

# JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

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FORTY-NINTH DAY, THURSDAY, APRIL 7, 2016

The House met pursuant to adjournment.

Speaker Pro Tem Hoskins in the Chair.

Prayer by Msgr. Robert A. Kurwicky, Chaplain.

*God has not given us the spirit of fear; but of power, and of love, and of a sound mind. (II Timothy 1:7)*

Most Gracious and Loving God, the strength of all who put their trust in You and the light of those who walk in Your way, make us truly conscious of Your presence as we enter this new day fresh from Your hand. Grant that in the stress and strain of these debates and votes we may never lose heart or hope.

We pray that our Speaker and all the Members of this House of Representatives may be abundantly blessed with the strengthening presence of Your wisdom as they work earnestly for the good of our youth, for peace in our elderly, and for the benefit of all citizens.

In all our endeavors on behalf of Missouri may we be ever mindful that our highest resources are spiritual, and upon the foundation of justice, righteousness, and peace may we build our life as an individual, and seek to build our lives together in this special chamber.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-eighth day was approved as corrected.

## HOUSE RESOLUTIONS

Representative McGaugh offered House Resolution No. 1941.

## SECOND READING OF SENATE BILLS

The following Senate Bill was read the second time:

**SS SB 623**, relating to motor fuel taxes.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Allen reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 2140, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2330**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2331**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2332**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE BILLS

**HCS HB 1757**, relating to community improvement districts, was taken up by Representative Hansen.

Speaker Richardson assumed the Chair.

On motion of Representative Hansen, **HCS HB 1757** was read the third time and passed by the following vote:

AYES: 083

Adams	Allen	Anders	Andrews	Arthur
Austin	Basye	Bernskoetter	Berry	Black
Bondon	Butler	Cierpiot	Colona	Conway 10
Cookson	Corlew	Cross	Dohrman	Dunn
Engler	English	Fitzwater 144	Gannon	Gardner
Green	Haahr	Hansen	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Jones	Kelley	Kendrick	Kolkmeyer
Kratky	Lair	Lant	Lauer	Lavender
Love	McCaherty	McCann Beatty	McDaniel	McDonald
McGee	Miller	Mims	Mitten	Morgan
Muntzel	Neely	Nichols	Pace	Pfautsch
Phillips	Pierson	Pietzman	Pike	Plocher
Reiboldt	Remole	Rizzo	Roden	Rone
Rowden	Rowland 155	Ruth	Shull	Shumake
Swan	Walker	Walton Gray	Webber	Wiemann
Wood	Zerr	Mr. Speaker		

NOES: 072

Alferman	Anderson	Bahr	Barnes	Beard
Brattin	Brown 57	Brown 94	Burlison	Burns
Carpenter	Chipman	Conway 104	Cornejo	Crawford

Curtman	Davis	Dogan	Dugger	Eggleston
Ellington	Entlicher	Fitzpatrick	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Haefner	Harris
Hill	Hurst	Johnson	Justus	Kidd
King	Kirkton	Koenig	Korman	LaFaver
Leara	Lichtenegger	Lynch	Marshall	Mathews
McCreery	Meredith	Messenger	Montecillo	Moon
Morris	Newman	Norr	Otto	Parkinson
Peters	Pogue	Rehder	Rhoads	Roeber
Ross	Rowland 29	Runions	Shaul	Solon
Sommer	Spencer	Taylor 139	Taylor 145	Vescovo
White	Wilson			

PRESENT: 001

McNeil

ABSENT: 006

Curtis	Hicks	May	McGaugh	Redmon
Smith				

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS HB 2376**, relating to construction management, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 2376** was read the third time and passed by the following vote:

AYES: 151

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Dunn
Eggleston	Engler	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gardner	Green	Haahr	Haefner	Hansen
Harris	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lavender	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McCann Beatty
McCreery	McDaniel	McDonald	McGee	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel

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Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Plocher	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Walton Gray	Webber
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 003

Ellington	Marshall	Pogue
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PRESENT: 000

ABSENT: 008

Entlicher	Flanigan	Hicks	May	McGaugh
Redmon	Rehder	Smith		

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HB 2331**, relating to the Missouri senior farmers' market nutrition program, was taken up by Representative Morris.

On motion of Representative Morris, **HB 2331** was read the third time and passed by the following vote:

AYES: 144

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Davis	Dogan	Dohrman
Dugger	Dunn	Ellington	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gardner	Green
Haahr	Haefner	Hansen	Harris	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Johnson	Jones
Justus	Kelley	Kendrick	Kidd	King
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson

Pietzman	Pike	Plocher	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Walton Gray	Webber	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 010

Bahr	Curtman	Eggleston	Hurst	Koenig
Marshall	Moon	Parkinson	Pogue	White

PRESENT: 000

ABSENT: 008

Allen	Flanigan	Hicks	May	McGaugh
Redmon	Rehder	Smith		

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS HB 2330**, relating to transportation network companies, was taken up by Representative Mathews.

On motion of Representative Mathews, **HCS HB 2330** was read the third time and passed by the following vote:

AYES: 115

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Brattin	Brown 57	Brown 94
Burlison	Butler	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kendrick
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mathews	Meredith
Messenger	Miller	Moon	Morris	Muntzel
Neely	Norr	Parkinson	Pfautsch	Pietzman
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

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NOES: 034

Adams	Anders	Arthur	Bondon	Burns
Carpenter	Colona	Corlew	Dunn	Hubbard
Hummel	Kirkton	Kratky	LaFaver	Lavender
McCann Beatty	McCreery	McDaniel	McDonald	McGee
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Rowland 29	Shull	

PRESENT: 005

Ellington	Gardner	McCaherty	McNeil	Walton Gray
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ABSENT: 008

Dugger	Hicks	May	McGaugh	Phillips
Redmon	Runions	Smith		

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS HB 1898**, relating to property taxation of telephone companies, was taken up by Representative Berry.

Representative Rhoads assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Crawford	Curtman	Dogan
Dohrman	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Frederick
Gannon	Hansen	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	McCaherty	McDaniel	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pike	Plocher	Pogue	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 040

Adams	Anders	Arthur	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Ellington
Gardner	Green	Harris	Hummel	Kendrick
Kirkton	Kratky	LaFaver	Lavender	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Rowland 29	Walton Gray	Webber

PRESENT: 000

ABSENT: 020

Colona	Cornejo	Cross	Davis	Dugger
Engler	Franklin	Haahr	Haefner	Hicks
Hubbard	Leara	Mathews	May	McGaugh
Phillips	Pietzman	Redmon	Runions	Smith

VACANCIES: 001

On motion of Representative Berry, **HCS HB 1898** was read the third time and passed by the following vote:

AYES: 084

Alferman	Allen	Anderson	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Corlew
Cornejo	Crawford	Curtman	Dogan	Dohrman
Eggleston	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Franklin	Frederick	Haahr	Haefner	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Justus	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	McCaherty	Miller
Muntzel	Neely	Parkinson	Pfautsch	Pietzman
Plocher	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Shaul	Shull	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 061

Adams	Anders	Andrews	Arthur	Burns
Butler	Carpenter	Conway 10	Cookson	Curtis
Dunn	Ellington	English	Entlicher	Fraker
Gannon	Gardner	Green	Hansen	Harris
Higdon	Hummel	Kelley	Kendrick	Kidd
King	Kirkton	Kratky	LaFaver	Lavender
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Messenger	Mitten	Montecillo
Moon	Morgan	Morris	Newman	Nichols

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Norr	Otto	Pace	Peters	Pierson
Pike	Pogue	Rizzo	Rowland 155	Rowland 29
Ruth	Shumake	Walker	Walton Gray	Webber
White				

PRESENT: 000

ABSENT: 017

Colona	Cross	Davis	Dugger	Engler
Hicks	Hubbard	Jones	Leara	Mathews
May	McGaugh	Mims	Phillips	Redmon
Runions	Smith			

VACANCIES: 001

Representative Rhoads declared the bill passed.

Speaker Richardson resumed the Chair.

**HCS HB 2689**, relating to the state's energy policies, was taken up by Representative Miller.

On motion of Representative Miller, **HCS HB 2689** was read the third time and passed by the following vote:

AYES: 142

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burns	Butler
Carpenter	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Curtman
Davis	Dogan	Dohrman	Dunn	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gardner	Green	Haahr	Haefner	Hansen
Harris	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hummel	Hurst
Johnson	Justus	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McCann Beatty	McCreery	McDaniel
McGee	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Plocher
Rehder	Reiboldt	Remole	Rhoads	Rizzo
Roden	Roerber	Rone	Ross	Rowden
Rowland 155	Rowland 29	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan

Taylor 139	Taylor 145	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 004

Barnes	Curtis	Ellington	Pogue
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PRESENT: 000

ABSENT: 016

Burlison	Colona	Cross	Dugger	Engler
Hicks	Hubbard	Jones	Leara	May
McDonald	McGaugh	Mims	Redmon	Runions
Smith				

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Conway 104	Cookson	Corlew	Cornejo	Crawford
Curtis	Curtman	Davis	Dogan	Dohrman
Dunn	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Justus	Kelley	Kendrick
Kidd	King	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McCann Beatty	McCreery
McDaniel	McGee	McNeil	Meredith	Messenger
Miller	Moon	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Otto	Pace
Peters	Pfausch	Phillips	Pierson	Pietzman
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roerber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Walton Gray	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

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NOES: 001

Pogue

PRESENT: 003

Gardner                      Mitten                      Montecillo

ABSENT: 019

Colona	Conway 10	Cross	Dugger	Ellington
Engler	Hicks	Hubbard	Jones	Leara
May	McDonald	McGaugh	Mims	Norr
Parkinson	Redmon	Runions	Smith	

VACANCIES: 001

**HCS HB 1464**, relating to the operation of motorcycles or motortricycles, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 1464** was read the third time and passed by the following vote:

AYES: 103

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Black	Bondon	Brattin	Brown 57	Burlison
Carpenter	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Curtis
Curtman	Davis	Dogan	Dohrman	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones	Justus	Kelley	Kendrick	Kidd
Koenig	Kolkmeier	Korman	LaFaver	Lair
Lant	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	Messenger	Miller
Moon	Muntzel	Norr	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pietzman	Plocher
Rehder	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Solon	Sommer	Spencer	Taylor 139
Taylor 145	Vescovo	Walker	Webber	Wiemann
Wilson	Zerr	Mr. Speaker		

NOES: 043

Adams	Anders	Berry	Brown 94	Burns
Butler	Dunn	Frederick	Gannon	Gardner
Green	Hubrecht	Hummel	King	Kirkton
Kratky	Lauer	Lavender	McCann Beatty	McCreery
McGee	McNeil	Meredith	Mitten	Montecillo
Morgan	Morris	Neely	Newman	Nichols

Otto	Pace	Pike	Pogue	Reiboldt
Rizzo	Rowland 29	Shull	Shumake	Swan
Walton Gray	White	Wood		

PRESENT: 000

ABSENT: 016

Arthur	Colona	Cross	Dugger	Ellington
Engler	Hicks	Hubbard	Leara	May
McDonald	McGaugh	Mims	Redmon	Runions
Smith				

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HB 1659**, relating to MO HealthNet reimbursement for behavior assessment and intervention, was taken up by Representative Frederick.

On motion of Representative Frederick, **HB 1659** was read the third time and passed by the following vote:

AYES: 140

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Dunn	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gardner	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	McCaherty	McCann Beatty	McCreery	McDaniel
McGee	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Plocher	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Rowland 29
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

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NOES: 005

Eggleston	Koenig	Marshall	Parkinson	Pogue
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PRESENT: 000

ABSENT: 017

Barnes	Colona	Cornejo	Dugger	Ellington
Engler	Hicks	Hubbard	Leara	May
McDonald	McGaugh	Mims	Newman	Redmon
Runions	Smith			

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 065

Allen	Anderson	Austin	Basye	Beard
Bernskoetter	Black	Brattin	Brown 57	Burns
Chipman	Cierpiot	Conway 10	Conway 104	Cookson
Crawford	Cross	Davis	Entlicher	Fitzwater 144
Flanigan	Fraker	Frederick	Haahr	Haefner
Hoskins	Houghton	Hubrecht	Johnson	Jones
Justus	Kelley	Kolkmeier	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	McCaherty	Montecillo	Morris	Neely
Pfautsch	Pike	Rehder	Reiboldt	Remole
Rhoads	Rone	Rowden	Rowland 155	Ruth
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 145	Walker	White	Mr. Speaker

NOES: 074

Adams	Alferman	Anders	Andrews	Bahr
Berry	Bondon	Brown 94	Burlison	Butler
Carpenter	Corlew	Curtis	Curtman	Dogan
Dohrman	Dunn	Eggleston	English	Fitzpatrick
Fitzwater 49	Gannon	Gardner	Green	Hansen
Harris	Higdon	Hill	Hummel	Hurst
Kendrick	King	Kirkton	Koenig	Kratky
LaFaver	Lavender	Marshall	McCann Beatty	McCreery
McDaniel	McGee	McNeil	Meredith	Messenger
Miller	Mitten	Moon	Morgan	Muntzel
Nichols	Norr	Otto	Pace	Parkinson
Peters	Phillips	Pierson	Plocher	Pogue
Rizzo	Roden	Roeber	Ross	Rowland 29
Shaul	Taylor 139	Vescovo	Walton Gray	Webber
Wiemann	Wilson	Wood	Zerr	

PRESENT: 000

ABSENT: 023

Arthur	Barnes	Colona	Cornejo	Dugger
Ellington	Engler	Franklin	Hicks	Hinson
Hough	Hubbard	Kidd	Leara	May
McDonald	McGaugh	Mims	Newman	Pietzman
Redmon	Runions	Smith		

VACANCIES: 001

**HCS HB 2441**, relating to certificates of need, was taken up by Representative Jones.

On motion of Representative Jones, **HCS HB 2441** was read the third time and passed by the following vote:

AYES: 131

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Davis	Dogan	Dohrman
Dunn	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Frederick
Gannon	Gardner	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hoskins
Houghton	Hubrecht	Hummel	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Lichtenegger	Lynch	Mathews	McCaherty	McCann Beatty
McCreery	McDaniel	McGee	McNeil	Meredith
Messenger	Miller	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Nichols	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Rowland 29	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
Walton Gray	White	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 010

Bahr	Curtman	Kendrick	Marshall	Moon
Norr	Parkinson	Pogue	Webber	Wiemann

PRESENT: 000

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ABSENT: 021

Colona	Dugger	Ellington	Engler	Franklin
Hicks	Hinson	Hough	Hubbard	Leara
Love	May	McDonald	McGaugh	Mims
Newman	Pietzman	Redmon	Rizzo	Runions
Smith				

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 090

Allen	Anderson	Andrews	Arthur	Austin
Barnes	Basye	Beard	Bernskoetter	Black
Bondon	Brown 57	Brown 94	Burlison	Burns
Carpenter	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Davis
Dohrman	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Frederick	Gannon
Haahr	Haefner	Higdon	Hill	Hoskins
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	King	LaFaver	Lair
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	McCaherty	Messenger	Miller
Montecillo	Morris	Muntzel	Neely	Pfautsch
Pike	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Rowland 29	Ruth	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 145
Vescovo	Walker	Wood	Zerr	Mr. Speaker

NOES: 050

Adams	Alferman	Anders	Bahr	Berry
Brattin	Butler	Conway 10	Curtis	Curtman
Dogan	Dunn	Eggleston	Gardner	Green
Hansen	Harris	Hummel	Kendrick	Kidd
Kirkton	Koenig	Kratky	Marshall	McCann Beatty
McCreery	McDaniel	McGee	McNeil	Meredith
Mitten	Moon	Morgan	Nichols	Norr
Otto	Pace	Parkinson	Peters	Phillips
Pierson	Plocher	Pogue	Shaul	Taylor 139
Walton Gray	Webber	White	Wiemann	Wilson

PRESENT: 000

ABSENT: 022

Colona	Dugger	Ellington	Engler	Franklin
Hicks	Hinson	Hough	Hubbard	Kolkmeier
Korman	Leara	May	McDonald	McGaugh
Mims	Newman	Pietzman	Redmon	Rizzo
Runions	Smith			

VACANCIES: 001

**HCS HB 1941**, relating to gaming activities, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **HCS HB 1941** was read the third time and passed by the following vote:

AYES: 104

Alferman	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Basye	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Butler	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	English	Fitzpatrick
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Hansen	Harris	Higdon
Hill	Hoskins	Houghton	Hubrecht	Johnson
Jones	Justus	Kelley	Kendrick	Koenig
Kolkmeyer	Korman	LaFaver	Lair	Lichtenegger
Love	Lynch	Mathews	McCaherty	McCreery
McDaniel	Meredith	Messenger	Miller	Morris
Muntzel	Neely	Pace	Parkinson	Pfautsch
Phillips	Pike	Plocher	Rehder	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Webber	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 038

Adams	Barnes	Beard	Black	Burns
Crawford	Entlicher	Fitzwater 144	Gardner	Hummel
Hurst	Kidd	King	Kirkton	Kratky
Lant	Lauer	Lavender	Marshall	McCann Beatty
McGee	McNeil	Mitten	Montecillo	Moon
Morgan	Nichols	Norr	Otto	Peters
Pierson	Pogue	Reiboldt	Rizzo	Rowland 29
Shumake	Walton Gray	White		

PRESENT: 000

ABSENT: 020

Colona	Dugger	Ellington	Engler	Green
Haefner	Hicks	Hinson	Hough	Hubbard
Leara	May	McDonald	McGaugh	Mims
Newman	Pietzman	Redmon	Runions	Smith

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS HB 1695**, relating to nuisance abatement ordinances, was taken up by Representative Rowland (155).

On motion of Representative Rowland (155), **HCS HB 1695** was read the third time and passed by the following vote:

AYES: 126

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter
Chipman	Cierpiot	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dunn
Eggleston	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Gardner	Green	Haahr	Haefner	Hansen
Harris	Higdon	Hill	Hoskins	Houghton
Hubrecht	Hummel	Johnson	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Kratky	LaFaver	Lair	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	McCaherty	McCann Beatty	McCreery	McDaniel
McGee	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Morris	Muntzel	Neely
Otto	Peters	Pfautsch	Phillips	Pierson
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Walton Gray	Webber
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 012

Bahr	Brattin	Hurst	Korman	Marshall
Moon	Nichols	Norr	Pace	Parkinson
Pogue	Spencer			

PRESENT: 000

ABSENT: 024

Bondon	Colona	Dugger	Ellington	Engler
Flanigan	Hicks	Hinson	Hough	Hubbard
Jones	Leara	May	McDonald	McGaugh
Mims	Morgan	Newman	Pietzman	Redmon
Ross	Rowland 29	Runions	Smith	

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HB 2146**, relating to guardianship of minors, was taken up by Representative Beard.

On motion of Representative Beard, **HB 2146** was read the third time and passed by the following vote:

AYES: 138

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Gardner	Green	Haahr
Haefner	Hansen	Harris	Higdon	Hill
Hoskins	Houghton	Hubrecht	Hummel	Hurst
Johnson	Justus	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McCann Beatty	McCreery	McDaniel
McGee	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Moon	Morris	Muntzel
Neely	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Plocher	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 001

Pogue

PRESENT: 000

ABSENT: 023

Carpenter	Colona	Dugger	Ellington	Engler
Flanigan	Hicks	Hinson	Hough	Hubbard
Jones	Leara	May	McDonald	McGaugh
Mims	Morgan	Newman	Pietzman	Redmon
Rowland 29	Runions	Smith		

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HB 2147**, relating to filing a responsive pleading in certain family law proceedings, was taken up by Representative Beard.

On motion of Representative Beard, **HB 2147** was read the third time and passed by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Gardner	Green	Haahr
Haefner	Hansen	Harris	Higdon	Hill
Hoskins	Houghton	Hubrecht	Hummel	Hurst
Johnson	Justus	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman
LaFaver	Lair	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
McCann Beatty	McCreery	McDaniel	McGee	McNeil
Meredith	Messenger	Miller	Mitten	Moon
Morris	Muntzel	Neely	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Rowland 29	Ruth	Shaul	Shull	Shumake
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 002

Kratky Pogue

PRESENT: 000

ABSENT: 025

Allen	Colona	Dugger	Ellington	Engler
Flanigan	Hicks	Hinson	Hough	Hubbard
Jones	Leara	May	McCaherty	McDonald
McGaugh	Mims	Montecillo	Morgan	Newman
Pietzman	Redmon	Runions	Smith	Solon

VACANCIES: 001

Speaker Richardson declared the bill passed.

## REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

**HR 1941** - Select Committee on Rules

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HB 1756** - Fiscal Review

**HCS HB 1943** - Fiscal Review

**HB 1962** - Fiscal Review

**HCS HB 2150** - Fiscal Review

**HB 2382** - Transportation

**HB 2607** - Public Safety and Emergency Preparedness

**HB 2707** - Elementary and Secondary Education

## REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 66** - Emerging Issues

## COMMITTEE REPORTS

**Committee on Civil and Criminal Proceedings**, Chairman McGaugh reporting:

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1629**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

### *House Committee Amendment No. 1*

AMEND House Bill No. 1629, Pages 2 and 3, Section 577.180, Lines 1 through 13, by removing all of said section and lines from the bill; and

Further amend said bill, Page 3, Section B, Lines 1 through 6, by removing all of said section and lines from the bill; and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1641**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND House Bill No. 1641, Page 1, Section 211.033, Line 3, by inserting immediately after the word "sentence" on said line the following:

**"or as provided in subsection 13 of section 211.071"; and**

Further amend said bill, Section 211.071, Page 4, Lines 81- 88, by deleting all of said lines and inserting in lieu thereof the following:

**"12. Any child certified under this section on or after January 1, 2018, and held in secure custody prior to the disposition of his or her case shall be detained in an alternative detention facility, which adheres to standards set forth by the workgroup established under subsection 5 of section 211.151, except as provided in subsection 13 of this section. Upon turning seventeen years of age, any certified child held in an alternative detention facility shall be transferred to a jail or other adult detention facility, as the term "jail or other adult detention facility" is defined under section 211.151.**

**13. The court in which the criminal matter is pending may order a certified child transferred from an alternative detention facility as defined in subdivision (3) of subsection 4 of section 211.151 to a jail or other adult detention facility pending disposition of the criminal case upon a petition by the director of the alternative detention facility and a showing of good cause."; and**

Further amend said bill and page, Section 211.151, Lines 8-9, by deleting all of said lines and inserting in lieu thereof the following:

**"2. A child, including a child transferred to the court of general jurisdiction on or after January 1, 2018, pursuant to the provisions of section 211.071, shall not be detained in a jail or other adult detention facility pending disposition of a case, except as provided in subsection 13 of section 211.071."; and**

Further amend said bill and section, Page 5, Lines 38-48, by deleting all of said lines and inserting in lieu thereof the following:

**"(3) As used in this section, the term "alternative detention facility" means any secure facility administered by state, county, or local law enforcement and correctional agencies, whose purpose is to detain a child certified as an adult under section 211.071 who has been charged with violating a criminal law pending trial and which adheres to standards of operation as defined by the workgroup established in subsection 5 of this section.**

**5. The division of youth services in collaboration with the office of state courts administrator shall establish the "Certified Youth Jail Removal Workgroup":**

**(1) The purpose of the workgroup shall be to develop by January 1, 2018, a formal plan for removal of certified children under the age of seventeen years of age from adult jail pending trial and sentencing. The workgroup shall consist of, but not be limited to, the following members: two members from the division of youth services appointed by the director of the division of youth services; two members from the office of state courts administrator, one juvenile officer from an urban jurisdiction, one juvenile officer from a rural jurisdiction, one superintendent of a juvenile detention center from an urban jurisdiction, one superintendent of a juvenile detention center from a rural jurisdiction, and one juvenile officer from a jurisdiction having no juvenile detention facility, all of whom are appointed by the office of state courts administrator; the director of the department of corrections or his or her designee; the executive director of the Missouri association of counties or his or her designee; the executive director of the Missouri office of prosecution services or his or her designee; the executive director of the Missouri Sheriffs' Association or his or her designee; the director of the department of elementary and secondary education or his or her designee; the director of the department of mental health or his or her designee; the director of the Missouri state public defender or his or her designee; the executive director of the Missouri juvenile justice association or his or her designee; the president of Families and Friends Organizing for Reform of Juvenile Justice or his or her designee; one juvenile detention center chaplain or a member of the faith-based community appointed by the president pro tempore of the senate; one young adult who was incarcerated as a child appointed by the speaker of the house**

of representatives; two members from the Missouri house of representatives appointed by the speaker of the house of representatives; and two members from the Missouri senate appointed by the president pro tempore of the senate;

(2) By January 1, 2017, the workgroup shall make recommendations to the general assembly regarding alternative detention facilities for secure custody of a child who has been certified under section 211.071 pending disposition of his or her case as well as standards for operating said alternative detention facilities. The recommendations submitted to the general assembly shall address the following:

- (a) The appropriate facility description including physical structure and location;
  - (b) The appropriate funding mechanism for implementation and ongoing financial support of alternative detention facilities in compliance with the provisions of article X, section 16 of the Missouri Constitution;
  - (c) Programming and services elements including education, mental health services, transition planning, and youth development of incarcerated certified youth;
  - (d) Operational and administrative elements including transportation to court proceedings, and training requirements for facility staff;
  - (e) Defining what is "good cause" to return the child to an adult jail prior to sentencing under subsection 13 of section 211.071;
  - (f) Funding of programs and services that coincide with Missouri's fiscal appropriation calendar;
- and
- (g) Additional recommendations that are within the scope and purpose of the workgroup.
- (3) The workgroup shall automatically terminate on September 1, 2018, unless previously reauthorized by the general assembly. Members of the workgroup shall serve without compensation."; and

Further amend said bill and page, Section 221.044, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

"221.240. When any person shall be committed to jail **or alternative detention facility as defined in subdivision (3) of subsection 4 of section 211.151**, in conformity to section 221.230, it shall be the duty of the sheriff of the county in which said jail **or alternative detention facility** is situated to take, or cause to be taken, the person thus committed, together with the day and cause of his **or her** capture and detention, before the circuit court of the county appointed for the trial of such prisoner, at such time as the cause is set for trial and at such other times as the court shall direct."; and

Further amend said bill and page, Section B, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. The repeal and reenactment of sections 211.033, 221.044, and 221.240 of this act shall become effective January 1, 2018."; and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1765**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 1818**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND House Bill No. 1818, Page 1, Section 452.335, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"452.335. 1. For the purposes of this section and section 452.370, the following terms shall mean:

(1) "Alimony" or "maintenance", the periodic payment of support from a former spouse who has the ability to pay to a former spouse in need of support for a reasonable length of time under a court order. An order to pay alimony or maintenance entered by a court prior to the effective date of this section shall be deemed to be an existing alimony or maintenance judgment;

(2) "Cohabitation", the act of unmarried persons maintaining a common household, as represented by economic interdependence, the benefit in life either party derives from the relationship, the conduct and collaborative roles in furtherance of their life together, community reputation of the persons as a couple, and any other relevant and material factors;

(3) "Full retirement age", the normal retirement age a payor is eligible to receive full retirement benefits under the Old-Age, Survivors, and Disability Insurance Program, but shall not mean "early retirement age", as defined under 42 U.S.C. Section 416, if early retirement is available to the payor, or "maximum benefit age" if additional benefits are available as a result of delayed retirement;

(4) "Length of marriage", the number of months from the date of legal marriage to the date of service of a motion or petition for divorce or separate support duly filed in a court of the state or another court with jurisdiction to terminate the marriage; provided however, that the court may increase the length of the marriage if there is evidence that the parties' economic marital partnership began during their cohabitation period prior to the marriage;

(5) "Payor" or "obligor", the spouse required by a court order to pay alimony or maintenance;

(6) "Recipient" or "obligee", the spouse receiving alimony or maintenance under a court order.

2. In a proceeding for nonretroactive invalidity, dissolution of marriage or legal"; and

Further amend said bill, page and section, Line 10, by deleting the number "2." and inserting in lieu thereof the following "[2.] 3."; and

Further amend said bill, page and section, Line 13, by inserting immediately after the first instance of the words "or her," the following:

**"income that can be earned from said marital property,"**; and

Further amend said bill and section, Page 2, Line 29, by deleting the number "3." and inserting in lieu thereof the following "[3.] 4."; and

Further amend said bill, page and section, Line 34, by deleting the number "4." and inserting in lieu thereof the number "5."; and

Further amend said bill, page and section, Line 35, by deleting the number "5" and inserting in lieu thereof the number "6"; and

Further amend said bill, page and section, Line 36, by inserting immediately after the word "exceed" the words "**a durational limit of**"; and

Further amend said bill, page and section, Line 40, by inserting immediately after the word "date." the following:

**"In determining whether to limit the term of maintenance to a period less than the durational limit provided in this subdivision, the court shall consider whether, in light of all factors listed in subsection 2 of this section, the maintenance recipient should be capable of becoming self-supporting. The length of the marriage and ages of the parties at the time of the entry of the judgment shall be deemed factors relevant to**

**the court's entry of a shorter maintenance term duration. During the durational limit period of any modifiable maintenance order, either party may file a motion requesting that the order by increased, decreased, or terminated under section 452.370."**; and

Further amend said bill, page and section, Line 42, by deleting the words "**may be automatically**" and inserting in lieu thereof the words "**shall be**"; and

Further amend said bill, page and section, Lines 46 and 47, by deleting the words "**an automatic**" and inserting in lieu thereof the word "**a**"; and

Further amend said bill, page and section, Line 50, by deleting the words "**, without a hearing,**"; and

Further amend said bill and section, Page 3, Line 54, by inserting immediately after the word "**maintenance.**" the following:

**"The maintenance recipient may request a hearing to establish grounds to extend maintenance based on the provisions of subsection 6, to present clear and convincing evidence that the obligor is in arrears, or that the durational limit has not been satisfied."**; and

Further amend said bill, page and section, Line 62, by deleting all of said line and inserting in lieu thereof the following:

**"6. Notwithstanding the provisions of subsection 5 of this section, maintenance"**; and

Further amend said bill, page and section, Line 79, by inserting after all of said line the following:

"452.370. 1. Except as otherwise provided in subsection 6 of section 452.325, the provisions of any judgment respecting maintenance or support may be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unreasonable. In a proceeding for modification of any child support or maintenance judgment, the court, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including [the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he or she cohabits, and] the earning capacity of a party who is not employed.

**2. A payor reaching full retirement age shall establish a substantial and continuing change of circumstances that makes the terms of a maintenance award unreasonable. Termination of any existing and subsequent maintenance awards, based upon the payor reaching full retirement age, shall occur upon the filing by the payor of a notice to terminate maintenance, reciting that the payor has reached full retirement age. The recipient of maintenance may seek to extend the maintenance award by showing that the payor has not reached full retirement age. The payor's ability to work beyond full retirement age shall not constitute grounds to extend maintenance.**

**3. A party receiving maintenance shall be under a continuing affirmative duty and obligation to become self-supporting. Failure to become self-supporting in a reasonable period of time shall be considered by the court as a substantial and continuing change of circumstances by which termination of a maintenance order may occur.**

**4. If the application of the child support guidelines and criteria set forth in section 452.340 and applicable supreme court rules to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, a prima facie showing has been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable, if the existing amount was based upon the presumed amount pursuant to the child support guidelines.**

**[2.] 5. When the party seeking modification has met the burden of proof set forth in subsection 1 of this section, the child support shall be determined in conformity with criteria set forth in section 452.340 and applicable supreme court rules.**

[3.] **6.** Unless otherwise agreed in writing or expressly provided in the judgment, the obligation to pay future statutory maintenance is terminated upon the death of either party [or] , the remarriage of the party receiving maintenance, **or the cohabitation of the party receiving maintenance with a domestic partner for one hundred twenty days or more, cumulatively or consecutively.**

[4.] **7.** **In the event of the payor's remarriage or cohabitation with a domestic partner, income and assets of the payor's spouse or domestic partner shall not be considered in any motion to modify or terminate maintenance.**

**8.** Unless otherwise agreed in writing or expressly provided in the judgment, provisions for the support of a child are terminated by emancipation of the child. The parent entitled to receive child support shall have the duty to notify the parent obligated to pay support of the child's emancipation and failing to do so, the parent entitled to receive child support shall be liable to the parent obligated to pay support for child support paid following emancipation of a minor child, plus interest.

[5.] **9.** If a parent has made an assignment of support rights to the family support division on behalf of the state as a condition of eligibility for benefits pursuant to the Temporary Assistance for Needy Families program and either party initiates a motion to modify the support obligation by reducing it, the state of Missouri shall be named as a party to the proceeding. The state shall be served with a copy of the motion by sending it by certified mail to the director of the family support division.

[6.] **10.** The court shall have continuing personal jurisdiction over both the obligee and the obligor of a court order for child support or maintenance for the purpose of modifying such order. Both obligee and obligor shall notify, in writing, the clerk of the court in which the support or maintenance order was entered of any change of mailing address. If personal service of the motion cannot be had in this state, the motion to modify and notice of hearing shall be served outside the state as provided by supreme court rule 54.14. The order may be modified only as to support or maintenance installments which accrued subsequent to the date of personal service. For the purpose of 42 U.S.C. Section 666(a)(9)(C), the circuit clerk shall be considered the appropriate agent to receive notice of the motion to modify for the obligee or the obligor, but only in those instances in which personal service could not be had in this state.

[7.] **11.** If a responsive pleading raising the issues of custody or visitation is filed in response to a motion to modify child support filed at the request of the family support division by a prosecuting attorney or circuit attorney or an attorney under contract with the division, such responsive pleading shall be severed upon request.

[8.] **12.** Notwithstanding any provision of this section which requires a showing of substantial and continuing change in circumstances, in a IV-D case filed pursuant to this section by the family support division as provided in section 454.400, the court shall modify a support order in accordance with the guidelines and criteria set forth in supreme court rule 88.01 and any regulations thereunder if the amount in the current order differs from the amount which would be ordered in accordance with such guidelines or regulations."; and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **HB 2305**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND House Bill No. 2305, Page 5, Section 414.255, Line 92, by inserting immediately after the word "supplier," the following:

"**terminal,**"; and

Further amend said bill, page and section, Line 99, by inserting after all of said line the following:

**"11. No motor vehicle manufacturer or motor vehicle dealer, including all dealers required to be licensed under sections 301.550 to 301.580, except in cases of fraud or misrepresentation, shall be liable for any property damages related to a customer's purchase of a motor fuel containing or blended with any**

amount of ethanol, biodiesel, or another renewable fuel or biofuel from the fuel refiner, supplier, terminal, wholesaler, distributor, retailer, or other vendor of motor fuel if the selection and purchase of the motor fuel was made by the customer and does not comply with specific fuel recommendations found in the vehicle owner manual."; and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **SS SCS SB 572**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 2, House Committee Amendment No. 3, House Committee Amendment No. 4, House Committee Amendment No. 1 to House Committee Amendment No. 5, House Committee Amendment No. 5, as amended, House Committee Amendment No. 6 and House Committee Amendment No. 7**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 2, Section 479.353, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"costs, totaling in excess of three hundred dollars **for minor traffic violations and totaling in excess of five hundred dollars for all other municipal ordinance violations**"; and

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

*House Committee Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 2, Section 479.350, Line 30, by deleting the period "." on said line and inserting in lieu thereof the following:

";  
(5) "**Persistent ordinance offender**", a person who has been found guilty two or more times of the same ordinance violation in the twelve months preceding the commission of the present offense;  
(6) "**Prior ordinance offender**", a person who has been found guilty of the same ordinance violation in the twelve months preceding the commission of the present offense."; and

Further amend said bill, Page 2, Section 479.353, Line 5, by inserting immediately after the word "dollars" on said line the following:

", **except by the consent of a defendant represented by counsel or unless the court finds the defendant is a prior ordinance offender**"; and

Further amend said bill, section and page, Line 8, by placing opening "["and closing "]"brackets around the word "and"; and

Further amend said bill, section and page, Line 9, by inserting immediately after the word "officer" on said line the following:

", **and those found to be persistent ordinance offenders**"; and

Further amend said bill and section, Page 3, Line 15, by placing opening "["and closing "]"brackets around the word "and"; and

Further amend said bill, section and page, Line 17, by inserting immediately after the word "dismissed" on said line the following:

";  
**(6) The court may sentence a prior ordinance offender to a fine not exceeding five hundred dollars;**  
**and**  
**(7) The court may sentence a persistent ordinance offender to a term of incarceration not to exceed five days";** and

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

*House Committee Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Section 71.980, Line 6, by inserting after all of said section and line the following:

"479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

**9. No municipal judge shall serve as a municipal judge in more than three municipalities at one time.";** and

Further amend said bill, Page 2, Section 479.350, Line 16, by inserting immediately after the word "village" on said line the following:

**"and any certified cost to be included in a special tax bill or added to the annual real estate tax bill under section 67.398"; and**

Further amend said bill, Section 479.353, Page 3, Line 15, by deleting the second appearance of the word "and" on said line; and

Further amend said bill, section and page, Line 17, by inserting immediately after the word "dismissed" on said line the following:

”;

**(6) If a person fails to appear on the scheduled court date for a municipal ordinance violation, the court may schedule a show cause hearing where the person shall be given the opportunity to show whether there is any good cause for their failure to appear. If the person fails to appear at the show cause hearing, the court may issue a warrant to secure the person’s appearance on the municipal ordinance violation; and**

**(7) Persons charged with violations of municipal ordinances may be released on bond by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in section 544.455 for release by an associate circuit judge”; and**

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

*House Committee Amendment No. 1*

*to*

*House Committee Amendment No. 5*

AMEND Standing Committee Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Line 4, by inserting immediately after the word **"used"** on said line the following:

**"by a municipal court"; and**

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

*House Committee Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 7, Section 479.368, Line 99, by inserting after all of said section and line the following:

**“Section 1. Any court automation system used in this state shall not include electronic records that disclose the home address of a party, or use a data element that discloses the home address of a party, when such party is a county, state or federal parole officer, a federal pretrial officer, a peace officer pursuant to section 590.010, a person vested by Article V, Section 1 of the Missouri Constitution with the judicial power of the state, a member of the federal judiciary, an elected official, or a member of such person's immediate family. Any such person may notify such court automation system of his or her status and such court automation system shall protect the confidentiality of the home address on such a person and his or her immediate family as required by this section.”; and**

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

*House Committee Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, In the Title, Line 3, by deleting the phrase "municipal courts" and inserting in lieu thereof the word "municipalities"; and

Further amend said bill and page, Section A, Line 4, by inserting after all of said section and line the following:

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

(1) "Minimum standards", adequate and material provision of each of the items listed in subsection 2 of this section;

(2) "Municipality", any city, town, or village located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under chapter 590.

2. Every municipality shall meet the following minimum standards within three years of August 28, 2015, by providing the following municipal services, financial services, and reports, except that the provision of subdivision (6) of this subsection shall be completed within six years:

(1) A balanced annual budget listing anticipated revenues and expenditures, as required in section 67.010;

(2) An annual audit by a certified public accountant of the finances of the municipality that includes a report on the internal controls utilized by the municipality and prepared by a qualified financial consultant that are implemented to prevent misuse of public funds. The municipality also shall include its current procedures that show compliance with or reasonable exceptions to the recommended internal controls;

(3) A cash management and accounting system that accounts for all revenues and expenditures;

(4) Adequate levels of insurance to minimize risk to include:

(a) General liability coverage;

(b) If applicable, liability coverage with endorsements to cover emergency medical personnel and paramedics;

(c) If applicable, police professional liability coverage;

(d) Workers compensation benefits for injured employees under the provisions of chapter 287; and

(e) Bonds for local officials as required by section 77.390, 79.260, 80.250, or local charter;

(5) Access to a complete set of ordinances adopted by the governing body available to the public within ten business days of a written request. An online version of the regulations or code shall satisfy this requirement for those ordinances that are codified;

(6) **If a municipality has a police department or contracts with another police department for public safety service** a police department accredited or certified by the Commission on Accreditation for Law Enforcement Agencies or the Missouri Police Chiefs Association or a contract for police service with a police department accredited or certified by such entities;

(7) Written policies regarding the safe operation of emergency vehicles, including a policy on police pursuit;

(8) Written policies regarding the use of force by peace officers;

(9) Written general orders for a municipal police department unless contracting with another municipality or county for police services;

(10) Written policies for collecting and reporting all crime and police stop data for the municipality as required by law. Such policies shall be forwarded to the attorney general's office;

(11) Construction code review by existing staff, directly or by contract with a public or private agency.

**The provisions of this subdivision shall not require the municipality to adopt an updated construction code;** and

(12) Information published annually on the website of the municipality indicating how the municipality met the standards in this subsection. If there is no municipal website, the information shall be submitted to the county for publication on its website, if it has a website.

3. If any resident of a municipality has belief or knowledge that such municipality has failed to ensure that the standards listed in subsection 2 of this section are regularly provided and are likely to continue to be provided, he or she may make an affidavit before any person authorized to administer oaths setting forth the facts alleging the failure to meet the required standards and file the affidavit with the attorney general. It shall be the duty of the attorney general, if, in his or her opinion, the facts stated in the affidavit justify, to declare whether the municipality is operating below minimum standards, and if it is, the municipality shall have sixty days to rectify the deficiencies in services noted by the attorney general. If after sixty days the municipality is still deemed by the attorney general to have failed to rectify sufficient minimum standards to be in compliance with those specified by subsection 2 of this section, the attorney general may file suit in the circuit court of the county. If the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the circuit court of the county shall order the following remedies:

(1) Appointment of an administrative authority for the municipality including, but not limited to, another political subdivision, the state, or a qualified private party to administer all revenues under the name of the municipality or its agents and all funds collected on behalf of the municipality. If the court orders an administrative authority to administer the revenues under this subdivision, it may send an order to the director of revenue or other party charged with distributing tax revenue, as identified by the attorney general, to distribute such revenues and funds to the administrative authority who shall use such revenues and existing funds to provide the services required under a plan approved by the court. The court shall enter an order directing all financial and other institutions holding funds of the municipality, as identified by the attorney general, to honor the directives of the administrative authority;

(2) If the court finds that the minimum standards specified in subsection 2 of this section still are not established at the end of ninety days from the time the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the court may either enter an order disincorporating the municipality or order placed on the ballot the question of whether to disincorporate the municipality as provided in subdivisions (1), (2), (4), and (5) of subsection 3 of section 479.368. The court also shall place the question of disincorporation on the ballot as provided by subdivisions (1), (2), (4), and (5) of subsection 3 of section 479.368 if at least twenty percent of the registered voters residing in the subject municipality or forty percent of the number of voters who voted in the last municipal election, whichever is lesser, submit a petition to the court while the matter is pending, seeking disincorporation. The question shall be submitted to the voters in substantially the following form:

The city/town/village of ..... has failed to meet minimum standards of governance as required by law. Shall the city/town/village of ..... be dissolved?  
 YES       NO

If electors vote to disincorporate, the court shall determine the date upon which the disincorporation shall occur, taking into consideration a logical transition.

4. The court shall have ongoing jurisdiction to enforce its orders and carry out the remedies in subsection 3 of this section."; and

Further amend said bill, Page 3, Section 479.359, Line 23, by inserting immediately after the word "village" on said line the following:

**", that has chosen to have a municipal court division,"; and**

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

*House Committee Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

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

(1) "Minimum standards", adequate and material provision of each of the items listed in subsection 2 of this section;

(2) "Municipality", any city, town, or village located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(3) "Peace officer", any peace officer as defined in section 590.010 who is licensed under chapter 590.

2. Every municipality shall meet the following minimum standards within three years of August 28, 2015, by providing the following municipal services, financial services, and reports, except that the provision of subdivision (6) of this subsection shall be completed within six years:

(1) A balanced annual budget listing anticipated revenues and expenditures, as required in section 67.010;

(2) An annual audit by a certified public accountant of the finances of the municipality that includes a report on the internal controls utilized by the municipality [and prepared by a qualified financial consultant that are implemented] to prevent misuse of public funds. The municipality also shall include its current procedures that show compliance with or reasonable exceptions to the recommended internal controls;

- (3) A cash management and accounting system that accounts for all revenues and expenditures;
- (4) Adequate levels of insurance to minimize risk to include:
  - (a) General liability coverage;
  - (b) If applicable, liability coverage with endorsements to cover emergency medical personnel and paramedics;
  - (c) If applicable, police professional liability coverage;
  - (d) Workers compensation benefits for injured employees under the provisions of chapter 287; and
  - (e) Bonds for local officials as required by section 77.390, 79.260, 80.250, or local charter;
- (5) Access to a complete set of ordinances adopted by the governing body available to the public within ten business days of a written request. An online version of the regulations or code shall satisfy this requirement for those ordinances that are codified;
- (6) A police department accredited or certified by the Commission on Accreditation for Law Enforcement Agencies or the Missouri Police Chiefs Association or a contract for police service with a police department accredited or certified by such entities;
- (7) Written policies regarding the safe operation of emergency vehicles, including a policy on police pursuit;
- (8) Written policies regarding the use of force by peace officers;
- (9) Written general orders for a municipal police department unless contracting with another municipality or county for police services;
- (10) Written policies for collecting and reporting all crime and police stop data for the municipality as required by law. Such policies shall be forwarded to the attorney general's office;
- (11) Construction code review by existing staff, directly or by contract with a public or private agency; and
- (12) Information published annually on the website of the municipality indicating how the municipality met the standards in this subsection. If there is no municipal website, the information shall be submitted to the county for publication on its website, if it has a website.

3. If any resident of a municipality has belief or knowledge that such municipality has failed to ensure that the standards listed in subsection 2 of this section are regularly provided and are likely to continue to be provided, he or she may make an affidavit before any person authorized to administer oaths setting forth the facts alleging the failure to meet the required standards and file the affidavit with the attorney general. It shall be the duty of the attorney general, if, in his or her opinion, the facts stated in the affidavit justify, to declare whether the municipality is operating below minimum standards, and if it is, the municipality shall have sixty days to rectify the deficiencies in services noted by the attorney general. If after sixty days the municipality is still deemed by the attorney general to have failed to rectify sufficient minimum standards to be in compliance with those specified by subsection 2 of this section, the attorney general may file suit in the circuit court of the county. If the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the circuit court of the county shall order the following remedies:

(1) Appointment of an administrative authority for the municipality including, but not limited to, another political subdivision, the state, or a qualified private party to administer all revenues under the name of the municipality or its agents and all funds collected on behalf of the municipality. If the court orders an administrative authority to administer the revenues under this subdivision, it may send an order to the director of revenue or other party charged with distributing tax revenue, as identified by the attorney general, to distribute such revenues and funds to the administrative authority who shall use such revenues and existing funds to provide the services required under a plan approved by the court. The court shall enter an order directing all financial and other institutions holding funds of the municipality, as identified by the attorney general, to honor the directives of the administrative authority;

(2) If the court finds that the minimum standards specified in subsection 2 of this section still are not established at the end of ninety days from the time the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the court may either enter an order disincorporating the municipality or order placed on the ballot the question of whether to disincorporate the municipality as provided in subdivisions (1), (2), (4), and (5) of subsection 3 of section 479.368. The court also shall place the question of disincorporation on the ballot as provided by subdivisions (1), (2), (4), and (5) of subsection 3 of section 479.368 if at least twenty percent of the registered voters residing in the subject municipality or forty percent of the number of voters who voted in the last municipal election, whichever is lesser, submit a petition to the court while the matter is pending, seeking disincorporation. The question shall be submitted to the voters in substantially the following form:

The city/town/village of ..... has failed to meet minimum standards of governance as required by law. Shall the city/town/village of ..... be dissolved?

YES  NO

If electors vote to disincorporate, the court shall determine the date upon which the disincorporation shall occur, taking into consideration a logical transition.

4. The court shall have ongoing jurisdiction to enforce its orders and carry out the remedies in subsection 3 of this section.

67.398. 1. The governing body of any city or village, or any county having a charter form of government, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of a nuisance including, but not limited to, debris of any kind, weed cuttings, cut, fallen, or hazardous trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe and declared to be a public nuisance.

2. The governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may enact ordinances for the abatement of a condition of any lot or land that has vacant buildings or structures open to entry.

3. **Any ordinance authorized by this section shall provide for service of adequate notice of the declaration of the nuisance to the property owner by certified mail, return receipt requested.**

4. Any ordinance authorized by this section may provide that if the owner fails to begin removing or abating the nuisance within a specific time which shall not be less than seven days of receiving **the notice required under subsection 3 of this section** that the nuisance has been ordered removed or abated, or upon failure to pursue the removal or abatement of such nuisance without unnecessary delay, the building commissioner or designated officer may cause the condition which constitutes the nuisance to be removed or abated. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal or abatement shall be certified to the city clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the collecting official's option, for the property and the certified cost shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid. "; and

Further amend said bill and page, Section 71.980, Line 6, by inserting after all of said section and line the following:

**"77.700. 1. Notwithstanding any provision of sections 72.400 to 72.430, the county governing body of any county in which a city of the third classification is located shall disincorporate the city as provided in this section and sections 77.700 to 77.715.**

**2. The county governing body shall order an election upon the question of disincorporation of a city of the third classification upon petition of twenty-five percent of the voters of the city.**

**3. The county governing body shall give notice of the election by publication in a newspaper of general circulation published in the city or, if there is no such newspaper in the city, then in the newspaper in the county published nearest the city. The notice shall contain a copy of the petition and the names of the petitioners. No election on the question of disincorporation shall be held until the notice has been published for four weeks successively.**

**4. The question shall be submitted in substantially the following form:  
Shall the city of ..... be dissolved?**

**5. Upon the affirmative vote of fifty percent and one of those persons voting on the question, the county governing body shall disincorporate the city.**

**77.703.** No dissolution of the corporation shall invalidate or affect any right accruing to the corporation or to any person or invalidate or affect any contract entered into or imposed on the corporation.

**77.706.** Whenever the county governing body shall dissolve any city of the third classification, the county governing body shall appoint some competent person to act as trustee for the corporation so dissolved, and such trustee, before entering upon the discharge of his or her duties, shall take and subscribe an oath that he or she will faithfully discharge the duties of his or her office and shall give bond with sufficient security, to be approved by the governing body, to the use of such disincorporated city, conditioned for the faithful discharge of his or her duty.

**77.709.** The trustee shall have power to prosecute and defend to final judgment all suits instituted by or against the corporation, collect all moneys due the same, liquidate all lawful demands against the same, and for that purpose shall sell any property belonging to the corporation, or so much thereof as may be necessary, and generally to do all acts requisite to bring to a speedy close all the affairs of the corporation.

**77.712.** The trustee shall employ counsel whenever necessary in the discharge of his or her duties and shall make a report of the proceedings to the county governing body at each regular term thereof, and the trustee shall receive for his or her services such compensation as the governing body shall think reasonable.

**77.715.** When the trustee shall have closed the affairs of the corporation and shall have paid all debts due by the corporation, he or she shall pay over to the county treasurer all money remaining in his or her hands, take receipt therefor, and deliver to the clerk of the county governing body all books, papers, records, and deeds belonging to the dissolved corporation.

79.490. 1. The county governing body of any county in which a city of the fourth class is located shall disincorporate such city as provided in this section.

2. **(1) Except as provided in subdivision (2) of this subsection,** the county governing body shall order an election upon the question of disincorporation of a fourth class city upon petition of one-half of the voters of the city.

**(2) Notwithstanding any provision of sections 72.400 to 72.430, in any county the county governing body shall order an election upon the question of disincorporation of a fourth class city upon petition of twenty-five percent of the voters of the city.**

3. The county governing body shall give notice of the election by publication in a newspaper of general circulation published in the city or, if there is no such newspaper in the city, then in the newspaper in the county published nearest the city. The notice shall contain a copy of the petition and the names of the petitioners. No election on the question of disincorporation shall be held until the notice has been published for four weeks successively.

4. The question shall be submitted in substantially the following form:

Shall the city of . . . . . be dissolved?

5. **(1) Except as provided in subdivision (2) of this subsection,** upon the affirmative vote of sixty percent of those persons voting on the question, the county governing body shall disincorporate the city.

**(2) Notwithstanding any provision of sections 72.400 to 72.430, in any county upon the affirmative vote of fifty percent and one of those persons voting on the question, the county governing body shall disincorporate the city.**

80.570. 1. The county governing body of each county shall have power to disincorporate any town or village which they may have incorporated as provided in this section.

2. **(1) Except as provided in subdivision (2) of this subsection,** the county governing body shall order an election upon the question of disincorporation of a town or village upon petition of one-half of the voters of the town or village.

**(2) Notwithstanding any provision of sections 72.400 to 72.430, in any county the county governing body shall order an election upon the question of disincorporation of a town or village upon petition of twenty-five percent of the voters of the town or village.**

3. The county governing body shall give notice of the election by publication in a newspaper of general circulation published in the town or village or, if there is no such newspaper in the town or village, then in the newspaper in the county published nearest the town or village. The notice shall contain a copy of the petition and the names of the petitioners. No election on the question of disincorporation shall be held until the notice has been published for eight weeks successively.

4. The question shall be submitted in substantially the following form as the case may be:

Shall the town of . . . . . be dissolved?; or

Shall the village of . . . . . be dissolved?

5. (1) **Except as provided in subdivision (2) of this subsection**, upon the affirmative vote of sixty percent of those persons voting on the question, the county governing body shall disincorporate the town or village.

(2) **Notwithstanding any provision of sections 72.400 to 72.430, in any county upon the affirmative vote of fifty percent and one of those persons voting on the question, the county governing body shall disincorporate the town or village.**

6. Any county governing body may, in its discretion, on the application of any person or persons owning a tract of land containing five acres or more in a town or village, used only for agricultural purposes, to diminish the limits of such town or village by excluding any such tract of land from said corporate limits; provided, that such application shall be accompanied by a petition asking such change and signed by a majority of the voters in such town or village. And thereafter such tract of land so excluded shall not be deemed or held to be any part of such town or village.

**82.133. 1. Notwithstanding any provision of sections 72.400 to 72.430, the county governing body of any county in which a constitutional charter or home rule city is located shall disincorporate the city as provided in sections 82.133 to 82.145.**

2. The county governing body shall order an election upon the question of disincorporation of a constitutional charter or home rule city upon petition of twenty-five percent of the voters of the city.

3. The county governing body shall give notice of the election by publication in a newspaper of general circulation published in the city or, if there is no such newspaper in the city, then in the newspaper in the county published nearest the city. The notice shall contain a copy of the petition and the names of the petitioners. No election on the question of disincorporation shall be held until the notice has been published for four weeks successively.

4. The question shall be submitted in substantially the following form:

Shall the city of . . . . . be dissolved?

5. Upon the affirmative vote of fifty percent and one of those persons voting on the question, the county governing body shall disincorporate the city.

**82.136. No dissolution of the corporation shall invalidate or affect any right accruing to the corporation or to any person, or invalidate or affect any contract entered into or imposed on the corporation.**

**82.139. Whenever the county governing body shall dissolve any constitutional charter or home rule city, the county governing body shall appoint some competent person to act as trustee for the corporation so dissolved, and the trustee, before entering upon the discharge of his or her duties, shall take and subscribe an oath that he or she will faithfully discharge the duties of the office and shall give bond with sufficient security, to be approved by the governing body, to the use of the disincorporated city, conditioned for the faithful discharge of the trustee's duty.**

**82.142. The trustee shall have power to prosecute and defend to final judgment all suits instituted by or against the corporation, collect all moneys due the same, liquidate all lawful demands against the same, and for that purpose shall sell any property belonging to the corporation, or so much thereof as may be necessary, and generally to do all acts requisite to bring to a speedy close all the affairs of the corporation.**

**82.145. The trustee shall employ counsel whenever necessary in the discharge of his or her duties and shall make a report of the proceedings to the county governing body at each regular term thereof, and the trustee shall receive for his or her services such compensation as the governing body shall think reasonable.**

**82.148. When the trustee shall have closed the affairs of the corporation, and shall have paid all debts due by the corporation, he or she shall pay over to the county treasurer all money remaining in his or her hands, take receipt therefor, and deliver to the clerk of the county governing body all books, papers, records, and deeds belonging to the dissolved corporation.**

479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

**9. No municipal judge shall serve as a municipal judge in more than three municipalities at one time.";** and

Further amend said bill, Page 2, Section 479.353, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following:

"(3) A person shall not be placed in confinement for failure to pay a fine unless such nonpayment violates terms of probation **or unless the due process procedures mandated by Missouri Supreme Court Rule 37.65 or its successor rule are strictly followed by the court;**" and

Further amend said bill, Page 4, Section 479.360, Line 14, by inserting immediately after the word "costs" on said line the following:

**"unless found to be in contempt after strict compliance by the court with the due process procedures mandated by Missouri Supreme Court Rule 37.65 or its successor rule";** and

Further amend said bill, Page 7, Section 479.368, Line 99, by inserting after all of said section and line the following:

**"Section 1. If any provision of section A of this act or the application thereof to anyone or to any circumstance is held invalid, the remainder of the provisions of section A of this act and the application of such provisions to others or other circumstances shall not be affected thereby.";** and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **SCS SB 765**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1 and House Committee Amendment No. 2**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

*House Committee Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 765, Page 1, In the Title, Lines 5-6, by deleting the phrase "prohibitions on traffic citation quotas" and inserting in lieu thereof the phrase "law enforcement"; and

Further amend said bill, Page 3, Section 575.320, Line 37, by inserting after all of said section and line the following:

"610.026. 1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

(1) Fees for copying public records, except those records restricted under section 32.091, shall not exceed ten cents per page for a paper copy not larger than nine by fourteen inches, with the hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the public governmental body. Research time required for fulfilling records requests **includes time spent reviewing records to determine whether records are closed or are authorized to be closed, and** may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time. Prior to producing copies of the requested records, the person requesting the records may request the public governmental body to provide an estimate of the cost to the person requesting the records. Documents [may] **shall** be furnished without charge [or at a reduced charge] **when the request is made by bona fide credentialed members of the media or may be furnished at a reduced charge** when the public governmental body determines that [waiver or] reduction of the fee is in the public interest because:

(a) It is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester; **or**

(b) **The applicable fees are minimal and should be waived for administrative efficiency.**

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, **research time**, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication. Fees for maps, blueprints, or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

2. Payment of such copying, **search, research, and duplication** fees may be requested prior to the making of copies **or production of records.**

3. Except as otherwise provided by law, each public governmental body of the state shall remit all moneys received by or for it from fees charged pursuant to this section to the director of revenue for deposit to the general revenue fund of the state.

4. Except as otherwise provided by law, each public governmental body of a political subdivision of the state shall remit all moneys received by it or for it from fees charged pursuant to sections 610.010 to 610.028 to the appropriate fiscal officer of such political subdivision for deposit to the governmental body's accounts.

5. The term "tax, license or fees" as used in Section 22 of Article X of the Constitution of the State of Missouri does not include copying charges and related fees that do not exceed the level necessary to pay or to continue to pay the costs for providing a service, program, or activity which was in existence on November 4, 1980, or which was approved by a vote of the people subsequent to November 4, 1980.

610.100. 1. As used in sections 610.100 to 610.150, the following words and phrases shall mean:

(1) "Arrest", an actual restraint of the person of the defendant, or by his or her submission to the custody of the officer, under authority of a warrant or otherwise for a criminal violation which results in the issuance of a summons or the person being booked;

(2) "Arrest report", a record of a law enforcement agency of an arrest and of any detention or confinement incident thereto together with the charge therefor;

(3) "Inactive", an investigation in which no further action will be taken by a law enforcement agency or officer for any of the following reasons:

(a) A decision by the law enforcement agency not to pursue the case;

(b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;

(c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;

(4) "Incident report", a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;

(5) "Investigative report", a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties;

(6) **"Mobile video recorder", any system or device that captures visual signals that is capable of being installed in a vehicle or being worn or carried by personnel of a law enforcement agency and that includes, at minimum, a camera and recording capabilities;**

(7) **"Mobile video recording", any data captured by a mobile video recorder, including audio, video, and any metadata;**

(8) **"Nonpublic location", a place where one would have a reasonable expectation of privacy including, but not limited to, a dwelling, school, or medical facility.**

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records.

(1) Notwithstanding any other provision of law other than the provisions of subsections 4, 5 and 6 of this section or section 320.083, **mobile video recordings and** investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive.

(2) If any person is arrested and not charged with an offense against the law within thirty days of the person's arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120.

(3) **Except as provided in subsections 3 and 5 of this section, a mobile video recording that is recorded in a nonpublic location is authorized to be closed, except that any person who is depicted in the recording or whose voice is in the recording, a legal guardian or parent of such person if he or she is a minor, a family member of such person within the first degree of consanguinity if he or she is deceased or incompetent, an attorney for such person, or insurer of such person may obtain a complete, unaltered, and unedited copy of a recording under this section upon written request.**

3. Except as provided in subsections 4, 5, 6 and 7 of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

4. Any person, including a **legal guardian or a parent of such person if he or she is a minor**, family member of such person within the first degree of consanguinity if such person is deceased or incompetent, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain

any records closed pursuant to this section or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, **legal guardian or parent of such person if he or she is a minor**, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

5. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of **a mobile video recording or** the information contained in an investigative report of any law enforcement agency, which would otherwise be closed pursuant to this section. The court may order that all or part of **a mobile video recording or** the information contained in an investigative report be released to the person bringing the action.

(1) In making the determination as to whether information contained in an investigative report shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity.

**(2) In making the determination as to whether a mobile video recording shall be disclosed, the court shall consider:**

**(a) Whether the benefit to the person bringing the action or the benefit to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the mobile video recording with respect to the need for law enforcement agencies to effectively investigate and prosecute criminal activity;**

**(b) Whether the mobile video recording contains information that is reasonably likely to disclose private matters in which the public has no legitimate concern;**

**(c) Whether the mobile video recording is reasonably likely to bring shame or humiliation to a person of ordinary sensibilities; and**

**(d) Whether the mobile recording was taken in a place where a person recorded or depicted has a reasonable expectation of privacy.**

(3) The **mobile video recording or** investigative report in question may be examined by the court in camera.

**(4) If the disclosure is authorized in whole or in part, the court may make any order that justice requires, including one or more of the following:**

**(a) That the mobile video recording or investigative report may be disclosed only on specified terms and conditions, including a designation of the time or place;**

**(b) That the mobile video recording or investigative report may be disclosed to the person making the request in a different manner or form as requested;**

**(c) That the scope of the request be limited to certain matters;**

**(d) That the disclosure occur with no one present except persons designated by the court;**

**(e) That the mobile video recording or investigative report be redacted to exclude for example, personally identifiable features or other sensitive information;**

**(f) That a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way.**

(5) The court may find that the party seeking disclosure of the **mobile video recording or** investigative report shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the **mobile video recording or** investigative report was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

6. Any person may apply pursuant to this subsection to the circuit court having jurisdiction for an order requiring a law enforcement agency to open incident reports and arrest reports being unlawfully closed pursuant to this section. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has knowingly violated this section, the officer or agency shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of this section, the court may order payment by such officer or agency of all costs and attorneys' fees, as provided by section 610.027. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has purposely violated this section, the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the law enforcement officer or agency has violated this section previously.

7. The victim of an offense as provided in chapter 566 may request that his or her identity be kept confidential until a charge relating to such incident is filed.

**8. Any person who requests and receives a mobile video recording that was recorded in a nonpublic location under this section is prohibited from displaying or disclosing the mobile video recording, including any description or account of any or all of the mobile video recording, without first providing direct third party notice to each person not affiliated with a law enforcement agency whose image or sound is contained in the recording. Upon receiving such notice, each person appearing in a mobile video recording shall be given ten days to file and serve an action seeking an order from a court of competent jurisdiction to enjoin all or some of the intended display, disclosure, description, or account of the recording. Any person who fails to comply with the provisions of this section shall be subject to damages in a civil action proceeding.";** and

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

*House Committee Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 765, Page 1, Section 304.125, Line 4, by inserting immediately after the word "**basis.**" on said line the following:

**"This section shall not apply to the issuance of warning citations.";** and

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

**Committee on Ways and Means**, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 2759**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(6) be referred to the Select Committee on Financial Institutions and Taxation.

*House Committee Amendment No. 1*

AMEND House Bill No. 2759, Page 1, Section 135.435, Line 3, by inserting after all of said line the following:

**"(2) "Department", the department of corrections;"**; and

Further amend said bill, Pages 1-2, said section, Lines 4-17, by renumbering the remaining subdivisions accordingly;

Further amend said bill, Page 2, said section, Lines 29-30, by deleting the words, "**made during any of the preceding three tax years**"; and

Further amend said bill, page and section, Line 33, by deleting the first occurrence of the word, "**in**" and inserting in lieu thereof the word, "**for**"; and

Further amend said bill, Page 3, said section, Line 53, by deleting the word, "**department**" and inserting in lieu thereof the words, "**qualified organization**"; and

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

**Select Committee on Commerce**, Chairman Zerr reporting:

Mr. Speaker: Your Select Committee on Commerce, to which was referred **SS SCS SB 919, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

**Select Committee on Education**, Chairman Lair reporting:

Mr. Speaker: Your Select Committee on Education, to which was referred **HB 2566, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

**Select Committee on Labor and Industrial Relations**, Chairman Rehder reporting:

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 1741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**Select Committee on Social Services**, Chairman Allen reporting:

Mr. Speaker: Your Select Committee on Social Services, to which was referred **HB 2269, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

**Select Committee on State and Local Governments**, Chairman Solon reporting:

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **HB 2488, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **HB 2667**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2001**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2002** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2003** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2004** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2005** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor,

Secretary of State, State Auditor, State Treasurer, or Attorney General; and also provided that no funds shall be expended for the purpose of making payments on new or refinanced bonds on building renovations for an entertainment and sports arena located at 1401 Clark Avenue, St. Louis, Missouri 63103.

In which the concurrence of the House is respectfully requested.

### **COMMITTEE APPOINTMENT**

April 7, 2016

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 317B  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following to serve on the Election Procedures and Accountability Task Force.

Representative Shamed Dogan, Chair  
Representative Jason Chipman, Vice Chair  
Representative Jay Barnes  
Representative Cloria Brown  
Representative Marsha Haefner  
Representative Joe Don McGaugh  
Representative Jered Taylor  
Representative Kevin Corlew  
Representative Pat Conway  
Representative Courtney Curtis  
Representative Rochelle Walton Gray  
Representative Lauren Arthur

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Todd Richardson  
Speaker of the Missouri House of Representatives  
152nd District

The following member's presence was noted: Redmon.

### **ADJOURNMENT**

On motion of Representative Cierpiot, the House adjourned until 4:00 p.m., Monday, April 11, 2016.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Forty-eighth Day, Wednesday, April 6, 2016, Page 1590, Line 13, by deleting all of said line.

## COMMITTEE HEARINGS

### AGRICULTURE POLICY

Tuesday, April 12, 2016, 12:30 PM or Upon Morning Adjournment (whichever is later),  
House Hearing Room 6.

Executive session will be held: SB 665, SCS SB 703

Executive session may be held on any matter referred to the committee.

The Food & Agriculture Policy Research Institute (FAPRI) at the University of Missouri will  
be giving an updated presentation on the 2016 Agricultural Baseline.

### BANKING

Monday, April 11, 2016, 2:30 PM, House Hearing Room 6.

Public hearing will be held: HB 2812

Executive session may be held on any matter referred to the committee.

### CHILDREN AND FAMILIES

Tuesday, April 12, 2016, 12:00 PM or Upon Conclusion of Morning Session (whichever is later),  
House Hearing Room 1.

Public hearing will be held: HB 2492

Executive session will be held: HJR 98, SB 607, HB 1953

Executive session may be held on any matter referred to the committee.

### AMENDED

### CONFERENCE COMMITTEE ON SS SCS HB 2203

Tuesday, April 12, 2016, 8:30 AM, Senate Lounge.

Executive session may be held on any matter referred to the committee.

Discussion of the Conference Committee Report on SS SCS HB 2203.

### ECONOMIC DEVELOPMENT AND BUSINESS ATTRACTION AND RETENTION

Tuesday, April 12, 2016, 2:00 PM or Upon Afternoon Adjournment (whichever is later),  
House Hearing Room 5.

Public hearing will be held: SB 879

Executive session will be held: HB 2805, HB 1865

Executive session may be held on any matter referred to the committee.

### ELEMENTARY AND SECONDARY EDUCATION

Monday, April 11, 2016, 5:00 PM or 15 minutes Upon Evening Adjournment, House Hearing  
Room 3.

Public hearing will be held: HB 1849, HB 1670, HB 1636, HB 2802

Executive session will be held: SCS SBs 586 & 651, HB 1368, HB 1429, HB 1430, HB 2178,  
HB 2546, HB 2594

Executive session may be held on any matter referred to the committee.

#### EMERGING ISSUES

Monday, April 11, 2016, Upon Adjournment, House Hearing Room 5.  
Public hearing will be held: SB 656  
Executive session may be held on any matter referred to the committee.

#### ENERGY AND THE ENVIRONMENT

Tuesday, April 12, 2016, 9:00 AM, House Hearing Room 7.  
Executive session will be held: HB 2746  
Executive session may be held on any matter referred to the committee.

#### FISCAL REVIEW

Monday, April 11, 2016, 2:15 PM, House Hearing Room 5.  
Executive session may be held on any matter referred to the committee.  
Executive session on any bill referred to the committee.

#### GOVERNMENT EFFICIENCY

Monday, April 11, 2016, 12:00 PM, House Hearing Room 4.  
Executive session will be held: SB 682, SS SCS SB 704  
Executive session may be held on any matter referred to the committee.  
The Standing Committee on Government Efficiency will also hold an exploratory meeting on HB 2620 regarding the establishment of the State Obligation Recovery Center.

#### GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 11, 2016, 1:00 PM, House Hearing Room 7.  
Public hearing will be held: HRB 2467  
Executive session may be held on any matter referred to the committee.

#### HEALTH AND MENTAL HEALTH POLICY

Tuesday, April 12, 2016, Upon Conclusion of Afternoon Session, House Hearing Room 6.  
Public hearing will be held: HB 2309, HB 2609, HB 2616  
Executive session may be held on any matter referred to the committee.

#### HIGHER EDUCATION

Tuesday, April 12, 2016, 8:00 AM, House Hearing Room 6.  
Public hearing will be held: HB 2651, HB 2657, HB 2693  
Executive session will be held: HB 2651, HB 2742, HB 2484  
Executive session may be held on any matter referred to the committee.

#### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 21, 2016, 9:00 AM, House Hearing Room 3.  
Executive session may be held on any matter referred to the committee.  
2nd Quarter Meeting  
\*Portions of the meeting may be closed pursuant to Section 610.021, RSMo.\*

**PROFESSIONAL REGISTRATION AND LICENSING**

Tuesday, April 12, 2016, 12:00 PM or Upon Morning Recess (whichever is later), House Hearing Room 4.

Public hearing will be held: HB 2347

Executive session will be held: HB 2613

Executive session may be held on any matter referred to the committee.

**PUBLIC SAFETY AND EMERGENCY PREPAREDNESS**

Monday, May 9, 2016, Upon Conclusion of Afternoon Session, House Hearing Room 6.

Public hearing will be held: HB 1516, HB 1520, HB 1521, HB 1522, HB 1523

Executive session may be held on any matter referred to the committee.

**SELECT COMMITTEE ON AGRICULTURE**

Tuesday, April 12, 2016, 8:30 AM, House Hearing Room 4.

Executive session will be held: HB 2632

Executive session may be held on any matter referred to the committee.

**SELECT COMMITTEE ON GENERAL LAWS**

Tuesday, April 12, 2016, 2:30 PM or Upon Afternoon Adjournment (whichever comes first), South Gallery.

Executive session will be held: HB 2027, HB 2235, HB 2461, HB 2043, HB 1857

Executive session may be held on any matter referred to the committee.

**SELECT COMMITTEE ON JUDICIARY**

Monday, April 11, 2016, 12:00 PM, House Hearing Room 1.

Public hearing will be held: SS SCS SB 572

Executive session may be held on any matter referred to the committee.

Witness testimony will be heard in support, opposition and for informational purposes.

Depending on the number of witnesses, there may be a time limit placed on witness testimony.

**SELECT COMMITTEE ON SOCIAL SERVICES**

Monday, April 11, 2016, 2:30 PM, House Hearing Room 5.

Executive session will be held: HB 2464, SB 579, SS SB 621, SCS SB 814, SB 875

Executive session may be held on any matter referred to the committee.

**SPECIAL COMMITTEE ON URBAN ISSUES**

Monday, April 11, 2016, 11:00 AM, House Hearing Room 3.

Public hearing will be held: HB 2357

Executive session may be held on any matter referred to the committee.

Meeting with Dr. Foley, Dr. Middleton, Dr. Azizan-Gardner, Dr. Stokes, and Dr. Adkins to discuss the current campus climate at Mizzou and throughout the UM System. Discussion regarding changing the perception of Mizzou from a minority perspective and what Dr.

Middleton has done in his role as Vice Chancellor of diversity and system-wide plans to alleviate the diversity and inclusion issues in the system.

AMENDED

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, April 13, 2016, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Joint Committee Hearing with the Task Force on Elections, Procedures, and Accountability in order to have a discussion, with Eric Fey and Gary Fuhr, from the St. Louis County Board of Elections, about the events that occurred on April 5th.

AMENDED

**SPECIAL COMMITTEE ON URBAN ISSUES**

Thursday, April 14, 2016, 9:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Discussion regarding different corrections education policies with representatives from Innertainment Delivery Systems LLC.

**TRADE AND TOURISM**

Wednesday, April 13, 2016, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 2481

Executive session may be held on any matter referred to the committee.

**TRANSPORTATION**

Tuesday, April 12, 2016, Upon Conclusion of Morning Session, House Hearing Room 7.

Public hearing will be held: SB 640, HB 2758, HB 2382

Executive session will be held: HB 2758, HB 2382

Executive session may be held on any matter referred to the committee.

The House Transportation Committee invites you to attend a 15-minute presentation on Tuesday, April 12, beginning upon conclusion of the Transportation Committee, in Hearing Room 7, to learn more about the impact of Missouri bridges on moving freight across Missouri.

AMENDED

**WORKFORCE STANDARDS AND DEVELOPMENT**

Monday, April 11, 2016, 12:00 PM, House Hearing Room 5.

Public hearing will be held: SB 700

Executive session may be held on any matter referred to the committee.

**HOUSE CALENDAR**

FIFTIETH DAY, MONDAY, APRIL 11, 2016

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HCS HJR 56 - Burlison

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

HCS HB 2017 - Flanigan

HCS HB 2018 - Flanigan

**HOUSE BILLS FOR PERFECTION**

HCS HB 1995 - Cornejo  
HB 1396 - McCreery  
HB 1389 - King  
HB 1534 - Flanigan  
HB 1611 - Swan  
HB 2322 - Rowden  
HB 1965 - Zerr  
HCS HB 2345 - Kolkmeier  
HCS HB 2327 - Curtis  
HCS HB 1465 - Burlison  
HB 1754 - Bahr  
HB 2028 - Hoskins  
HCS HB 2496 - Fitzpatrick  
HCS HB 1928 - Burlison  
HCS HBs 2069 & 2371 - Franklin  
HCS HB 1632 - Alferman  
HCS HBs 2045 & 2316 - Morris  
HB 2243 - Cornejo  
HCS HB 2388, with HA 1, pending - Fitzwater (144)  
HB 1811 - Hicks  
HB 2217 - Morris  
HCS HB 1858 - Mathews  
HCS HBs 2565 & 2564 - Montecillo  
HB 2575 - Montecillo  
HCS HB 2379 - Swan  
HB 1468 - Burlison  
HCS HB 2399 - Colona  
HCS HB 1578 - Higdon  
HB 1443 - Leara  
HCS HB 2213 - Hinson  
HB 2605, with HCA 1 - Lauer  
HCS HB 1945 - Spencer  
HCS HB 1605 - Kelley  
HCS HB 1448 - Redmon  
HB 1972, with HCA 1 - Crawford  
HB 2448 - Conway (10)  
HCS HB 1679 - Solon  
HB 1852 - Rowland (155)  
HCS HB 1866 - Hubrecht  
HB 1831 - McGaugh  
HCS HB 2367 - McGaugh  
HB 2065 - Berry  
HB 2271 - Entlicher  
HCS HB 1561 - Leara  
HCS HB 2472 - Franklin

HB 2042 - Curtman  
HB 2473, with HCA 1 - Montecillo  
HB 1755 - Bahr  
HB 1685 - Fitzwater (49)  
HB 1792 - Lauer  
HB 1867 - Fitzpatrick  
HB 2093 - Chipman  
HCS HB 1955 - Dohrman  
HB 1585 - Hill  
HB 2237 - Rowden  
HB 1969 - Anderson  
HB 1731 - Reiboldt  
HB 2667 - Shumake  
HCS HB 2566 - Pfautsch

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 1872 - Cookson  
HB 2136 - Cookson  
HB 2346 - Fitzpatrick  
HB 1853 - Shumake

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCS HCR 94 - Hummel  
HCR 79 - Korman  
HCS HCR 60 - Love  
HCR 99 - Hinson  
HCS HCR 91 - Walton Gray  
HCS HCR 57 – Burlison  
HCR 72 - Fitzwater (49)  
HCR 66 - Hubrecht  
HCR 61 - Engler

**HOUSE BILLS FOR THIRD READING**

HB 2242 - Cornejo  
HB 1466 - Burlison  
HCS HB 2332 - Corlew  
HCS HB 2561 - Brown (94)  
HB 1715 - Wilson  
HB 2102 - Justus  
HCS HB 2202 - Haefner  
HCS HB 1943, (Fiscal Review 4/7/16), E.C. - Wood  
HCS HB 2381 - Redmon  
HCS HB 2135 - Rhoads  
HCS HB 1804 - Miller

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HCS HB 2038 - Curtman  
HCS HB 1428 - Sommer  
HCS HB 2150, (Fiscal Review 4/7/16) - Wiemann  
HB 1962, (Fiscal Review 4/7/16), E.C. - Conway (104)  
HB 2590 - Plocher  
HCS HB 2445 - Conway (104)  
HB 1951 - Spencer  
HCS HB 2272 - Andrews  
HB 1427 - Sommer  
HB 1816 - Koenig  
HCS HB 1756, (Fiscal Review 4/7/16) - Bahr  
HCS HB 1718 - Corlew

### **HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS HB 1738 - Brattin

### **HOUSE BILLS FOR THIRD READING - CONSENT**

HB 2348 - Richardson

### **SENATE BILLS FOR THIRD READING - CONSENT**

(04/11/2016)

SB 660 - Dugger

### **SENATE BILLS FOR THIRD READING**

SS#2 SB 847 - McGaugh  
SCS SB 591 - Corlew  
SS SCS SB 838 - Fraker

### **HOUSE BILLS WITH SENATE AMENDMENTS**

SCS HCS HB 2140, as amended - Hoskins  
SCS HCS HB 2002 - Flanigan  
SCS HCS HB 2003 - Flanigan  
SCS HCS HB 2004 - Flanigan  
SCS HCS HB 2005 - Flanigan

### **BILLS IN CONFERENCE**

SS SCS HB 1979, as amended - Rowden  
SS SCS HB 2203, as amended - Barnes

### **HOUSE RESOLUTIONS**

HR 1103 - Richardson

**VETOED HOUSE BILLS**

SS HCS HB 1891 - Rehder

**VETOED SENATE BILLS**

SCR 46 - Barnes

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

SCS HCS HB 1 - Flanigan  
CCS SCS HCS HB 2 - Flanigan  
CCS SCS HCS HB 3 - Flanigan  
CCS SCS HCS HB 4 - Flanigan  
CCS SCS HCS HB 5 - Flanigan  
CCS SCS HCS HB 6 - Flanigan  
CCS SCS HCS HB 7 - Flanigan  
CCS SCS HCS HB 8 - Flanigan  
CCS SCS HCS HB 9 - Flanigan  
CCS SCS HCS HB 10 - Flanigan  
CCS SCS HCS HB 11 - Flanigan  
CCS SS SCS HCS HB 12 - Flanigan  
CCS SCS HCS HB 13 – Flanigan  
SS SCS HCS HB 17 - Flanigan  
SCS HCS HB 18 - Flanigan  
SCS HCS HB 19 – Flanigan

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