
67 subsection.

68 8. Violation of any provision of this section or any rule promulgated as authorized
69 therein is [a class B misdemeanor] **an infraction.**

70 9. No rule or portion of a rule promulgated under the authority of this chapter shall
71 become effective unless it has been promulgated pursuant to the provisions of section 536.024,
72 RSMo.

347.179. The secretary shall charge and collect:

2 (1) For filing the original articles of organization, a fee of one hundred dollars;

3 (2) **For filing the original articles of organization online, in an electronic format**
4 **prescribed by the secretary of state, a fee of forty-five dollars;**

5 (3) Applications for registration of foreign limited liability companies and issuance of
6 a certificate of registration to transact business in this state, a fee of one hundred dollars;

7 [(3)] (4) Amendments to and restatements of articles of limited liability companies to
8 application for registration of a foreign limited liability company or any other filing otherwise
9 provided for, a fee of twenty dollars;

10 [(4)] (5) Articles of termination of limited liability companies or cancellation of
11 registration of foreign limited liability companies, a fee of twenty dollars;

12 [(5)] (6) For filing notice of merger or consolidation, a fee of twenty dollars;

13 [(6)] (7) For filing a notice of winding up, a fee of twenty dollars;

14 [(7)] (8) For issuing a certificate of good standing, a fee of five dollars;

15 [(8)] (9) For a notice of the abandonment of merger or consolidation, a fee of twenty
16 dollars;

17 [(9)] (10) For furnishing a copy of any document or instrument, a fee of fifty cents per
18 page;

19 [(10)] (11) For accepting an application for reservation of a name, or for filing a notice
20 of the transfer or cancellation of any name reservation, a fee of twenty dollars;

21 [(11)] (12) For filing a statement of change of address of registered office or registered
22 agent, or both, a fee of five dollars;

23 [(12)] (13) For any service of notice, demand, or process upon the secretary as resident
24 agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as
25 taxable costs by the party instituting such suit, action, or proceeding causing such service to be
26 made if such party prevails therein;

27 [(13)] **(14)** For filing an amended certificate of registration a fee of twenty dollars; and
28 [(14)] **(15)** For filing a statement of correction a fee of five dollars.

347.183. In addition to the other powers of the secretary established in sections 347.010
2 to 347.187, the secretary shall, as is reasonably necessary to enable the secretary to administer
3 sections 347.010 to 347.187 efficiently and to perform the secretary's duties, have the following
4 powers including, but not limited to:

5 (1) The power to examine the books and records of any limited liability company to
6 which sections 347.010 to 347.187 apply, and it shall be the duty of any manager, member or
7 agent of such limited liability company having possession or control of such books and records,
8 to produce such books and records for examination on demand of the secretary or his designated
9 employee; except that no person shall be subject to any criminal prosecution on account of any
10 matter or thing which may be disclosed by examination of any limited liability company books
11 and records, which they may produce or exhibit for examination; or on account of any other
12 matter or thing concerning which they may make any voluntary and truthful statement in writing
13 to the secretary or his designated employee. All facts obtained in the examination of the books
14 and records of any limited liability company, or through the voluntary sworn statement of any
15 manager, member, agent or employee of any limited liability company, shall be treated as
16 confidential, except insofar as official duty may require the disclosure of same, or when such
17 facts are material to any issue in any legal proceeding in which the secretary or his designated
18 employee may be a party or called as witness, and, if the secretary or his designated employee
19 shall, except as provided in this subdivision, disclose any information relative to the private
20 accounts, affairs, and transactions of any such limited liability company, he shall be guilty of a
21 class C misdemeanor. If any manager, member or registered agent in possession or control of
22 such books and records of any such limited liability company shall refuse a demand of the
23 secretary or his designated employee, to exhibit the books and records of such limited liability
24 company for examination, such person shall be guilty of a class B misdemeanor;

25 (2) The power to cancel or disapprove any articles of organization or other filing required
26 under sections 347.010 to 347.187, if the limited liability company fails to comply with the
27 provisions of sections 347.010 to 347.187 by failing to file required documents under sections
28 347.010 to 347.187, by failing to maintain a registered agent, by failing to pay the required filing
29 fees, by using fraud or deception in effecting any filing, by filing a required document containing
30 a false statement, or by violating any section or sections of the criminal laws of Missouri, the
31 federal government or any other state of the United States. Thirty days before such cancellation
32 shall take effect, the secretary shall notify the limited liability company with written notice, either
33 personally or by certified mail, deposited in the United States mail in a sealed envelope
34 addressed to such limited liability company's last registered agent in office, or to one of the

35 limited liability company's members or managers. Written notice of the secretary's proposed
36 cancellation to the limited liability company, domestic or foreign, shall specify the reasons for
37 such action. The limited liability company may appeal this notice of proposed cancellation to
38 the circuit court of the county in which the registered office of such limited liability company is
39 or is proposed to be situated by filing with the clerk of such court a petition setting forth a copy
40 of the articles of organization or other relevant documents and a copy of the proposed written
41 cancellation thereof by the secretary, such petition to be filed within thirty days after notice of
42 such cancellation shall have been given, and the matter shall be tried by the court, and the court
43 shall either sustain the action of the secretary or direct him to take such action as the court may
44 deem proper. An appeal from the circuit court in such a case shall be allowed as in civil action.
45 The limited liability company may provide information to the secretary that would allow the
46 secretary to withdraw the notice of proposed cancellation. This information may consist of, but
47 need not be limited to, corrected statements and documents, new filings, affidavits and certified
48 copies of other filed documents;

49 (3) The power to rescind cancellation provided for in subdivision (2) of this section upon
50 compliance with either of the following:

51 (a) The affected limited liability company provides the necessary documents and
52 affidavits indicating the limited liability company has corrected the conditions causing the
53 proposed cancellation or the cancellation; or

54 (b) The limited liability company provides the correct statements or documentation that
55 the limited liability company is not in violation of any section of the criminal code; and

56 (4) The power to charge late filing fees for any filing fee required under sections 347.010
57 to 347.187 and the power to impose civil penalties as provided in section 347.053. Late filing
58 fees shall be assessed at a rate of ten dollars for each thirty-day period of delinquency;

59 (5) (a) **The power to administratively cancel an articles of organization if the**
60 **limited liability company's period of duration stated in articles of organization expires.**

61 (b) **Not less than thirty days before such administrative cancellation shall take**
62 **effect, the secretary shall notify the limited liability company with written notice, either**
63 **personally or by mail. If mailed, the notice shall be deemed delivered five days after it is**
64 **deposited in the United States mail in a sealed envelope addressed to such limited liability**
65 **company's last registered agent and office or to one of the limited liability company's**
66 **managers or members.**

67 (c) **If the limited liability company does not timely file an articles of amendment in**
68 **accordance with section 347.041 to extend the duration of the limited liability company,**
69 **which may be any number of years or perpetual, or demonstrate to the reasonable**
70 **satisfaction of the secretary that the period of duration determined by the secretary is**

71 incorrect, within sixty days after service of the notice is perfected by posting with the
72 United States Postal Service, then the secretary shall cancel the articles of organization by
73 signing an administrative cancellation that recites the grounds for cancellation and its
74 effective date. The secretary shall file the original of the administrative cancellation and
75 serve a copy on the limited liability company as provided in section 347.051.

76 (d) A limited liability company whose articles of organization has been
77 administratively cancelled continues its existence but may not carry on any business except
78 that necessary to wind up and liquidate its business and affairs under section 347.147 and
79 notify claimants under section 347.141.

80 (e) The administrative cancellation of an articles of organization does not terminate
81 the authority of its registered agent.

82 (6) (a) The power to rescind an administrative cancellation and reinstate the
83 articles of organization.

84 (b) Except as otherwise provided in the operating agreement, a limited liability
85 company whose articles of organization has been administratively cancelled under
86 subdivision (5) of this section may file an articles of amendment in accordance with section
87 347.041 to extend the duration of the limited liability company, which may be any number
88 or perpetual.

89 (c) A limited liability company whose articles of organization has been
90 administratively cancelled under subdivision (5) of this section may apply to the secretary
91 for reinstatement. The applicant shall:

92 a. Recite the name of the limited liability company and the effective date of its
93 administrative cancellation;

94 b. State that the grounds for cancellation either did not exist or have been
95 eliminated, as applicable, and be accompanied by documentation satisfactory to the
96 secretary evidencing the same;

97 c. State that the limited liability company's name satisfies the requirements of
98 section 347.020;

99 d. Be accompanied by a reinstatement fee in the amount of one hundred dollars,
100 or such greater amount as required by state regulation, plus any delinquent fees, penalties,
101 and other charges as determined by the secretary to then be due.

102 (d) If the secretary determines that the application contains the information and
103 is accompanied by the fees required in paragraph (c) of this subdivision and that the
104 information and fees are correct, the secretary shall rescind the cancellation and prepare
105 a certificate of reinstatement that recites his or her determination and the effective date of

106 reinstatement, file the original articles of organization, and serve a copy on the limited
107 liability company as provided in section 347.051.

108 (e) When the reinstatement is effective, it shall relate back to and take effect as of
109 the effective date of the administrative cancellation of the articles of organization and the
110 limited liability company may continue carrying on its business as if the administrative
111 cancellation had never occurred.

112 (f) In the event the name of the limited liability company was reissued by the
113 secretary to another entity prior to the time application for reinstatement was filed, the
114 limited liability company applying for reinstatement may elect to reinstate using a new
115 name that complies with the requirements of section 347.020 and that has been approved
116 by appropriate action of the limited liability company for changing the name thereof.

117 (g) If the secretary denies a limited liability company's application for
118 reinstatement following administrative cancellation of the articles of organization, he or
119 she shall serve the limited liability company as provided in section 347.051 with a written
120 notice that explains the reason or reasons for denial.

121 (h) The limited liability company may appeal a denial of reinstatement as provided
122 for in subdivision (2) of this section.

123 (7) Subdivision (6) of this section shall apply to any limited liability company whose
124 articles of organization was cancelled because such limited liability company's period of
125 duration stated in the articles of organization expired on or after August 28, 2003.

351.047. The secretary of state may prescribe and furnish on request forms for all
2 documents required or permitted to be filed by this chapter. The use of the following forms is
3 mandatory:

4 (1) A foreign corporation's application for a certificate of authority to do business in this
5 state;

6 (2) A foreign corporation's application for a certificate of withdrawal;

7 (3) A corporation's [annual] **corporate registration** report.

351.120. 1. Every corporation organized pursuant to the laws of this state, including
2 corporations organized pursuant to or subject to this chapter, and every foreign corporation
3 licensed to do business in this state, whether such license shall have been issued pursuant to this
4 chapter or not, other than corporations exempted from taxation by the laws of this state, shall file
5 [an annual corporation] a **corporate** registration report.

6 2. The [annual] corporate registration report shall state the corporate name, the name of
7 its registered agent and such agent's Missouri **physical** address, giving street and number, or
8 building and number, or both, as the case may require, the name and correct business or

9 residence address of its officers and directors, and the mailing address of the corporation's
10 principal place of business or corporate headquarters.

11 3. The [annual] corporate registration report shall **be filed annually, except as provided**
12 **in section 351.122, and shall** be due the month that the corporation incorporated or qualified,
13 **unless changed by the corporation under subsection 8 of this section.** Corporations existing
14 prior to July 1, 2003, shall file the [annual] **corporate** registration report on the month indicated
15 on the corporation's last [annual] **corporate registration** report. Corporations formed on or after
16 July 1, 2003, shall file [an annual] **a corporate** registration report within thirty days of the date
17 of incorporation or qualification and every year thereafter, **except as provided in section**
18 **351.122,** in the month that they were incorporated or qualified, **unless such month is changed**
19 **by the corporation under subsection 8 of this section.**

20 4. The [annual] **corporate** registration report shall be signed by an officer or authorized
21 person.

22 5. In the event of any error in the names and addresses of the officers and directors set
23 forth in [an annual] **a corporate** registration report, the corporation may correct such information
24 by filing a certificate of correction pursuant to section 351.049.

25 6. A corporation may change the corporation's registered office or registered agent with
26 the filing of the corporation's [annual] **corporate** registration report. To change the corporation's
27 registered agent with the filing of the [annual] **corporate** registration report, the corporation must
28 include the new registered agent's written consent to the appointment as registered agent and a
29 written consent stating that such change in registered agents was authorized by resolution duly
30 adopted by the board of directors. The written consent must be signed by the new registered
31 agent and must include such agent's address. If the [annual] corporate registration report is not
32 completed correctly, the secretary of state may reject the filing of such report.

33 7. A corporation's [annual] **corporate** registration report must be filed in a format as
34 prescribed by the secretary of state.

35 **8. A corporation may change the month of its corporate registration report in the**
36 **corporation's initial corporate registration report or a subsequent report. To change its**
37 **filing month, a corporation shall designate the desired month in its corporate registration**
38 **report and include with that report an additional fee of twenty dollars. After a corporation**
39 **registration report designating a new filing month is filed by the secretary of state, the**
40 **corporation's next corporate registration report shall be filed in the newly designated**
41 **month in the next year in which a report is due under subsection 3 of this section or under**
42 **section 351.122. This subsection shall become effective January 1, 2010.**

2 **351.122. 1. Notwithstanding the provisions of section 351.120 to the contrary,**
beginning January 1, 2010, the secretary of state may provide corporations the option of

3 **biennially filing corporate registration reports. Any corporation incorporated or qualified**
4 **in an even-numbered year may file a biennial corporate registration report only in an even-**
5 **numbered calendar year, and any corporation incorporated or qualified in an odd-**
6 **numbered year may file a biennial corporate registration report only in an odd-numbered**
7 **calendar year, subject to the following requirements:**

8 (1) **The fee paid at the time of biennial registration shall be eighty dollars if the**
9 **report is filed in a written format. The fee shall be thirty dollars if the report is filed via**
10 **an electronic format prescribed by the secretary of state;**

11 (2) **A corporation's biennial corporate registration report shall be filed in a format**
12 **as prescribed by the secretary of state;**

13 (3) **The secretary of state may collect an additional fee of ten dollars for each**
14 **biennial corporate registration report filed under this section. Such fee shall be deposited**
15 **into the state treasury and credited to the secretary of state's technology trust fund**
16 **account.**

17 **2. Once a corporation chooses the option of biennial registration, such registration**
18 **shall be maintained for the full twenty-four month period. Once the twenty-four month**
19 **period has expired and another corporate registration report is due, a corporation may**
20 **choose to file an annual registration report under section 351.120. However, upon making**
21 **such choice the corporation may later only choose to file a biennial corporate registration**
22 **report in a year appropriate under subsection 1 of this section, based on the year in which**
23 **the corporation was incorporated.**

24 **3. The secretary of state may promulgate rules for the effective administration of**
25 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
26 **that is created under the authority delegated in this section shall become effective only if**
27 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
28 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
29 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
30 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
31 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
32 **adopted after August 28, 2009, shall be invalid and void.**

351.125. Every corporation required to register under the provisions of this chapter shall
2 pay to the state a fee of forty dollars for its [annual] **corporate** registration if the report is filed
3 in a written format. The fee is fifteen dollars for each [annual] **corporate** registration report filed
4 via an electronic format prescribed by the secretary of state. **Biennial corporate registration**
5 **reports filed under section 351.122 shall require the fee prescribed in that section.** If a
6 corporation fails to file a corporation registration report when due, it shall be assessed, in

7 addition to its regular registration fee, a late fee of fifteen dollars for each thirty-day period
8 within which the registration report is filed whether in writing or in an electronic format. If the
9 registration report is not filed within ninety days, [the corporation shall forfeit its charter] **the**
10 **secretary of state may proceed with administrative dissolution of such corporation under**
11 **sections 351.484 and 351.486.**

351.127. The secretary of state may collect an additional fee of five dollars on each and
2 every fee required in this chapter, **provided that the secretary of state may collect an**
3 **additional fee of ten dollars on each corporate registration report fee filed under section**
4 **351.122.** All fees collected as provided in this section shall be deposited in the state treasury and
5 credited to the secretary of state's technology trust fund account. The provisions of this section
6 shall expire on December 31, 2017.

351.145. It shall be the duty of the secretary of state to send notice that the [annual]
2 corporate registration report is due to each corporation in this state required to register. The
3 notice shall be directed to its registered office as disclosed originally by its articles of
4 incorporation or by its application for a certificate of authority to transact business in this state
5 and thereafter as disclosed by its **immediately preceding corporate** registration [for the year
6 preceding] **report**, as provided by law. The secretary of state may provide a form of the [annual]
7 corporate registration report for filing in a format and medium prescribed by the secretary of
8 state.

351.155. It shall be the duty of the secretary of state to furnish forms of [annual]
2 corporate registration reports to any corporation upon request to any representative of the
3 corporation, but no such form of the [annual] corporate registration report shall be furnished
4 unless the name of the corporation for which [they are] **it is** desired shall accompany the request.

351.484. The secretary of state may commence a proceeding pursuant to section 351.486
2 to dissolve a corporation administratively if:

3 (1) The corporation fails to pay any final assessment of Missouri corporation franchise
4 tax as provided in chapter 147, RSMo, and the director of revenue has notified the secretary of
5 state of such failure;

6 (2) The corporation fails or neglects to file the Missouri corporation franchise tax report
7 required pursuant to chapter 147, RSMo, provided the director of revenue has provided a place
8 on both the individual and corporation income tax return to indicate no such tax is due and
9 provided the director has delivered or mailed at least two notices of such failure to file to the
10 usual place of business of such corporation or the corporation's last known address and the
11 corporation has failed to respond to such second notice within thirty days of the date of mailing
12 of the second notice and the director of revenue has notified the secretary of state of such failure;

13 (3) The corporation fails to file any corporation income tax return or pay any final
14 assessment of corporation income tax as provided in chapter 143, RSMo, and the director of
15 revenue has notified the secretary of state of such failure;

16 (4) The corporation does not deliver its [annual] **corporate registration** report to the
17 secretary of state within [thirty] **ninety** days after it is due;

18 (5) The corporation is without a registered agent or registered office in this state for
19 thirty days or more;

20 (6) The corporation does not notify the secretary of state within thirty days that its
21 registered agent or registered office has been changed, that its registered agent has resigned, or
22 that its registered office has been discontinued;

23 (7) The corporation's period of duration stated in its articles of incorporation expires;

24 (8) The corporation procures its franchise through fraud practiced upon the state;

25 (9) The corporation has continued to exceed or abuse the authority conferred upon it by
26 law, or has continued to violate any section or sections of the criminal law of the state of
27 Missouri after a written demand to discontinue the same has been delivered by the secretary of
28 state to the corporation, either personally or by mail;

29 (10) The corporation fails to pay any final assessment of employer withholding tax, as
30 provided in sections 143.191 to 143.265, RSMo, and the director of revenue has notified the
31 secretary of state of such failure; or

32 (11) The corporation fails to pay any final assessment of sales and use taxes, as provided
33 in chapter 144, RSMo, and the director of revenue has notified the secretary of state of such
34 failure.

351.592. 1. The registered agent of a foreign corporation may resign his agency
2 appointment by signing and delivering to the secretary of state for filing the original and two
3 exact or conformed copies of a statement of resignation. The statement of resignation may
4 include a statement that the registered office is also discontinued.

5 2. After filing the statement, the secretary of state shall attach the filing receipt to one
6 copy, and mail the copy and receipt to the registered office if not discontinued. The secretary
7 of state shall mail the other copy to the foreign corporation at its principal office address shown
8 in its most recent [annual] **corporate registration** report.

9 3. The agency appointment is terminated, and the registered office discontinued if so
10 provided, on the thirty-first day after the date on which the statement was filed.

351.594. 1. The registered agent of a foreign corporation authorized to transact business
2 in this state is the corporation's agent for service of process, notice, or demand required or
3 permitted by law to be served on the foreign corporation.

4 2. A foreign corporation may be served by registered or certified mail, return receipt
5 requested, addressed to the secretary of the foreign corporation at its principal office shown in
6 its application for a certificate of authority or in its most recent [annual] **corporate registration**
7 report, if the foreign corporation:

8 (1) Has no registered agent or its registered agent cannot with reasonable diligence be
9 served;

10 (2) Has withdrawn from transacting business in this state as provided in section 351.596;
11 or

12 (3) Has had its certificate of authority revoked under section 351.602.

13

14 If the corporation has no secretary or if the secretary cannot, after the exercise of reasonable
15 diligence, be served, then service on the corporation may be obtained by registered or certified
16 mail, return receipt requested, addressed to any person designated as a director or officer of the
17 corporation at any place of business of the corporation, or at the residence of or any usual
18 business address of such director or officer.

19 3. Service is perfected as provided in subsection 2 of this section at the earliest of:

20 (1) The date the foreign corporation receives the mail;

21 (2) The date shown on the return receipt, if signed on behalf of the foreign corporation;

22 or

23 (3) Five days after its deposit in the United States mail, as evidenced by the postmark,
24 if mailed postpaid and correctly addressed.

25 4. This section does not prescribe the only means, or necessarily the required means, of
26 serving a foreign corporation.

 351.598. The secretary of state may commence a proceeding pursuant to section 351.602
2 to revoke the certificate of a foreign corporation authorized to transact business in this state if:

3 (1) The foreign corporation does not deliver its [annual] **corporate registration** report
4 to the secretary of state within thirty days after it is due;

5 (2) The foreign corporation fails to pay any final assessment of Missouri corporation
6 franchise tax, as provided in chapter 147, RSMo, and the director of revenue has notified the
7 secretary of state of such failure;

8 (3) The foreign corporation is without a registered agent or registered office in this state
9 for thirty days or more;

10 (4) The foreign corporation does not inform the secretary of state pursuant to section
11 351.588 or 351.592 that its registered agent or registered office has changed, that its registered
12 agent has resigned, or that its registered office has been discontinued within thirty days of the
13 change, resignation, or discontinuance;

14 (5) An incorporator, director, officer, or agent of the foreign corporation signed a
15 document the person knew was false in any material respect with intent that the document be
16 delivered to the secretary of state for filing;

17 (6) The secretary of state receives a duly authenticated certificate from [the secretary of
18 state or other] **an** official having custody of corporate records in the state or country under whose
19 law the foreign corporation is incorporated stating that it has been dissolved or has disappeared
20 as the result of a merger;

21 (7) The foreign corporation fails to pay any final assessment of employer withholding
22 tax, as provided in sections 143.191 to 143.265, RSMo, and the director of revenue has notified
23 the secretary of state of such failure; or

24 (8) The foreign corporation fails to pay any final assessment of sales and use taxes, as
25 provided in chapter 144, RSMo, and the director of revenue has notified the secretary of state of
26 such failure.

351.602. 1. If the secretary of state determines that one or more grounds exist under
2 section 351.598 for revocation of a certificate of authority, he shall serve the foreign corporation
3 with written notice of his determination as provided in section 351.594.

4 2. If the foreign corporation does not correct each ground for revocation or demonstrate
5 to the reasonable satisfaction of the secretary of state that each ground determined by the
6 secretary of state does not exist within sixty days after service of the notice is perfected under
7 section 351.594, the secretary of state may revoke the foreign corporation's certificate of
8 authority by signing a certificate of revocation that recites the ground or grounds for revocation
9 and its effective date. The secretary of state shall file the original of the certificate and serve a
10 copy on the foreign corporation as provided in section 351.594.

11 3. The authority of a foreign corporation to transact business in this state ceases on the
12 date shown on the certificate revoking its certificate of authority.

13 4. The secretary of state's revocation of a foreign corporation's certificate of authority
14 appoints the secretary of state the foreign corporation's agent for service of process in any
15 proceeding based on a cause of action which arose during the time the foreign corporation was
16 authorized to transact business in this state. Service of process on the secretary of state under
17 this subsection is service on the foreign corporation. Upon receipt of process, the secretary of
18 state shall mail a copy of the process to the secretary of the foreign corporation at its principal
19 office shown in its most recent [annual] **corporate registration** report or in any subsequent
20 communication received from the corporation specifically advising the secretary of state of the
21 current mailing address of its principal office, or, if none are on file, in its application for a
22 certificate of authority.

23 5. Revocation of a foreign corporation's certificate of authority does not terminate the
24 authority of the registered agent of the corporation.

 351.690. The provisions of this chapter shall be applicable to existing corporations and
2 corporations not formed pursuant to this chapter as follows:

3 (1) Those provisions of this chapter requiring reports, registration statements and the
4 payment of taxes and fees, shall be applicable, to the same extent and with the same effect, to
5 all existing corporations, domestic and foreign, which were required to make such reports and
6 registration statements and to pay such taxes and fees, prior to November 21, 1943;

7 (2) The provisions of this chapter shall be applicable to banks, trust companies and safe
8 deposit companies when such provisions relating to the internal affairs of a corporation
9 supplement the existing provisions of chapter 362, RSMo, or when the provisions of chapter 362,
10 RSMo, do not deal with a matter involving the internal affairs of a corporation organized
11 pursuant to the provisions of chapter 362, RSMo, as well as those provisions mentioned in
12 subdivision (1) of this section, to the extent applicable. For the purposes of this chapter, the
13 "internal affairs of a corporation" shall include, but not be limited to, matters of corporate
14 governance, director and officer liability, and financial structure;

15 (3) No provisions of this chapter, other than those mentioned in subdivision (1) of this
16 section, and then only to the extent required by the statutes pursuant to which they are
17 incorporated, or other than the provisions of section 351.347, or section 351.355, shall be
18 applicable to insurance companies, savings and loan associations, corporations formed for
19 benevolent, religious, scientific or educational purposes, and nonprofit corporations;

20 (4) Only those provisions of this chapter which supplement the existing laws applicable
21 to railroad corporations, union stations, cooperative companies for profit, credit unions, street
22 railroads, telegraph and telephone companies, boating and rafting companies, urban
23 redevelopment corporations, professional corporations, development finance corporations, and
24 loan and investment companies, and which are not inconsistent with, or in conflict with the
25 purposes of, or are not in derogation or limitation of, such existing laws, shall be applicable to
26 the type of corporations mentioned above in this subdivision; and without limiting the generality
27 of the foregoing, those provisions of this chapter which permit the issuance of shares without par
28 value and the amendment of articles of incorporation for such purpose shall be applicable to
29 railroad corporations, union stations, street railroads, telegraph and telephone companies, and
30 boating and rafting companies, professional corporations, development finance corporations,
31 and loan and investment companies, and those provisions of this chapter mentioned in
32 subdivisions (1) and (2) of this section will apply to all corporations mentioned in this
33 subdivision; except that, the [annual] **corporate registration** report and fee of a professional

34 corporation pursuant to section 356.211, RSMo, shall suffice in lieu of the [annual] **corporate**
35 **registration report** and fee required of a business corporation;

36 (5) All of the provisions of this chapter to the extent provided shall apply to all other
37 corporations existing pursuant to general laws of this state enacted prior to November 21, 1943,
38 and not specifically mentioned in subdivisions (1), (2) and (3) of this section.

355.016. 1. The secretary of state may prescribe and furnish on request, forms for:

2 (1) A foreign corporation's application for a certificate of authority to transact business
3 in this state;

4 (2) A foreign corporation's application for a certificate of withdrawal; and

5 (3) The [annual] **corporate registration** report.

6 If the secretary of state so requires, use of these forms is mandatory.

7 2. The secretary of state may prescribe and furnish on request forms for other documents
8 required or permitted to be filed by this chapter but their use is not mandatory.

355.021. 1. The secretary of state shall collect the following fees when the documents
2 described in this subsection are delivered for filing:

3 (1) Articles of incorporation, twenty dollars;

4 (2) Application for reserved name, twenty dollars;

5 (3) Notice of transfer of reserved name, two dollars;

6 (4) Application for renewal of reserved name, twenty dollars;

7 (5) Corporation's statement of change of registered agent or registered office or both, five
8 dollars;

9 (6) Agent's statement of change of registered office for each affected corporation, five
10 dollars;

11 (7) Agent's statement of resignation, five dollars;

12 (8) Amendment of articles of incorporation, five dollars;

13 (9) Restatement of articles of incorporation with amendments, five dollars;

14 (10) Articles of merger, five dollars;

15 (11) Articles of dissolution, five dollars;

16 (12) Articles of revocation of dissolution, five dollars;

17 (13) Application for reinstatement following administrative dissolution, twenty dollars;

18 (14) Application for certificate of authority, twenty dollars;

19 (15) Application for amended certificate of authority, five dollars;

20 (16) Application for certificate of withdrawal, five dollars;

21 (17) [Annual] **Corporate registration** report **filed annually**, ten dollars if filed in a
22 written format or five dollars if filed electronically in a format prescribed by the secretary of
23 state;

24 (18) **Corporate registration report filed biennially, twenty dollars if filed in a**
25 **written format or ten dollars if filed electronically in a format prescribed by the secretary**
26 **of state;**

27 (19) Articles of correction, five dollars;

28 [(19)] (20) Certificate of existence or authorization, five dollars;

29 [(20)] (21) Any other document required or permitted to be filed by this chapter, five
30 dollars.

31 2. The secretary of state shall collect a fee of ten dollars upon being served with process
32 under this chapter. The party to a proceeding causing service of process is entitled to recover the
33 fee paid the secretary of state as costs if the party prevails in the proceeding.

34 3. The secretary of state shall collect the following fees for copying and certifying the
35 copy of any filed document relating to a domestic or foreign corporation: in a written format
36 fifty cents per page plus five dollars for certification, or in an electronic format five dollars for
37 certification and copies.

 355.066. Unless the context otherwise requires or unless otherwise indicated, as used
2 in this chapter the following terms mean:

3 (1) "Approved by or approval by the members", approved or ratified by the affirmative
4 vote of a majority of the voters represented and voting at a duly held meeting at which a quorum
5 is present, which affirmative votes also constitute a majority of the required quorum, or by a
6 written ballot or written consent in conformity with this chapter, or by the affirmative vote,
7 written ballot or written consent of such greater proportion, including the votes of all the
8 members of any class, unit or grouping as may be provided in the articles, bylaws or this chapter
9 for any specified member action;

10 (2) "Articles of incorporation" or "articles", amended and restated articles of
11 incorporation and articles of merger;

12 (3) "Board" or "board of directors", the board of directors except that no person or group
13 of persons is the board of directors because of powers delegated to that person or group pursuant
14 to section 355.316;

15 (4) "Bylaws", the code or codes of rules, other than the articles, adopted pursuant to this
16 chapter for the regulation or management of the affairs of the corporation, irrespective of the
17 name or names by which such rules are designated. Bylaws shall not include legally enforceable
18 covenants, declarations, indentures or restrictions imposed upon members by validly recorded
19 indentures, declarations, covenants, restrictions or other recorded instruments, as they apply to
20 real property;

- 21 (5) "Class", a group of memberships which have the same rights with respect to voting,
22 dissolution, redemption and transfer. For the purpose of this section, "rights" shall be considered
23 the same if they are determined by a formula applied uniformly;
- 24 (6) "Corporation", public benefit and mutual benefit corporations;
- 25 (7) "Delegates", those persons elected or appointed to vote in a representative assembly
26 for the election of a director or directors or on other matters;
- 27 (8) "Deliver" includes mail;
- 28 (9) "Directors", individuals, designated in the articles or bylaws or elected by the
29 incorporator or incorporators, and their successors and individuals elected or appointed by any
30 other name or title to act as members of the board;
- 31 (10) "Distribution", the payment of a dividend or any part of the income or profit of a
32 corporation to its members, directors or officers;
- 33 (11) "Domestic corporation", a Missouri corporation;
- 34 (12) "Effective date of notice" is defined in section 355.071;
- 35 (13) "Employee" does not include an officer or director who is not otherwise employed
36 by the corporation;
- 37 (14) "Entity", domestic corporations and foreign corporations, business corporations and
38 foreign business corporations, for-profit and nonprofit unincorporated associations, business
39 trusts, estates, partnerships, trusts, and two or more persons having a joint or common economic
40 interest, and a state, the United States, and foreign governments;
- 41 (15) "File", "filed" or "filing", filed in the office of the secretary of state;
- 42 (16) "Foreign corporation", a corporation organized under a law other than the laws of
43 this state which would be a nonprofit corporation if formed under the laws of this state;
- 44 (17) "Governmental subdivision" includes authority, county, district, and municipality;
- 45 (18) "Includes" denotes a partial definition;
- 46 (19) "Individual", a natural person;
- 47 (20) "Means" denotes a complete definition;
- 48 (21) "Member", without regard to what a person is called in the articles or bylaws, any
49 person or persons who on more than one occasion, pursuant to a provision of a corporation's
50 articles or bylaws, have the right to vote for the election of a director or directors; but a person
51 is not a member by virtue of any of the following:
- 52 (a) Any rights such person has as a delegate;
- 53 (b) Any rights such person has to designate a director or directors; or
- 54 (c) Any rights such person has as a director;
- 55 (22) "Membership", the rights and obligations a member or members have pursuant to
56 a corporation's articles, bylaws and this chapter;

57 (23) "Mutual benefit corporation", a domestic corporation which is formed as a mutual
58 benefit corporation pursuant to sections 355.096 to 355.121 or is required to be a mutual benefit
59 corporation pursuant to section 355.881;

60 (24) "Notice" is defined in section 355.071;

61 (25) "Person" includes any individual or entity;

62 (26) "Principal office", the office, in or out of this state, so designated in the [annual]
63 **corporate registration** report filed pursuant to section 355.856 where the principal offices of
64 a domestic or foreign corporation are located;

65 (27) "Proceeding" includes civil suits and criminal, administrative, and investigatory
66 actions;

67 (28) "Public benefit corporation", a domestic corporation which is formed as a public
68 benefit corporation pursuant to sections 355.096 to 355.121, or is required to be a public benefit
69 corporation pursuant to section 355.881;

70 (29) "Record date", the date established pursuant to sections 355.181 to 355.311 on
71 which a corporation determines the identity of its members for the purposes of this chapter;

72 (30) "Resident", a full-time resident of a long-term care facility or residential care
73 facility;

74 (31) "Secretary", the corporate officer to whom the board of directors has delegated
75 responsibility pursuant to subsection 2 of section 355.431 for custody of the minutes of the
76 directors' and members' meetings and for authenticating the records of the corporation;

77 (32) "State", when referring to a part of the United States, includes a state or
78 commonwealth, and its agencies and governmental subdivisions, and any territory or insular
79 possession, and its agencies and governmental subdivisions, of the United States;

80 (33) "United States" includes any agency of the United States;

81 (34) "Vote" includes authorization by written ballot and written consent; and

82 (35) "Voting power", the total number of votes entitled to be cast for the election of
83 directors at the time the determination of voting power is made, excluding a vote which is
84 contingent upon the happening of a condition or event that has not occurred at the time. Where
85 a class is entitled to vote as a class for directors, the determination of voting power of the class
86 shall be based on the percentage of the number of directors the class is entitled to elect out of the
87 total number of authorized directors.

355.071. 1. For purposes of this chapter, notice may be oral or written.

2 2. Notice may be communicated in person, by telephone, telegraph, teletype, or other
3 form of wire or wireless communication, or by mail or private carrier; if these forms of personal
4 notice are impracticable, notice may be communicated by a newspaper of general circulation in

5 the area where published, or by radio, television, or other form of public broadcast
6 communication.

7 3. Oral notice is effective when communicated if communicated in a comprehensible
8 manner.

9 4. Written notice, if in a comprehensible form, is effective at the earliest of the
10 following:

11 (1) When received;

12 (2) Five days after its deposit in the United States mail, as evidenced by the postmark,
13 if mailed correctly addressed and with first class postage affixed;

14 (3) On the date shown on the return receipt, if sent by registered or certified mail, return
15 receipt requested, and the receipt is signed by or on behalf of the addressee;

16 (4) Thirty days after its deposit in the United States mail, as evidenced by the postmark,
17 if mailed correctly addressed and with other than first class, registered or certified postage
18 affixed.

19 5. Written notice is correctly addressed to a member of a domestic or foreign corporation
20 if addressed to the member's address shown in the corporation's current list of members.

21 6. A written notice or report delivered as part of a newsletter, magazine or other
22 publication regularly sent to members shall constitute a written notice or report if addressed or
23 delivered to the member's address shown in the corporation's current list of members, or in the
24 case of members who are residents of the same household and who have the same address in the
25 corporation's current list of members, if addressed or delivered to one of such members, at the
26 address appearing on the current list of members.

27 7. Written notice is correctly addressed to a domestic or foreign corporation, authorized
28 to transact business in this state, other than in its capacity as a member, if addressed to its
29 registered agent or to its secretary at its principal office shown in its most recent [annual]
30 **corporate registration** report or, in the case of a foreign corporation that has not yet delivered
31 [an annual] **a corporate registration** report, in its application for a certificate of authority.

32 8. If subsection 2 of section 355.251 or any other provision of this chapter prescribes
33 notice requirements for particular circumstances, those requirements govern. If the articles or
34 bylaws prescribe notice requirements, not inconsistent with this section or other provisions of
35 this chapter, those requirements govern. Failure to comply with the terms of this section shall
36 not invalidate the terms of the notice delivered.

355.176. 1. A corporation's registered agent is the corporation's agent for service of
2 process, notice, or demand required or permitted by law to be served on the corporation.

3 2. If a corporation has no registered agent, or the agent cannot with reasonable diligence
4 be served, the corporation may be served by registered or certified mail, return receipt requested,

5 addressed to the secretary of the corporation at its principal office shown in the most recent
6 [annual] **corporate registration** report filed under section 355.856. Service is perfected under
7 this subsection on the earliest of:

- 8 (1) The date the corporation receives the mail;
- 9 (2) The date shown on the return receipt, if signed on behalf of the corporation; or
- 10 (3) Five days after its deposit in the United States mail, if mailed and correctly addressed
11 with first class postage affixed.

12 3. This section does not prescribe the only means, or necessarily the required means, of
13 serving a corporation.

355.688. A voluntarily dissolved corporation must continue to file the [annual]
2 **corporate** registration report and pay all required taxes due the state of Missouri until the
3 effective date of articles of termination.

355.706. The secretary of state may commence a proceeding under section 355.711 to
2 administratively dissolve a corporation if:

- 3 (1) The corporation does not pay within thirty days after they are due fees or penalties
4 imposed by this chapter;
- 5 (2) The corporation does not deliver its [annual] **corporate registration** report to the
6 secretary of state within [thirty] **ninety** days after it is due;
- 7 (3) The corporation is without a registered agent or registered office in this state for thirty
8 days or more;
- 9 (4) The corporation does not notify the secretary of state within thirty days that its
10 registered agent or registered office has been changed, that its registered agent has resigned, or
11 that its registered office has been discontinued;
- 12 (5) The corporation's period of duration, if any, stated in its articles of incorporation
13 expires; or
- 14 (6) The corporation has procured its charter through fraud practiced upon the state.

355.796. 1. The registered agent of a foreign corporation authorized to transact business
2 in this state is the corporation's agent for service of process, notice, or demand required or
3 permitted by law to be served on the foreign corporation.

4 2. A foreign corporation may be served by registered or certified mail, return receipt
5 requested, addressed to the secretary of the foreign corporation at its principal office shown in
6 its application for a certificate of authority or in its more recent [annual] **corporate registration**
7 report filed under section 355.856 if the foreign corporation:

- 8 (1) Has no registered agent or its registered agent cannot with reasonable diligence be
9 served;
- 10 (2) Has withdrawn from transacting business in this state under section 355.801; or

11 (3) Has had its certificate of authority revoked under section 355.811.

12 3. Service is perfected under subsection 2 of this section at the earliest of:

13 (1) The date the foreign corporation receives the mail;

14 (2) The date shown on the return receipt, if signed on behalf of the foreign corporation;

15 or

16 (3) Five days after its deposit in the United States mail, as evidenced by the postmark if
17 mailed postpaid and correctly addressed.

18 4. This section does not prescribe the only means, or necessarily the required means, of
19 serving a foreign corporation.

355.806. 1. The secretary of state may commence a proceeding under section 355.811
2 to revoke the certificate of authority of a foreign corporation authorized to transact business in
3 this state if:

4 (1) The foreign corporation does not deliver the [annual] **corporate registration** report
5 to the secretary of state within thirty days after it is due;

6 (2) The foreign corporation does not pay within thirty days after they are due any fees or
7 penalties imposed by this chapter;

8 (3) The foreign corporation is without a registered agent or registered office in this state
9 for thirty days or more;

10 (4) The foreign corporation does not inform the secretary of state under section 355.786
11 or 355.791 that its registered agent or registered office has changed, that its registered agent has
12 resigned, or that its registered office has been discontinued within thirty days of the change,
13 resignation, or discontinuance;

14 (5) An incorporator, director, officer or agent of the foreign corporation signed a
15 document such person knew was false in any material respect with intent that the document be
16 delivered to the secretary of state for filing;

17 (6) The secretary of state receives a duly authenticated certificate from the secretary of
18 state or other official having custody of corporate records in the state or country under whose law
19 the foreign corporation is incorporated stating that it has been dissolved or disappeared as the
20 result of a merger; or

21 (7) The corporation procured its certificate of authority through fraud practiced on the
22 state.

23 2. The attorney general may commence a proceeding under section 355.811 to revoke
24 the certificate of authority of a foreign corporation authorized to transact business in this state
25 if:

26 (1) The corporation has continued to exceed or abuse the authority conferred upon it by
27 law;

28 (2) The corporation would have been a public benefit corporation other than a church or
29 convention or association of churches had it been incorporated in this state and that its corporate
30 assets in this state are being misapplied or wasted; or

31 (3) The corporation would have been a public benefit corporation other than a church or
32 convention or association of churches had it been incorporated in this state and it is no longer
33 able to carry out its purposes.

355.811. 1. The secretary of state upon determining that one or more grounds exist
2 under section 355.806 for revocation of a certificate of authority shall serve the foreign
3 corporation with written notice of that determination under section 355.796.

4 2. The attorney general upon determining that one or more grounds exist under
5 subsection 2 of section 355.806 for revocation of a certificate of authority shall request the
6 secretary of state to serve, and the secretary of state shall serve the foreign corporation with
7 written notice of that determination under section 355.796.

8 3. If the foreign corporation does not correct each ground for revocation or demonstrate
9 to the reasonable satisfaction of the secretary of state or attorney general that each ground for
10 revocation determined by the secretary of state or attorney general does not exist within sixty
11 days after service of the notice is perfected under section 355.796, the secretary of state may
12 revoke the foreign corporation's certificate of authority by signing a certificate of revocation that
13 recites the ground or grounds for revocation and its effective date. The secretary of state shall
14 file the original of the certificate and serve a copy on the foreign corporation under section
15 355.796.

16 4. The authority of a foreign corporation to transact business in this state ceases on the
17 date shown on the certificate revoking its certificate of authority.

18 5. The secretary of state's revocation of a foreign corporation's certificate of authority
19 appoints the secretary of state the foreign corporation's agent for service of process in any
20 proceeding based on a cause of action which arose during the time the foreign corporation was
21 authorized to transact business in this state. Service of process on the secretary of state under
22 this subsection is service on the foreign corporation. Upon receipt of process, the secretary of
23 state shall mail a copy of the process to the secretary of the foreign corporation at its principal
24 office shown in its most recent [annual] **corporate registration** report or in any subsequent
25 communications received from the corporation stating the current mailing address of its principal
26 office, or, if none are on file, in its application for a certificate of authority.

27 6. Revocation of a foreign corporation's certificate of authority does not terminate the
28 authority of the registered agent of the corporation.

355.821. 1. A corporation shall keep as permanent records minutes of all meetings of
2 its members and board of directors, a record of all actions taken by the members or directors

3 without a meeting, and a record of all actions taken by committees of the board of directors as
4 authorized by subsection 4 of section 355.406.

5 2. A corporation shall maintain appropriate accounting records.

6 3. A corporation or its agent shall maintain a record of its members in a form that
7 permits preparation of a list of the names and addresses of all members, in alphabetical order by
8 class showing the number of votes each member is entitled to vote.

9 4. A corporation shall maintain its records in written form or in another form capable of
10 conversion into written form within a reasonable time.

11 5. A corporation shall keep a copy of the following records at its principal office:

12 (1) Its articles or restated articles of incorporation and all amendments to them currently
13 in effect;

14 (2) Its bylaws or restated bylaws and all amendments to them currently in effect;

15 (3) Resolutions adopted by its board of directors relating to the characteristics,
16 qualifications, rights, limitations and obligations of members or any class or category of
17 members;

18 (4) The minutes of all meetings of members and records of all actions approved by the
19 members for the past three years;

20 (5) All written communications to all members or any specific class of members
21 generally within the past three years, including the financial statements furnished for the past
22 three years under section 355.846;

23 (6) A list of the names and business or home addresses of its current directors and
24 officers;

25 (7) Its most recent [annual] **corporate registration** report delivered to the secretary of
26 state under section 355.856; and

27 (8) Appropriate financial statements of all income and expenses. Public benefit
28 corporations shall not be required, under this chapter, to disclose any information with respect
29 to donors, gifts, contributions or the purchase or sale of art objects.

355.856. 1. Each domestic corporation, and each foreign corporation authorized
2 pursuant to this chapter to transact business in this state, shall file with the secretary of state [an
3 annual] a corporate registration report on a form prescribed and furnished by the secretary of
4 state that sets forth:

5 (1) The name of the corporation and the state or country under whose law it is
6 incorporated;

7 (2) The address of its registered office and the name of its registered agent at the office
8 in this state;

9 (3) The address of its principal office;

10 (4) The names and physical business or residence addresses of its directors and principal
11 officers.

12 2. The information in the [annual] corporate registration report must be current on the
13 date the [annual] corporate registration report is executed on behalf of the corporation.

14 3. The [first annual] **initial** corporate registration report must be delivered to the
15 secretary of state no later than August thirty-first of the year following the calendar year in which
16 a domestic corporation was incorporated or a foreign corporation was authorized to transact
17 business. Subsequent [annual] corporate registration reports must be delivered to the secretary
18 of state no later than August thirty-first of the following calendar years, **except as provided in**
19 **section 355.857**. If [an annual] a corporate registration report is not filed within the time limits
20 prescribed by this section, the secretary of state shall not accept the report unless it is
21 accompanied by a fifteen dollar fee. Failure to file the [annual] registration report as required
22 by this section will result in the administrative dissolution of the corporation as set forth in
23 section 355.706.

24 4. If [an annual] a corporate registration report does not contain the information required
25 by this section, the secretary of state shall promptly notify the reporting domestic or foreign
26 corporation in writing and return the report to it for correction.

27 5. A corporation may change the corporation's registered office or registered agent with
28 the filing of the corporation's [annual] registration report. To change the corporation's registered
29 agent with the filing of the [annual] registration report, the corporation must include the new
30 registered agent's written consent to the appointment as registered agent and a written consent
31 stating that such change in registered agents was authorized by resolution duly adopted by the
32 board of directors. The written consent must be signed by the new registered agent and must
33 include such agent's address. If the [annual] corporate registration report is not completed
34 correctly, the secretary of state may reject the filing of such report.

35 6. A corporation's [annual] **corporate** registration report must be filed in a format and
36 medium prescribed by the secretary of state.

37 7. The [annual] **corporate** registration report shall be signed by an officer or authorized
38 person and pursuant to this section represents that the signer believes the statements are true and
39 correct to the best knowledge and belief of the person signing, subject to the penalties of section
40 575.040, RSMo.

355.857. 1. Notwithstanding the provisions of section 355.856 to the contrary,
2 **beginning January 1, 2010, the secretary of state may provide corporations the option of**
3 **biennially filing corporate registration reports. Any corporation incorporated or qualified**
4 **in an even-numbered year may file a biennial corporate registration report only in an even-**
5 **numbered calendar year, and any corporation incorporated or qualified in an odd-**

6 numbered year may file a biennial corporate registration report only in an odd-numbered
7 calendar year, subject to the following requirements:

8 (1) The fee paid at the time of biennial registration shall be that specified in section
9 355.021;

10 (2) A corporation's biennial corporate registration report shall be filed in a format
11 as prescribed by the secretary of state;

12 (3) The secretary of state may collect an additional fee of ten dollars on each
13 biennial corporate registration report filed under this section. Such fee shall be deposited
14 into the state treasury and credited to the secretary of state's technology trust fund
15 account.

16 2. Once a corporation chooses the option of biennial registration, such registration
17 shall be maintained for the full twenty-four month period. Once the twenty-four month
18 period has expired and another corporate registration report is due, a corporation may
19 choose to file an annual registration report under section 355.856. However, upon making
20 such choice the corporation may later only choose to file a biennial corporate registration
21 report in a year appropriate under subsection 1 of this section, based on the year in which
22 the corporation was incorporated.

23 3. The secretary of state may promulgate rules for the effective administration of
24 this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
25 that is created under the authority delegated in this section shall become effective only if
26 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
27 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
28 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
29 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
30 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
31 adopted after August 28, 2009, shall be invalid and void.

356.211. 1. Each professional corporation and each foreign professional corporation
2 shall file with the secretary of state [an annual corporation] a **corporate** registration report
3 pursuant to section 351.120, RSMo, **or section 351.122, RSMo**. The corporate registration
4 report shall set forth the following information: the names and residence or physical business
5 addresses of all officers, directors and shareholders of that professional corporation as of the date
6 of the report.

7 2. The report shall be made on a form to be prescribed and furnished by the secretary of
8 state, and shall be executed by an officer of the corporation or authorized person.

9 3. A filing fee in the amount set out in section 351.125, RSMo, **or section 351.122,**
10 **RSMo**, shall be paid with the filing of each report, and no other fees shall be charged therefor;

11 except that, penalty fees may be imposed by the secretary of state for late filings. The report
12 shall be filed subject to the time requirements of section 351.120, RSMo, or **section 351.122,**
13 **RSMo.**

14 4. If a professional corporation or foreign professional corporation shall fail to file a
15 report qualifying with the provisions of this section when such a filing is due, then the
16 corporation shall be subject to the provisions of chapter 351, RSMo, that are applicable to a
17 corporation that has failed to timely file the [annual] **corporate registration** report required to
18 be filed under chapter 351, RSMo.

359.681. In addition to the power and authority given the secretary of state by this
2 chapter, the secretary of state or his designee shall have such further authority as is reasonably
3 necessary to enable the secretary of state to administer this chapter efficiently and to perform the
4 secretary of state's duties. This authority shall consist of, but is not limited to, the following
5 powers:

6 (1) (a) The power to examine the books and records of any limited partnership to which
7 this chapter applies, and it shall be the duty of any general partner or agent of such limited
8 partnership to produce such books and records for examination on demand of the secretary of
9 state or designated employee; provided, that no person shall be subject to any criminal
10 prosecution on account of any matter or thing which may be disclosed by the examination of any
11 limited partnership books, or records, which they may produce or exhibit for examination; or on
12 account of any matter or thing concerning which they may make any voluntary and truthful
13 statement in writing to the secretary of state, or designated employee. All facts obtained in the
14 examination of the books and records of any limited partnership, or through voluntary sworn
15 statement of any partner, agent, or employee of any limited partnership, shall be treated as
16 confidential, except insofar as official duty may require the disclosure of same; or when such
17 facts are material to any issue in any legal proceeding in which the secretary of state or
18 designated employee may be a party or called as a witness, and, if the secretary of state or
19 designated employee shall, except as herein provided, disclose any information relative to the
20 private accounts, affairs, and transactions of any such limited partnership, he shall be deemed
21 guilty of a class C misdemeanor.

22 (b) If any general partner, or registered agent, of any such limited partnership shall refuse
23 the demand of the secretary of state, or designated employee, to exhibit the books and records
24 of such limited partnership for examination, he, or they, shall be deemed guilty of a class B
25 misdemeanor.

26 (2) (a) The power to cancel or disapprove any certificate of limited partnership or other
27 filing required under this chapter, if the limited partnership fails to comply with the provisions
28 of this chapter by failing to file required documents under this chapter by failing to maintain a

29 registered agent, by failing to pay the required filing fees, by using fraud or deception in effecting
30 any filing, by filing a required document containing a false statement, or by violating any section
31 or sections of the criminal laws of Missouri, the federal government or any other state of the
32 United States. Thirty days before such cancellation shall take effect, the secretary of state shall
33 notify the limited partnership with written notice, either personally or by mail. If mailed, the
34 notice shall be deemed delivered five days after it is deposited in the United States mail in a
35 sealed envelope addressed to such limited partnership's last registered agent and office or to one
36 of the limited partnership's general partners. The written notice of the secretary of state's
37 proposed cancellation to the limited partnership, domestic or foreign, will specify the reasons for
38 such action.

39 (b) The limited partnership may appeal this notice of proposed cancellation to the circuit
40 court of the county in which the registered office of such limited partnership is or is proposed
41 to be situated by filing with the clerk of such court a petition setting forth a copy of the certificate
42 of limited partnership or other relevant documents and a copy of the proposed written
43 cancellation thereof by the secretary of state, such petition to be filed within thirty days after
44 notice of such cancellation shall have been given, and the matter shall be tried by the court, and
45 the court shall either sustain the action of the secretary of state or direct him to take such action
46 as the court may deem proper. An appeal from the circuit court in such a case shall be allowed
47 as in civil action.

48 (c) The limited partnership may provide information to the secretary of state that would
49 allow the secretary of state to withdraw the notice of proposed cancellation. This information
50 may consist of, but need not be limited to, corrected statements and documents, new filings,
51 affidavits and certified copies of other filed documents.

52 (3) The power to rescind a cancellation provided for in subsection 2 of this section upon
53 compliance with either of the following:

54 (a) The affected limited partnership provides the necessary documents and affidavits
55 indicating the limited partnership has corrected the conditions causing the proposed cancellation
56 or the cancellation;

57 (b) The limited partnership provides the correct statements or documentation that the
58 limited partnership is not in violation of any section of the criminal code.

59 (4) The power to charge late filing fees for any filing fee required under this chapter.
60 Late filing fees shall be assessed at a rate of ten dollars for each thirty-day period of delinquency.

61 **(5) (a) The power to administratively cancel a certificate of limited partnership if**
62 **the limited partnership's period of duration stated in the certificate of limited partnership**
63 **expires.**

64 (b) Not less than thirty days before such administrative cancellation shall take
65 effect, the secretary of state shall notify the limited partnership with written notice, either
66 personally or by mail. If mailed, the notice shall be deemed delivered five days after it is
67 deposited in the United States mail in a sealed envelope addressed to such limited
68 partnership's last registered agent and office or to one of the limited partnership's general
69 partners.

70 (c) If the limited partnership does not timely file a certificate of amendment in
71 accordance with section 359.101 to extend the duration of the limited partnership, which
72 may be any number of years or perpetual, or demonstrate to the reasonable satisfaction
73 of the secretary of state that the period of duration determined by the secretary of state is
74 incorrect, within sixty days after service of the notice is perfected by posting with the
75 United States Postal Service, then the secretary of state shall cancel the certificate of limited
76 partnership by signing a certificate of administrative cancellation that recites the grounds
77 for cancellation and its effective date. The secretary of state shall file the original of the
78 certificate and serve a copy on the limited partnership as provided in section 359.141.

79 (d) A limited partnership whose certificate of limited partnership has been
80 administratively cancelled continues its existence but may not carry on any business except
81 that necessary to wind up and liquidate its business and affairs under section 359.471 and
82 notify claimants under section 359.481.

83 (e) The administrative cancellation of a certificate of limited partnership does not
84 terminate the authority of its registered agent.

85 (6) (a) The power to rescind an administrative cancellation and reinstate the
86 certificate of limited partnership.

87 (b) Except as otherwise provided in the partnership agreement, a limited
88 partnership whose certificate of limited partnership has been administratively cancelled
89 under subdivision (5) of this section may file a certificate of amendment in accordance with
90 section 359.101 to extend the duration of the limited partnership, which may be any
91 number or perpetual.

92 (c) A limited partnership whose certificate of limited partnership has been
93 administratively cancelled under subdivision (5) of this section may apply to the secretary
94 of state for reinstatement. The applicant shall:

95 a. Recite the name of the limited partnership and the effective date of its
96 administrative cancellation;

97 b. State that the grounds for cancellation either did not exist or have been
98 eliminated, as applicable, and be accompanied by documentation satisfactory to the
99 secretary of state evidencing the same;

100 c. State that the limited partnership's name satisfies the requirements of section
101 359.021;

102 d. Be accompanied by a reinstatement fee in the amount of one hundred dollars,
103 or such greater amount as required by state regulation, plus any delinquent fees, penalties,
104 and other charges as determined by the secretary of state to then be due.

105 (d) If the secretary of state determines that the application contains the information
106 and is accompanied by the fees required in paragraph (c) of this subdivision and that the
107 information and fees are correct, the secretary of state shall rescind the certificate of
108 administrative cancellation and prepare a certificate of reinstatement that recites his or her
109 determination and the effective date of reinstatement, file the original of the certificate, and
110 serve a copy on the limited partnership as provided in section 359.141.

111 (e) When the reinstatement is effective, it shall relate back to and take effect as of
112 the effective date of the administrative cancellation of the certificate of limited partnership
113 and the limited partnership may continue carrying on its business as if the administrative
114 cancellation had never occurred.

115 (f) In the event the name of the limited partnership was reissued by the secretary
116 of state to another entity prior to the time application for reinstatement was filed, the
117 limited partnership applying for reinstatement may elect to reinstate using a new name
118 that complies with the requirements of section 359.021 and that has been approved by
119 appropriate action of the limited partnership for changing the name thereof.

120 (g) If the secretary of state denies a limited partnership's application for
121 reinstatement following administrative cancellation of the certificate of limited
122 partnership, he or she shall serve the limited partnership as provided in section 359.141
123 with a written notice that explains the reason or reasons for denial.

124 (h) The limited partnership may appeal a denial of reinstatement as provided for
125 in paragraph (b) of subdivision (2) of this section.

126 (7) Subdivision (6) of this section shall apply to any limited partnership whose
127 certificate of limited partnership was cancelled because such limited partnership's period
128 of duration stated in the certificate of limited partnership expired on or after August 28,
129 2003.

2 441.645. If a residence is destroyed by an act of God, including but not limited to
3 fire or a tornado, or other natural disaster or man-made disaster, so long as the tenant was
4 not the person who caused the disaster, the tenant shall not be liable to the landlord for
rent during the remainder of the term of the lease agreement.

452.305. 1. The court shall enter a judgment of dissolution of marriage if:

2 (1) The court finds that one of the parties has been a resident of this state, or is a member
3 of the armed services who has been stationed in this state, for ninety days immediately preceding
4 the commencement of the proceeding and that thirty days have elapsed since the filing of the
5 petition; and

6 (2) The court finds that there remains no reasonable likelihood that the marriage can be
7 preserved and that therefore the marriage is irretrievably broken; and

8 (3) To the extent it has jurisdiction, the court has considered and made provision for
9 child custody, the support of each child, the maintenance of either spouse and the disposition of
10 property.

11 2. The court shall enter a judgment of legal separation if:

12 (1) The court finds that one of the parties has been a resident of this state, or is a member
13 of the armed services who has been stationed in this state, for ninety days immediately preceding
14 the commencement of the proceeding and that thirty days have elapsed since the filing of the
15 petition; and

16 (2) The court finds that there remains a reasonable likelihood that the marriage can be
17 preserved and that therefore the marriage is not irretrievably broken; and

18 (3) To the extent it has jurisdiction, the court has considered and made provision for the
19 custody and the support of each child, the maintenance of either spouse and the disposition of
20 property.

21 3. Any judgment of dissolution of marriage or legal separation shall include the **last four**
22 **digits of the** Social Security numbers of the parties. **The full Social Security numbers of each**
23 **party and each child shall be retained in the manner required under section 509.520,**
24 **RSMo.**

452.310. 1. In any proceeding commenced pursuant to this chapter, the petition, a
2 motion to modify, a motion for a family access order and a motion for contempt shall be verified.
3 The petition in a proceeding for dissolution of marriage shall allege that the marriage is
4 irretrievably broken and that therefore there remains no reasonable likelihood that the marriage
5 can be preserved. The petition in a proceeding for legal separation shall allege that the marriage
6 is not irretrievably broken and that therefore there remains a reasonable likelihood that the
7 marriage can be preserved.

8 2. The petition in a proceeding for dissolution of marriage or legal separation shall set
9 forth:

10 (1) The residence of each party, including the county, and the length of residence of each
11 party in this state and in the county of residence;

12 (2) The date of the marriage and the place at which it is registered;

13 (3) The date on which the parties separated;

14 (4) The name, [date of birth] **age**, and address of each child, and the parent with whom
15 each child has primarily resided for the sixty days immediately preceding the filing of the petition
16 for dissolution of marriage or legal separation;

17 (5) Whether the wife is pregnant;

18 (6) The **last four digits of the** Social Security number of the petitioner, respondent and
19 each child;

20 (7) Any arrangements as to the custody and support of the children and the maintenance
21 of each party; and

22 (8) The relief sought.

23 3. Upon the filing of the petition in a proceeding for dissolution of marriage or legal
24 separation, each child shall immediately be subject to the jurisdiction of the court in which the
25 proceeding is commenced, unless a proceeding involving allegations of abuse or neglect of the
26 child is pending in juvenile court. Until permitted by order of the court, neither parent shall
27 remove any child from the jurisdiction of the court or from any parent with whom the child has
28 primarily resided for the sixty days immediately preceding the filing of a petition for dissolution
29 of marriage or legal separation.

30 4. The mere fact that one parent has actual possession of the child at the time of filing
31 shall not create a preference in favor of such parent in any judicial determination regarding
32 custody of the child.

33 5. The respondent shall be served in the manner provided by the rules of the supreme
34 court and applicable court rules and, to avoid an interlocutory judgment of default, shall file a
35 verified answer within thirty days of the date of service which shall not only admit or deny the
36 allegations of the petition, but shall also set forth:

37 (1) The **last four digits of the** Social Security number of the petitioner, respondent and
38 each child;

39 (2) Any arrangements as to the custody and support of the child and the maintenance of
40 each party; and

41 (3) The relief sought.

42 6. Previously existing defenses to divorce and legal separation, including but not limited
43 to condonation, connivance, collusion, recrimination, insanity, and lapse of time, are abolished.

44 7. **The full Social Security number of each party and each child and the date of**
45 **birth of each child shall be retained in the manner required under section 509.520, RSMo.**

46 8. The petitioner and respondent shall submit a proposed parenting plan, either
47 individually or jointly, within thirty days after service of process or the filing of the entry of
48 appearance, whichever event first occurs of a motion to modify or a petition involving custody

49 or visitation issues. The proposed parenting plan shall set forth the arrangements that the party
50 believes to be in the best interest of the minor children and shall include but not be limited to:

51 (1) A specific written schedule detailing the custody, visitation and residential time for
52 each child with each party including:

53 (a) Major holidays stating which holidays a party has each year;

54 (b) School holidays for school-age children;

55 (c) The child's birthday, Mother's Day and Father's Day;

56 (d) Weekday and weekend schedules and for school-age children how the winter, spring,
57 summer and other vacations from school will be spent;

58 (e) The times and places for transfer of the child between the parties in connection with
59 the residential schedule;

60 (f) A plan for sharing transportation duties associated with the residential schedule;

61 (g) Appropriate times for telephone access;

62 (h) Suggested procedures for notifying the other party when a party requests a temporary
63 variation from the residential schedule;

64 (i) Any suggested restrictions or limitations on access to a party and the reasons such
65 restrictions are requested;

66 (2) A specific written plan regarding legal custody which details how the
67 decision-making rights and responsibilities will be shared between the parties including the
68 following:

69 (a) Educational decisions and methods of communicating information from the school
70 to both parties;

71 (b) Medical, dental and health care decisions including how health care providers will
72 be selected and a method of communicating medical conditions of the child and how emergency
73 care will be handled;

74 (c) Extracurricular activities, including a method for determining which activities the
75 child will participate in when those activities involve time during which each party is the
76 custodian;

77 (d) Child care providers, including how such providers will be selected;

78 (e) Communication procedures including access to telephone numbers as appropriate;

79 (f) A dispute resolution procedure for those matters on which the parties disagree or in
80 interpreting the parenting plan;

81 (g) If a party suggests no shared decision-making, a statement of the reasons for such a
82 request;

83 (3) How the expenses of the child, including child care, educational and extraordinary
84 expenses as defined in the child support guidelines established by the supreme court, will be paid
85 including:

86 (a) The suggested amount of child support to be paid by each party;

87 (b) The party who will maintain or provide health insurance for the child and how the
88 medical, dental, vision, psychological and other health care expenses of the child not paid by
89 insurance will be paid by the parties;

90 (c) The payment of educational expenses, if any;

91 (d) The payment of extraordinary expenses of the child, if any;

92 (e) Child care expenses, if any;

93 (f) Transportation expenses, if any.

94 [8.] **9.** If the proposed parenting plans of the parties differ and the parties cannot resolve
95 the differences or if any party fails to file a proposed parenting plan, upon motion of either party
96 and an opportunity for the parties to be heard, the court shall enter a temporary order containing
97 a parenting plan setting forth the arrangements specified in subsection 7 of this section which
98 will remain in effect until further order of the court. The temporary order entered by the court
99 shall not create a preference for the court in its adjudication of final custody, child support or
100 visitation.

101 [9.] **10.** Within one hundred twenty days after August 28, 1998, the Missouri supreme
102 court shall have in effect guidelines for a parenting plan form which may be used by the parties
103 pursuant to this section in any dissolution of marriage, legal separation or modification
104 proceeding involving issues of custody and visitation relating to the child.

105 [10.] **11.** The filing of a parenting plan for any child over the age of eighteen for whom
106 custody, visitation, or support is being established or modified by a court of competent
107 jurisdiction is not required. Nothing in this section shall be construed as precluding the filing
108 of a parenting plan upon agreement of the parties or if ordered to do so by the court for any child
109 over the age of eighteen for whom custody, visitation, or support is being established or modified
110 by a court of competent jurisdiction.

452.312. 1. Every petition for dissolution of marriage or legal separation, every motion
2 for modification of a decree respecting maintenance or support, and every petition or motion for
3 support of a minor child shall contain the [name and address of the current employer and] **last**
4 **four digits of** the Social Security number of the petitioner or movant, if a person, and[, if known
5 to petitioner or movant, the name and address of the current employer and] **the last four digits**
6 **of** the Social Security number of the respondent. **The name and address of the petitioner's**
7 **and respondent's current employer shall be retained in the same manner as required under**
8 **section 509.520, RSMo.**

9 2. Every responsive pleading to a petition for dissolution of marriage or legal separation,
10 motion for modification of a decree respecting maintenance or support, and petition or motion
11 for support of a minor child shall contain the name and address of the current employer and the
12 **last four digits of the** Social Security number of the respondent, if the respondent is a person.

13 3. Every decree dissolving a marriage, every order modifying a previous decree of
14 dissolution or divorce, and every order for support of a minor child shall contain the **last four**
15 **digits of the** Social Security numbers of the parties, if disclosed by the pleadings.

16 **4. The full Social Security number of each party and each child shall be retained**
17 **in the manner required under section 509.520, RSMo.**

 452.343. Notwithstanding any provision of law to the contrary, every judgment or order
2 issued in this state which, in whole or in part, affects child custody, child support, visitation,
3 modification of custody, support or visitation, or is issued pursuant to section 454.470 or
4 454.475, RSMo, shall contain the **last four digits of the** Social Security number of the parties
5 to the action which gives rise to such judgment or order. **The full Social Security number of**
6 **each party and each child shall be retained in the manner required under section 509.520,**
7 **RSMo.**

452.430. Any pleadings, other than the interlocutory or final judgment, in a
2 **dissolution of marriage or legal separation filed prior to August 28, 2009, shall be subject**
3 **to inspection only by the parties or an attorney of record or upon order of the court for**
4 **good cause shown. The clerk shall redact the Social Security number from any judgment**
5 **or pleading issued prior to August 28, 2009, before releasing the interlocutory or final**
6 **judgment to the public.**

 454.500. 1. At any time after the entry of an order pursuant to sections 454.470 and
2 454.475, the obligated parent, the division, or the person or agency having custody of the
3 dependent child may file a motion for modification with the director. Such motion shall be in
4 writing, shall set forth the reasons for modification, and shall state the address of the moving
5 party. The motion shall be served by the moving party in the manner provided for in subsection
6 5 of section 454.465 upon the obligated parent or the party holding the support rights, as
7 appropriate. In addition, if the support rights are held by the division of family services on behalf
8 of the state, a true copy of the motion shall be mailed by the moving party by certified mail to
9 the person having custody of the dependent child at the last known address of that person. A
10 hearing on the motion shall then be provided in the same manner, and determinations shall be
11 based on considerations set out in section 454.475, unless the party served fails to respond within
12 thirty days, in which case the director may enter an order by default. If the child for whom the
13 order applies is no longer in the custody of a person receiving public assistance or receiving
14 support enforcement services from the department, or a division thereof, pursuant to section

15 454.425, the director may certify the matter for hearing to the circuit court in which the order was
16 filed pursuant to section 454.490 in lieu of holding a hearing pursuant to section 454.475. If the
17 director certifies the matter for hearing to the circuit court, service of the motion to modify shall
18 be had in accordance with the provisions of subsection 5 of section 452.370, RSMo. If the
19 director does not certify the matter for hearing to the circuit court, service of the motion to
20 modify shall be considered complete upon personal service, or on the date of mailing, if sent by
21 certified mail. For the purpose of 42 U.S.C. 666(a)(9)(C), the director shall be considered the
22 "appropriate agent" to receive the notice of the motion to modify for the obligee or the obligor,
23 but only in those instances in which the matter is not certified to circuit court for hearing, and
24 only when service of the motion is attempted on the obligee or obligor by certified mail.

25 2. A motion for modification made pursuant to this section shall not stay the director
26 from enforcing and collecting upon the existing order pending the modification proceeding
27 unless so ordered by the court.

28 3. Only payments accruing subsequent to the service of the motion for modification upon
29 all named parties to the motion may be modified. Modification may be granted only upon a
30 showing of a change of circumstances so substantial and continuing as to make the terms
31 unreasonable. In a proceeding for modification of any child support award, the director, in
32 determining whether or not a substantial change in circumstances has occurred, shall consider
33 all financial resources of both parties, including the extent to which the reasonable expenses of
34 either party are, or should be, shared by a spouse or other person with whom he or she cohabits,
35 and the earning capacity of a party who is not employed. If the application of the guidelines and
36 criteria set forth in supreme court rule 88.01 to the financial circumstances of the parties would
37 result in a change of child support from the existing amount by twenty percent or more, then a
38 prima facie showing has been made of a change of circumstances so substantial and continuing
39 as to make the present terms unreasonable.

40 4. The circuit court may, upon such terms as may be just, relieve a parent from an
41 administrative order entered against that parent because of mistake, inadvertence, surprise, or
42 excusable neglect.

43 5. No order entered pursuant to section 454.476 shall be modifiable pursuant to this
44 section, except that an order entered pursuant to section 454.476 shall be amended by the director
45 to conform with any modification made by the court that entered the court order upon which the
46 director based his or her order.

47 6. When the party seeking modifications has met the burden of proof set forth in
48 subsection 3 of this section, then the child support shall be determined in conformity with the
49 criteria set forth in supreme court rule 88.01.

50 7. The **last four digits of the** Social Security number of the parents shall be recorded on
51 any order entered pursuant to this section. **The full Social Security number of each party and**
52 **each child shall be retained in the manner required under section 509.520, RSMo.**

 454.905. (a) A petitioner seeking to establish or modify a support order or to determine
2 parentage in a proceeding under sections 454.850 to 454.997, must verify the petition. Unless
3 otherwise ordered under section 454.907, the petition or accompanying documents must provide,
4 so far as known, the name, residential address, and **the last four digits of the** Social Security
5 numbers of the obligor and the obligee, and the name, sex, residential address, **the last four**
6 **digits of the** Social Security number, and [date of birth] **age** of each child for whom support is
7 sought. The petition must be accompanied by a certified copy of any support order in effect.
8 The petition may include any other information that may assist in locating or identifying the
9 respondent.

10 (b) The petition must specify the relief sought. The petition and accompanying
11 documents must conform substantially with the requirements imposed by the forms mandated
12 by federal law for use in cases filed by a support enforcement agency.

13 (c) **The full Social Security number of each party and each child shall be retained**
14 **in the manner required under section 509.520, RSMo.**

 454.951. (a) A support order or income withholding order of another state may be
2 registered in this state by sending the following documents and information to the appropriate
3 tribunal in this state:

4 (1) a letter of transmittal to the tribunal requesting registration and enforcement;

5 (2) two copies, including one certified copy, of all orders to be registered, including any
6 modification of an order;

7 (3) a sworn statement by the party seeking registration or a certified statement by the
8 custodian of the records showing the amount of any arrearage;

9 (4) the name of the obligor and, if known:

10 (i) the obligor's address and **the last four digits of the** Social Security number; **and**

11 (ii) [the name and address of the obligor's employer and any other source of income of
12 the obligor; and

13 (iii)] a description and the location of property of the obligor in this state not exempt
14 from execution; and

15 (5) the name and address of the obligee and, if applicable, the agency or person to whom
16 support payments are to be remitted.

17 (b) On receipt of a request for registration, the registering tribunal shall cause the order
18 to be filed as a foreign judgment, together with one copy of the documents and information,
19 regardless of their form.

20 (c) A petition or comparable pleading seeking a remedy that must be affirmatively sought
21 under other law of this state may be filed at the same time as the request for registration or later.
22 The pleading must specify the grounds for the remedy sought.

23 (d) **The full Social Security number of the obligor and the name and address of the**
24 **petitioner's and respondent's current employer shall be retained in the manner required**
25 **under section 509.520, RSMo.**

455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for
2 good cause shown in the petition, and upon finding that no prior order regarding custody is
3 pending or has been made, the court may immediately issue an ex parte order of protection. An
4 immediate and present danger of abuse to a child shall constitute good cause for purposes of this
5 section. An ex parte order of protection entered by the court shall be in effect until the time of
6 the hearing.

7 2. Upon the entry of the ex parte order of protection, the court [shall] **may** enter its order
8 appointing a guardian ad litem or court-appointed special advocate to represent the child victim.
9 **If a guardian ad litem is appointed, the court may require the parties to deposit an amount**
10 **with the court to cover anticipated fees for the guardian ad litem.**

11 3. If the allegations in the petition would give rise to jurisdiction under section 211.031,
12 RSMo, the court may direct the division of family services to conduct an investigation and to
13 provide appropriate services. The division shall submit a written investigative report to the court
14 and to the juvenile officer within thirty days of being ordered to do so. The report shall be made
15 available to the parties and the guardian ad litem or court-appointed special advocate.

475.375. 1. Any individual over the age of eighteen who has been adjudged
2 **incompetent under this chapter or who has been involuntarily committed under chapter**
3 **632, RSMo, may file a petition for the removal of the disqualification to purchase, possess,**
4 **or transfer a firearm when the individual no longer suffers from the condition that resulted**
5 **in the individual's incapacity or involuntary commitment and no longer poses a danger to**
6 **self or others for purposes of the purchase, possession, or transfer of firearms under 18**
7 **U.S.C. Section 922. No individual who has been found not guilty by reason of mental**
8 **defect may petition a court for restoration under this section.**

9 2. **The petition shall be filed in the circuit court which entered the letters of**
10 **guardianship or the most recent order for involuntary commitment, whichever is later. An**
11 **individual disqualified from firearms possession due to a comparable out-of-state mental**
12 **commitment shall file the petition in the county of residence. Upon receipt of the petition,**
13 **the clerk shall schedule a hearing and provide notice of the hearing to the petitioner and**
14 **the attorney general. Copies of the petition must be served on the director of the treatment**
15 **facility and the attorney general.**

16 **3. The burden is on the petitioner to establish by a preponderance of the evidence**
17 **that the petitioner no longer suffers from the condition that resulted in the incapacity or**
18 **the involuntary commitment and no longer poses a danger to self or others for purposes**
19 **of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922. The**
20 **attorney general may present any and all relevant information to the contrary. For these**
21 **purposes, the attorney general may access and use any and all mental health records,**
22 **juvenile records, and criminal history of the petitioner wherever maintained.**

23 **4. If the petitioner is filing the petition as a result of an involuntary commitment**
24 **under chapter 632, RSMo, the hearing and records shall be closed to the public, unless the**
25 **court finds that the public interest would be better served by conducting the hearing in**
26 **public. If the court determines the hearing should be open to the public, upon motion by**
27 **the petitioner, the court may allow for the in-camera inspection of any mental health**
28 **records. The court may allow the use of the record but shall restrict it from public**
29 **disclosure, unless it finds that the public interest would be better served by making the**
30 **record public.**

31 **5. The court shall enter an order that the petitioner does or does not continue to**
32 **suffer from the condition that resulted in commitment and does or does not continue to**
33 **pose a danger to self or others for purposes of the purchase, possession, or transfer of**
34 **firearms under 18 U.S.C. Section 922. The court shall include in its order the specific**
35 **findings of fact on which it based its decision.**

36 **6. Upon a judicial determination to grant a petition under this section, the clerk in**
37 **the county where the petition was granted shall forward the order to the Missouri state**
38 **highway patrol for updating of the petitioner's record with the National Instant Criminal**
39 **Background Check System (NICS).**

476.055. 1. There is hereby established in the state treasury the "Statewide Court
2 Automation Fund". All moneys collected pursuant to section 488.027, RSMo, as well as gifts,
3 contributions, devises, bequests, and grants received relating to automation of judicial record
4 keeping, and moneys received by the judicial system for the dissemination of information and
5 sales of publications developed relating to automation of judicial record keeping, shall be
6 credited to the fund. Moneys credited to this fund may only be used for the purposes set forth
7 in this section and as appropriated by the general assembly. Any unexpended balance remaining
8 in the statewide court automation fund at the end of each biennium shall not be subject to the
9 provisions of section 33.080, RSMo, requiring the transfer of such unexpended balance to
10 general revenue; except that, any unexpended balance remaining in the fund on September 1,
11 [2009] **2019**, shall be transferred to general revenue.

12 2. The statewide court automation fund shall be administered by a court automation
13 committee consisting of the following: the chief justice of the supreme court, a judge from the
14 court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit
15 court, the commissioner of administration, two members of the house of representatives
16 appointed by the speaker of the house, two members of the senate appointed by the president pro
17 tem of the senate and two members of the Missouri Bar. The judge members and employee
18 members shall be appointed by the chief justice. The commissioner of administration shall serve
19 ex officio. The members of the Missouri Bar shall be appointed by the board of governors of the
20 Missouri Bar. Any member of the committee may designate another person to serve on the
21 committee in place of the committee member.

22 3. The committee shall develop and implement a plan for a statewide court automation
23 system. The committee shall have the authority to hire consultants, review systems in other
24 jurisdictions and purchase goods and services to administer the provisions of this section. The
25 committee may implement one or more pilot projects in the state for the purposes of determining
26 the feasibility of developing and implementing such plan. The members of the committee shall
27 be reimbursed from the court automation fund for their actual expenses in performing their
28 official duties on the committee.

29 4. Any purchase of computer software or computer hardware that exceeds five thousand
30 dollars shall be made pursuant to the requirements of the office of administration for lowest and
31 best bid. Such bids shall be subject to acceptance by the office of administration. The court
32 automation committee shall determine the specifications for such bids.

33 5. The court automation committee shall not require any circuit court to change any
34 operating system in such court, unless the committee provides all necessary personnel, funds and
35 equipment necessary to effectuate the required changes. No judicial circuit or county may be
36 reimbursed for any costs incurred pursuant to this subsection unless such judicial circuit or
37 county has the approval of the court automation committee prior to incurring the specific cost.

38 6. Any court automation system, including any pilot project, shall be implemented,
39 operated and maintained in accordance with strict standards for the security and privacy of
40 confidential judicial records. Any person who knowingly releases information from a
41 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing that
42 a judicial record is confidential, uses information from such confidential record for financial gain
43 is guilty of a class D felony.

44 7. On the first day of February, May, August and November of each year, the court
45 automation committee shall file a report on the progress of the statewide automation system with
46 the joint legislative committee on court automation. Such committee shall consist of the
47 following:

- 48 (1) The chair of the house budget committee;
49 (2) The chair of the senate appropriations committee;
50 (3) The chair of the house judiciary committee;
51 (4) The chair of the senate judiciary committee;
52 (5) One member of the minority party of the house appointed by the speaker of the house
53 of representatives; and
54 (6) One member of the minority party of the senate appointed by the president pro
55 tempore of the senate.

56 8. The members of the joint legislative committee shall be reimbursed from the court
57 automation fund for their actual expenses incurred in the performance of their official duties as
58 members of the joint legislative committee on court automation.

59 9. Section 488.027, RSMo, shall expire on September 1, [2009] **2019**. The court
60 automation committee established pursuant to this section may continue to function until
61 completion of its duties prescribed by this section, but shall complete its duties prior to
62 September 1, [2011] **2021**.

63 10. This section shall expire on September 1, [2011] **2021**.

477.600. 1. There is hereby created within the judicial department a "Judicial Finance
2 Commission". The commission shall be composed of seven members appointed by the supreme
3 court. At least one member of the commission shall be a member of a county governing body
4 from a county of the third class, one member of the commission shall be a member of the county
5 governing body of a county of the first class, and one member of the commission shall be a
6 member of a county governing body from any class of county. The supreme court shall designate
7 one member to serve as chairman and one member as vice chairman. The vice chairman shall
8 preside in the absence of the chairman.

9 2. The members of the commission shall serve for terms of three years and until their
10 successors are appointed and qualified; except that of the initial members appointed, three shall
11 serve for terms of one year, two shall serve for terms of two years and two shall serve for terms
12 of three years, as designated by the court.

13 3. If a vacancy occurs the court shall appoint a replacement. The replacement shall serve
14 the unexpired portion of the term and may be appointed to successive terms.

15 4. The commission shall promulgate rules of procedure which shall become effective
16 upon approval by the supreme court. The supreme court may adopt such other rules as it deems
17 appropriate to govern the procedures of the commission.

18 5. The commission shall:

19 (1) Examine the budget request of the circuit court upon the petition by the county
20 governing body as provided in section 50.640, RSMo, or any budget or item in the budget

21 estimated by the court including, but not limited to, compensation of deputy sheriffs and
22 assistants, as set forth in section 57.250, RSMo;

23 (2) Issue a written opinion addressed to the presiding circuit judge and the presiding
24 officer of the county. The opinion shall state the conclusions of the commission as to the
25 reasonableness of the circuit court budget request. The opinion of the commission shall state
26 clearly the reasons for its decision. Any member of the commission who disagrees with the
27 commission's findings may file a minority report;

28 (3) Maintain accurate records of the cost and expenses of the judicial and law
29 enforcement agencies for each county;

30 (4) Submit an annual report to the governor, general assembly, and supreme court on the
31 finances of the judicial department. The report shall examine both the revenues of the
32 department and the expenses of the department. The report shall include the information from
33 all divisions of the circuit court of each county including the circuit, associate circuit, probate,
34 juvenile and municipal divisions. The information shall be reported separately except where the
35 divisions are combined or consolidated. **In lieu of separate publication, the supreme court
36 may direct the annual report described in this subdivision to be consolidated with any
37 annual report prepared by the supreme court or the office of state courts administrator,
38 provided that such report is distributed to the parties described in this subdivision.**

39 6. In discharging its responsibilities, the commission may:

40 (1) Conduct public hearings, take testimony, summon witnesses, and subpoena records
41 and documents;

42 (2) Conduct surveys and collect data from county governments and the circuit courts on
43 the operations of the judicial and law enforcement agencies in each county. The commission and
44 its staff shall be granted access at any reasonable time to all books, records, and data the
45 commission deems necessary for the administration of its duties;

46 (3) Within the limits of appropriations made for the purpose, appoint special committees,
47 accept and expend grant funds, and employ consultants and others to assist the commission in
48 its work.

49 7. Upon receipt of the written opinion of the commission or upon refusal of the
50 commission to accept a petition for review, the circuit court or the county governing body may
51 seek a review by the supreme court by filing a petition for review in the supreme court within
52 thirty days of the receipt of the commission's opinion. If a petition for review is not filed in the
53 supreme court, then the recommendation of the commission shall take effect notwithstanding the
54 provisions of section 50.600, RSMo. If the commission refused to review a petition and no
55 petition is filed in the supreme court, the circuit court budget is approved as submitted to the
56 county governing body. The supreme court shall consider the petition for review de novo.

57 8. The commission shall meet as necessary at the call of the chairman or on written
58 request of four members. Four members constitute a quorum for the transaction of business.
59 Upon request of the chairman, the supreme court may appoint a temporary replacement for any
60 commissioner who is unable to hear a case or who is disqualified from any case. No member
61 of the commission shall participate in any proceeding involving the county or circuit where the
62 member resides.

63 9. Members of the commission shall receive no compensation for their services but shall
64 be reimbursed out of funds appropriated for this purpose for their actual and necessary expenses
65 incurred in the performance of their duties.

66 10. The clerk of the supreme court shall provide suitable staff for the commission out
67 of any funds appropriated for this purpose. The commission may also employ court reporters
68 as necessary to take testimony at hearings held pursuant to section 50.640, RSMo. The reporters
69 shall be compensated at a rate established by the commission out of any funds appropriated for
70 this purpose.

 478.003. **1.** In any judicial circuit of this state, a majority of the judges of the circuit
2 court may designate a judge to hear cases arising in the circuit subject to the provisions of
3 sections 478.001 to 478.006. In lieu thereof and subject to appropriations or other funds
4 available for such purpose, a majority of the judges of the circuit court may appoint a person or
5 persons to act as drug court commissioners. Each commissioner shall be appointed for a term
6 of four years, but may be removed at any time by a majority of the judges of the circuit court.
7 The qualifications and compensation of the commissioner shall be the same as that of an
8 associate circuit judge. If the compensation of a commissioner appointed pursuant to this section
9 is provided from other than state funds, the source of such fund shall pay to and reimburse the
10 state for the actual costs of the salary and benefits of the commissioner. The commissioner shall
11 have all the powers and duties of a circuit judge, except that any order, judgment or decree of the
12 commissioner shall be confirmed or rejected by an associate circuit or circuit judge by order of
13 record entered within the time the judge could set aside such order, judgment or decree had the
14 same been made by the judge. If so confirmed, the order, judgment or decree shall have the same
15 effect as if made by the judge on the date of its confirmation.

16 **2. A drug court commissioner may under the provisions of section 487.020, RSMo,**
17 **also be appointed to serve as a family court commissioner.**

 478.320. 1. In counties having a population of thirty thousand or less, there shall be **at**
2 **least** one associate circuit judge. In counties having a population of more than thirty thousand
3 and less than one hundred thousand, there shall be **at least** two associate circuit judges. In
4 counties having a population of one hundred thousand or more, there shall be **at least** three

5 associate circuit judges and **at least** one additional associate circuit judge for each additional one
6 hundred thousand inhabitants.

7 2. For purposes of this section, notwithstanding the provisions of section 1.100, RSMo,
8 population of a county shall be determined on the basis of the last previous decennial census of
9 the United States; and, beginning after certification of the year 2000 decennial census, on the
10 basis of annual population estimates prepared by the United States Bureau of the Census,
11 provided that the number of associate circuit judge positions in a county shall be adjusted only
12 after population estimates for three consecutive years indicate population change in the county
13 to a level provided by subsection 1 of this section.

14 3. Except in circuits where associate circuit judges are selected under the provisions of
15 sections 25(a) to (g) of article V of the constitution, the election of associate circuit judges shall
16 in all respects be conducted as other elections and the returns made as for other officers.

17 4. In counties not subject to sections 25(a) to (g) of article V of the constitution, associate
18 circuit judges shall be elected by the county at large.

19 5. No associate circuit judge shall practice law, or do a law business, nor shall he **or she**
20 accept, during his **or her** term of office, any public appointment for which he **or she** receives
21 compensation for his **or her** services.

22 6. No person shall be elected as an associate circuit judge unless [he] **such person** has
23 resided in the county for which he **or she** is to be elected at least one year prior to the date of his
24 **or her** election; provided that, a person who is appointed by the governor to fill a vacancy may
25 file for election and be elected notwithstanding the provisions of this subsection.

478.325. Every state-funded court commissioner position in the state on the
2 **effective date of this section shall become an associate circuit judge position at the end of**
3 **the current appointed term of each commissioner or, in the case of a vacancy, immediately**
4 **on the effective date of this section. Such associate circuit judge positions shall be subject**
5 **to the provisions of section 478.320 and shall be elected at the next general election**
6 **following the expiration of the current court commissioner's appointed term. Any time**
7 **period between the expiration of a current court commissioner's term and the next general**
8 **election shall be appointed by the governor in the same manner as any other vacancy in an**
9 **associate circuit judge position. In circuits where there is more than one county, the county**
10 **with the largest population will receive the new converted associate circuit judge as**
11 **provided in this section.**

478.464. 1. In the sixteenth judicial circuit, associate circuit divisions shall hereafter be
2 numbered beginning with the number 25:

3 (1) Division 101 shall hereafter be division 25;

4 (2) Division 102 shall hereafter be division 26;

- 5 (3) Division 103 shall hereafter be division 27;
6 (4) Division 104 shall hereafter be division 28;
7 (5) Division 105 shall hereafter be division 29;
8 (6) Division 106 shall hereafter be division 30;
9 (7) Division 107 shall hereafter be division 31; and
10 (8) Division 108 shall hereafter be division 32.

11 2. Twelve months after construction of two new courtrooms in Independence is
12 completed, there shall be one additional associate circuit judge in the sixteenth judicial circuit,
13 to be known as division 33. The presiding judge of such circuit shall certify to the state of
14 administration office the actual date of completion of said construction.

15 3. **There shall be one additional associate circuit judge in the sixteenth judicial**
16 **circuit, to be known as division 34.**

17 4. Divisions 25, 26, 27, 29, and 31 shall sit in Kansas City and divisions 28, 30, 32, [and]
18 33, **and 34** shall sit in Independence.

478.513. 1. There shall be five circuit judges in the thirty-first judicial circuit consisting
2 of the county of Greene. These judges shall sit in divisions numbered one, two, three, four and
3 five.

4 2. The circuit judge in division three shall be elected in 1980. The circuit judges in
5 divisions one, four and five shall be elected in 1982. The circuit judge in division two shall be
6 elected in 1984.

7 3. **There shall be one additional associate circuit judge in the thirty-first judicial**
8 **circuit.**

478.630. 1. There shall be two circuit judges in the twentieth judicial circuit consisting
2 of the counties of Franklin, Gasconade and Osage. These judges shall sit in divisions numbered
3 one and two.

4 2. The circuit judge in division two shall be elected in 1980. The circuit judge in
5 division one shall be elected in 1982.

6 3. **There shall be one additional associate circuit judge in the twentieth judicial**
7 **circuit.**

478.712. There shall be one additional associate circuit judge in the thirty-eighth
2 **judicial circuit consisting of the counties of Christian and Taney.**

478.713. There shall be one additional associate circuit judge to sit in Newton
2 **County in the fortieth judicial circuit consisting of the counties of McDonald and Newton.**

479.080. 1. In the prosecution of violations of municipal ordinances before a municipal
2 judge, all fines and costs shall be paid to and deposited not less frequently than monthly into the
3 municipal treasury.

4 2. In the prosecution of violations of municipal ordinances before an associate circuit
5 judge, all fines shall be paid to and deposited not less frequently than monthly into the municipal
6 treasury and all court costs shall be accounted for and remitted to the state treasury in the same
7 manner as provided by law for costs in misdemeanor cases.

8 3. The supreme court by administrative rule may provide for uniform procedure, and
9 reporting forms for the collection and transmittal of fines and costs. Until modified or otherwise
10 provided by such administrative rule, the municipal judge, or associate circuit judge hearing and
11 determining violations of municipal ordinances, shall cause the clerk serving [his] **the judge's**
12 division, within the first ten days of every month, to [make out a list of all the cases heard or tried
13 before the judge] **provide the total number of cases filed, heard, or tried before the judge**
14 **and total cases disposed** during the preceding month, giving in each case the name of the
15 defendant, the fine imposed, if any, the amount of costs, the names of defendants committed and
16 the cases in which there was an application for trial de novo, respectively. Such clerk or the
17 judge shall verify such lists and statements by affidavit, and file the same forthwith with the clerk
18 of the municipality, who shall lay the same before the governing body or the municipality at its
19 first session thereafter. The official collecting fines shall, within the ten days aforesaid, pay to
20 the municipal treasurer the full amount of all fines collected by him during the preceding month
21 if not previously paid to the municipal treasurer.

487.020. 1. In each circuit or a county having a family court, a majority of the circuit
2 and associate circuit judges en banc, in the circuit, may appoint commissioners, subject to
3 appropriations, to hear family court cases and make findings as provided for in sections 487.010
4 to 487.190. Any person serving as a commissioner of the juvenile division of the circuit court
5 on August 28, 1993, shall become a commissioner of the family court. In each circuit or a
6 county therein having a family court, a majority of the circuit and associate circuit judges en banc
7 may appoint, in addition to those commissioners serving as commissioners of the juvenile
8 division and becoming commissioners of the family court pursuant to the provisions of sections
9 487.020 to 487.040, no more than three additional commissioners to hear family court cases and
10 make findings and recommendations as provided in sections 487.010 to 487.190. The number
11 of additional commissioners added as a result of the provisions of sections 487.010 to 487.190
12 may be appointed only to the extent that the state is reimbursed for the salaries of the
13 commissioners as provided in sections 487.010 to 487.190 or by federal or county funds or by
14 gifts or grants made for such purposes. A commissioner shall be appointed for a term of four
15 years. Commissioners appointed pursuant to sections 487.020 to 487.040 shall serve in addition
16 to circuit judges, associate circuit court judges and commissioners authorized to hear actions
17 classified under section 487.080.

18 2. The circuit court in the eleventh judicial circuit may, in substitution of a family court
19 commissioner currently appointed pursuant to this section whose salary is reimbursable, appoint
20 one family court commissioner whose compensation shall be payable by the state without
21 necessity of reimbursement. The provisions of this subsection shall not be construed to allow
22 appointment of a family court commissioner in addition to the number of such family court
23 commissioners holding office in the eleventh judicial circuit as of January 1, 1999, and the
24 appointment of the state-paid commissioner shall be subject to appropriations for such purpose.

25 3. Each commissioner of the family court shall possess the same qualifications as a
26 circuit judge. The compensation and retirement benefits of each commissioner shall be the same
27 as that of an associate circuit judge, payable in the same manner and from the same source as that
28 of an associate circuit judge.

29 **4. In each circuit or a county having a family court established under this chapter
30 and a drug court commissioner appointed under the provisions of chapter 478, RSMo, a
31 majority of the circuit and associate circuit judges en banc, in the circuit, may appoint the
32 drug court commissioner, if available and needed, to serve additional duty as a family
33 court commissioner at no additional compensation. Such drug court commissioner shall
34 meet all of the qualifications and possess all of the powers of a regular family court
35 commissioner under the provisions of this chapter, in all cases in which he or she is sitting
36 as a family court commissioner.**

**488.006. For any infraction, unless otherwise provided by law, all court costs, fees,
2 surcharges, and other miscellaneous charges shall be assessed in the same manner and
3 amount as a misdemeanor.**

**509.520. 1. Notwithstanding any provision of law to the contrary, beginning
2 August 28, 2009, pleadings, attachments, or exhibits filed with the court in any case, as well
3 as any judgments issued by the court, shall not include:**

4 **(1) The full Social Security number of any party or any child who is the subject to
5 an order of custody or support;**

6 **(2) The full credit card number or other financial account number of any party.**

7 **2. The full Social Security number of any party or child subject to an order of
8 custody or support shall be retained by the court on a confidential case filing sheet or other
9 confidential record maintained in conjunction with the administration of the case. The full
10 credit card number or other financial account number of any party may be retained by the
11 court on a confidential record if it is necessary to maintain the number in conjunction with
12 the administration of the case.**

13 **3. Any document described in subsection 1 of this section shall, in lieu of the full
14 number, include only the last four digits of any such number.**

15 **4. Except as provided in section 452.430, RSMo, the clerk shall not be required to**
16 **redact any document described in subsection 1 of this section issued or filed before August**
17 **28, 2009, prior to releasing the document to the public.**

18 **5. For good cause shown, the court may release information contained on the**
19 **confidential case filing sheet.**

 511.350. 1. Judgments and decrees entered by the supreme court, by any United States
2 district or circuit court held within this state, by any district of the court of appeals, by any
3 **division of the circuit court** [and any probate division of the circuit court], except judgments and
4 decrees [rendered by associate,] **entered by** small claims and municipal divisions of the circuit
5 courts, shall be liens on the real estate of the person against whom they are entered, situate in the
6 county for which or in which the court is held. **Judgments entered by the associate division**
7 **of the circuit court which are entitled to a trial de novo under section 512.180, RSMo, shall**
8 **be a lien upon final judgment if an application is not filed or, alternatively, upon final**
9 **judgment of the trial de novo if an application is filed.**

10 2. [Judgments and decrees rendered by the associate divisions of the circuit courts shall
11 not be liens on the real estate of the person against whom they are rendered until such judgments
12 or decrees are filed with the clerk of the circuit court pursuant to sections 517.141 and 517.151,
13 RSMo.

14 3.] Judgments and decrees entered by the small claims and municipal divisions of the
15 circuit court shall not constitute liens against the real estate of the person against whom they are
16 rendered.

17 [4.] **3.** Notwithstanding any other provision of law, no judgments or decrees entered by
18 any court of competent jurisdiction may be amended or modified by any administrative agency
19 without the approval of a court of competent jurisdiction.

20 [5.] **4.** Notwithstanding subsection 4 of this section or any other law to the contrary, no
21 judgments or decrees entered by any court of competent jurisdiction relating to child support
22 orders may be amended or modified by any administrative agency without the approval of a court
23 of competent jurisdiction.

 511.480. [1. Sections 511.460 to 511.480 shall be deemed to authorize the court where
2 such transcript shall be filed to issue executions on such judgment or decree and to exercise all
3 powers incident to the judgment including judgment debtor proceedings, and a scire facias to
4 revive such judgment or decree or lien.

5 2.] Transcripts of judgments described in section 511.440 shall not authorize the courts
6 where such transcripts shall be filed to issue executions thereon or to issue a scire facias to revive
7 such judgments, but they shall issue and be sued out of the court where the original judgment or
8 decree was rendered.

514.040. 1. Except as provided in subsection 3 of this section, if any court shall, before
2 or after the commencement of any suit pending before it, be satisfied that the plaintiff is a poor
3 person, and unable to prosecute his or her suit, and pay all or any portion of the costs and
4 expenses thereof, such court may, in its discretion, permit him or her to commence and prosecute
5 his or her action as a poor person, and thereupon such poor person shall have all necessary
6 process and proceedings as in other cases, without fees, tax or charge as the court determines the
7 person cannot pay; and the court may assign to such person counsel, who, as well as all other
8 officers of the court, shall perform their duties in such suit without fee or reward as the court may
9 excuse; but if judgment is entered for the plaintiff, costs shall be recovered, which shall be
10 collected for the use of the officers of the court.

11 2. In any civil action brought in a court of this state by any offender convicted of a crime
12 who is confined in any state prison or correctional center, the court shall not reduce the amount
13 required as security for costs upon filing such suit to an amount of less than ten dollars pursuant
14 to this section. This subsection shall not apply to any action for which no sum as security for
15 costs is required to be paid upon filing such suit.

16 3. Where a party is represented in a civil action by:

17 (1) A legal aid society or a legal services or other nonprofit organization funded in whole
18 or substantial part by moneys appropriated by the general assembly of the state of Missouri,
19 which has as its primary purpose the furnishing of legal services to indigent persons, or by
20 private counsel working on behalf of or under the auspices of such society[,] ; or

21 (2) **A legal aid clinic approved by a law school approved by the American Bar**
22 **Association, or a nonprofit legal assistance program affiliated with such clinic, that utilizes**
23 **the services of law students licensed to provide legal services to indigent persons under**
24 **Missouri supreme court rule 13.01, et seq.**

25
26 all costs and expenses related to the prosecution of the suit may be waived without the necessity
27 of a motion and court approval, provided that a determination has been made by such society [or]
28 , organization, **or clinic** that such party is unable to pay the costs, fees and expenses necessary
29 to prosecute or defend the action, and that a certification that such determination has been made
30 is filed with the clerk of the court.

517.041. 1. The process in all cases shall be a summons with a copy of the petition of
2 the plaintiff attached, directed to the sheriff or other proper person for service on the defendant.
3 The summons shall command the defendant to appear before the court on a date and time, not
4 less than ten days nor more than [thirty] **sixty** days from the date of service of the summons.

5 2. If process is not timely served, the plaintiff may request further process be issued to
6 any defendant not timely served with the case being continued, or the plaintiff may dismiss as
7 to any such defendant and proceed with the case.

8 3. A petition filed which states a claim or claims that in the aggregate exceeds the
9 jurisdictional limit of the division shall be certified to presiding judge for assignment.

535.030. 1. Such summons shall be served as in other civil cases at least four days
2 before the court date in the summons. The summons shall include a court date which shall not
3 be more than twenty-one business days from the date the summons is issued unless at the time
4 of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

5 2. In addition to attempted personal service, the plaintiff may request, and thereupon the
6 clerk of the court shall make an order directing that the officer, or other person empowered to
7 execute the summons, shall also serve the same by securely affixing a copy of such summons and
8 the complaint in a conspicuous place on the dwelling of the premises in question at least ten days
9 before the court date in such summons, and by also mailing a copy of the summons and
10 complaint to the defendant at the defendant's last known address by ordinary mail at least ten
11 days before the court date. If the officer, or other person empowered to execute the summons,
12 shall return that the defendant is not found, or that the defendant has absconded or vacated his
13 or her usual place of abode in this state, and if proof be made by affidavit of the posting and of
14 the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff
15 proceed to hear the case as if there had been personal service, and judgment shall be rendered
16 and proceedings had as in other cases, except that no money judgment shall be granted the
17 plaintiff where the defendant is in default and service is by the posting and mailing procedure
18 set forth in this section.

19 3. If the plaintiff does not request service of the original summons by posting and
20 mailing as provided in subsection 2 of this section, and if the officer, or other person empowered
21 to execute the summons, makes return that the defendant is not found, or that the defendant has
22 absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request
23 the issuance of an alias summons and service of the same by posting and mailing in the time and
24 manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the
25 plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a
26 copy of the summons in the time and manner provided in subsection 2 of this section. Upon
27 proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons
28 and the complaint, the judge shall proceed to hear the case as if there had been personal service,
29 and judgment shall be rendered and proceedings had as in other cases, except that no money
30 judgment shall be granted the plaintiff where the defendant is in default and service is by the
31 posting and mailing procedure provided in subsection 2 of this section.

32 4. On the date judgment is rendered as provided in this section where the defendant is
33 in default, the clerk of the court shall mail to the defendant at the defendant's last known address
34 by [certified mail, with a request for return receipt and with directions to deliver to the addressee
35 only,] **ordinary mail** a notice informing the defendant of the judgment and the date it was
36 entered, and stating that the defendant has ten days from the date of the judgment to file a motion
37 to set aside the judgment or to file an application for a trial de novo in the circuit court, as the
38 case may be, and that unless the judgment is set aside or an application for a trial de novo is filed
39 within ten days, the judgment will become final and the defendant will be subject to eviction
40 from the premises without further notice.

566.226. 1. After August 28, 2007, any information contained in any court record,
2 whether written or [published on the Internet] **in electronic format**, that could be used to
3 identify or locate any victim of **the following crimes:** sexual assault, domestic assault, stalking,
4 or [forcible rape] **any other violation of this chapter or chapter 568, RSMo**, shall be [closed
5 and] redacted from such record prior to disclosure to the public **if filed prior to January 1,**
6 **2010. Beginning January 1, 2010, the identifying information as defined in this section**
7 **shall be retained on a confidential case filing sheet.**

8 2. Identifying information shall include the name, home or temporary address, telephone
9 number, **or** Social Security number [or physical characteristics] **of any victim of the following**
10 **crimes: sexual assault, domestic assault, stalking, or any other violation of this chapter or**
11 **chapter 568, RSMo, but not the named party in civil litigation.**

12 [2.] 3. If the court determines that a person or entity who is requesting identifying
13 information of a victim has a legitimate interest in obtaining such information, the court may
14 allow access to the information, but only if the court determines that disclosure to the person or
15 entity would not compromise the welfare or safety of such victim.

16 4. **Nothing in this section shall be construed to permit or be the basis of permitting**
17 **the identifying information of a perpetrator of a sexual assault, domestic assault, stalking,**
18 **or forcible rape to be redacted from an otherwise public record.**

630.407. 1. The department may recognize providers as administrative entities under
2 the following circumstances:

- 3 (1) Vendors operated or funded pursuant to sections 205.975 to 205.990, RSMo;
- 4 (2) Vendors operated or funded pursuant to sections 205.968 to 205.973, RSMo;
- 5 (3) Providers of a consortium of treatment services to the clients of the division of
6 comprehensive psychiatric services as an agent of the division in a service area, except that such
7 providers may not exceed thirty-six in number;
- 8 (4) **Providers of targeted case management to the clients of the division of**
9 **developmental disabilities as an agent of the division in a defined region.**

10 2. Notwithstanding any other provision of law to the contrary, the department may
11 contract directly with vendors recognized as administrative entities without competitive bids.

12 3. Notwithstanding any other provision of law to the contrary, the commissioner of
13 administration shall delegate the authority to administrative entities which are state facilities to
14 subcontract with other vendors in order to provide a full consortium of treatment services for the
15 service area.

16 4. When state contracts allow, the department may authorize administrative entities to
17 use state contracts for pharmaceuticals or other medical supplies for the purchase of these items.

18 5. A designation as an administrative entity does not entitle a provider to coverage under
19 sections 105.711 to 105.726, RSMo, the state legal expense fund, or other state statutory
20 protections or requirements.

21 6. The department shall promulgate regulations within twelve months of August 28,
22 1990, regulating the manner in which they will contract and designate and revoke designations
23 of providers under this section. Such regulations shall not be required when the parties to such
24 contracts are both governmental entities.

2 [517.141. On demand of any person interested therein, whether by
3 assignment or otherwise, every clerk or officer who shall be in possession of the
4 record of judgment shall give to such person a certified transcript of such
5 judgment. Upon production of any such transcript, the clerk of the circuit court
6 of the county in which the judgment was rendered shall record the same in his
7 permanent record of circuit court judgments, and note therein the date and hour
8 of its filing.]

2 [517.151. From the time of filing the transcript, every such judgment
3 shall have the same lien on the real estate of the defendant in the county as is
4 given judgments rendered by circuit judges. The circuit clerk shall collect fees
5 in such amounts as are determined pursuant to sections 488.010 to 488.020,
6 RSMo, for each transcript filed. The revival of any such lien upon real estate
7 shall be under the same procedures as with judgments originally rendered by a
8 circuit judge, shall be made from the record of the transcribed judgment so filed
9 in the office of circuit clerk, and may be revived under proceedings before either
10 a circuit or an associate circuit judge. The foregoing provisions shall not apply
11 with respect to any judgment of a small claims court nor shall any judgment of
a small claims court be a lien upon real estate.]

✓