

JOURNAL OF THE HOUSE

First Regular Session, 99th GENERAL ASSEMBLY

SEVENTIETH DAY, TUESDAY, MAY 9, 2017

The House met pursuant to adjournment.

Speaker Pro Tem Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

All the paths of the Lord are mercy and truth unto such as keep His covenant and His testimonies. (Psalm 25:10)

Almighty God, we pause with bowed heads at the opening of another day, lifting our spirits to You, to whom all thoughts and ambitions are open and all desires known. Teach us to pray that Your presence becomes real to us, as we strive more earnestly to do Your will and to walk in Your paths of peace.

We come concerned by the problems of this day, burdened by many anxieties, tempted to feel our labor is in vain, and wondering what the future holds for us and for our State. We pray for ourselves in these demanding times that we may not add to the divisions that divide us by giving way to petty prejudices but by our dedication to You and our devotion to our State may increase our unity by an ever-widening spirit of cooperation.

Give us strength to walk in Your ways, to travel in Your truth, and to live in Your light.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Isaac DeWaal, Hannah Villmer, Reece Beth Rone, Phoebe Clair Rone, and Parker Hinton.

The Journal of the sixty-ninth day was approved as printed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HCB 3**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Alferman, Conway (104), Fraker, Haefner, Morgan, Morris, Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Vescovo

BILLS CARRYING REQUEST MESSAGES

HCS SB 302, as amended, relating to political subdivisions, was taken up by Representative Ruth.

Representative Ruth moved that the House refuse to recede from its position on **HCS SB 302, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE RESOLUTIONS

HR 421, relating to House interim employment, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HR 421** was adopted by the following vote:

AYES: 153

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brown 27
Brown 57	Brown 94	Burnett	Burns	Christofanelli
Cierpiot	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis
DeGroot	Dogan	Dohrman	Dunn	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Hubrecht	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Kolkmeier
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Marshall	Mathews	Matthiesen
May	McCaherty	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Moon	Morgan	Morris
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Pogue	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Walker 3	Walker 74	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Butler	Carpenter	Chipman	Curtis
Ellington	Gregory	Peters	Vescovo	

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCB 3, relating to funds for vulnerable senior citizens, was taken up by Representative Fitzpatrick.

Representative Fitzpatrick moved that the House refuse to adopt **SS HCB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Speaker Richardson assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94
Chipman	Christofanelli	Cierpiot	Conway 104	Cookson
Cornejo	Crawford	Curtman	Davis	DeGroot
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzpatrick	Fitzwater 144	Fitzwater 49	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hubrecht
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kolkmeier	Korman	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	Matthiesen	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Pfautsch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roeber	Rone
Ross	Rowland 155	Ruth	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 044

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Carpenter	Conway 10	Dunn	Ellebracht	Ellington
Franks Jr	Gray	Green	Harris	Kendrick
Lavender	May	McCann Beatty	McCreery	McGee

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Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Peters	Pierson Jr	Quade
Razer	Roberts	Rowland 29	Runions	Smith 85
Stevens 46	Unsicker	Walker 74	Wessels	

PRESENT: 001

Roden

ABSENT WITH LEAVE: 010

Butler	Corlew	Cross	Curtis	Fraker
Kidd	Mathews	McDaniel	Neely	Schroer

VACANCIES: 001

Representative Fitzpatrick again moved that the House refuse to adopt **SS HCB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted by the following vote, the ayes and noes having been demanded by Representative May:

AYES: 107

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94
Butler	Chipman	Christofanelli	Cierpiot	Conway 104
Cornejo	Crawford	Curtman	Davis	DeGroot
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Franklin	Frederick	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kolkmeier	Korman	Lant	Lauer	Lichtenegger
Love	Lynch	Matthiesen	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Pfausch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roden	Roerber
Rone	Ross	Rowland 155	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Wiemann
Wilson	Mr. Speaker			

NOES: 046

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Carpenter	Conway 10	Dunn	Ellebracht	Ellington
Franks Jr	Gray	Green	Harris	Kendrick
Lavender	Marshall	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Peters	Pierson Jr

Quade	Razer	Roberts	Rowland 29	Runions
Smith 85	Stevens 46	Unsicker	Walker 74	Wessels
White				

PRESENT: 001

Hubrecht

ABSENT WITH LEAVE: 008

Cookson	Corlew	Cross	Curtis	Kidd
Mathews	McDaniel	Wood		

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 302: Representatives Ruth, Rone, Miller, McCreery and Beck

THIRD READING OF SENATE BILLS

HCS SCS SB 139, relating to controlled substances, was taken up by Representative Wood.

Representative Alferman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 2, Section 195.435, Line 2, by inserting immediately after all of said section and line the following:

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

- (1) "Administer", the direct application of an epinephrine auto-injector to the body of an individual;
- (2) "Authorized entity", any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present including, but not limited to, restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. "Authorized entity" shall not include any public school or public charter school;
- (3) "Epinephrine auto-injector", a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body;
- (4) "Physician", a physician licensed in this state under chapter 334;
- (5) "Provide", the supply of one or more epinephrine auto-injectors to an individual;
- (6) "Self-administration", a person's discretionary use of an epinephrine auto-injector.

2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity for use in accordance with this section, and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense epinephrine auto-injectors under a prescription issued in the name of an authorized entity.

3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored in a location readily accessible in an emergency and in accordance with the epinephrine auto-injector's

instructions for use and any additional requirements established by the department of health and senior services by rule. An authorized entity shall designate employees or agents who have completed the training required under this section to be responsible for the storage, maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

4. An authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall ensure that:

(1) Expected epinephrine auto-injector users receive training in recognizing symptoms of severe allergic reactions including anaphylaxis and the use of epinephrine auto-injectors from a nationally recognized organization experienced in training laypersons in emergency health treatment or another entity or person approved by the department of health and senior services;

(2) All epinephrine auto-injectors are maintained and stored according to the epinephrine auto-injector's instructions for use;

(3) Any person who provides or administers an epinephrine auto-injector to an individual who the person believes in good faith is experiencing anaphylaxis activates the emergency medical services system as soon as possible; and

(4) A proper review of all situations in which an epinephrine auto-injector is used to render emergency care is conducted.

5. Any authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the epinephrine auto-injectors are to be located within the entity's facility.

6. No person shall provide or administer an epinephrine auto-injector to any individual who is under eighteen years of age without the verbal consent of a parent or guardian who is present at the time when provision or administration of the epinephrine auto-injector is needed. Provided, however, that a person may provide or administer an epinephrine auto-injector to such an individual without the consent of a parent or guardian if the parent or guardian is not physically present and the person reasonably believes the individual shall be in imminent danger without the provision or administration of the epinephrine auto-injector.

7. The following persons and entities shall not be liable for any injuries or related damages that result from the administration or self-administration of an epinephrine auto-injector in accordance with this section that may constitute ordinary negligence:

(1) An authorized entity that possesses and makes available epinephrine auto-injectors and its employees, agents, and other trained persons;

(2) Any person who uses an epinephrine auto-injector made available under this section;

(3) A physician that prescribes epinephrine auto-injectors to an authorized entity; or

(4) Any person or entity that conducts the training described in this section.

Such immunity does not apply to acts or omissions constituting a reckless disregard for the safety of others or willful or wanton conduct. The administration of an epinephrine auto-injector in accordance with this section shall not be considered the practice of medicine. The immunity from liability provided under this subsection is in addition to and not in lieu of that provided under section 537.037. An authorized entity located in this state shall not be liable for any injuries or related damages that result from the provision or administration of an epinephrine auto-injector by its employees or agents outside of this state if the entity or its employee or agent are not liable for such injuries or related damages under the laws of the state in which such provision or administration occurred. No trained person who is in compliance with this section and who in good faith and exercising reasonable care fails to administer an epinephrine auto-injector shall be liable for such failure.

8. All basic life support ambulances and stretcher vans operated in the state shall be equipped with epinephrine auto-injectors and be staffed by at least one individual trained in the use of epinephrine auto-injectors.

9. The provisions of this section shall apply in all counties within the state and any city not within a county.

10. Nothing in this section shall be construed as superseding the provisions of section 167.630."; and

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

On motion of Representative Alferman, **House Amendment No. 1** was adopted.

Representative Rowland (155) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 6, Section 208.798, Line 2, by inserting after all of said section and line the following:

"334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

- (1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;
- (2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;
- (3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;
- (4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;
- (5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:
 - (a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;
 - (b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived [~~for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210;~~] as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision [~~This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested~~]; and
 - (c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;
- (6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;
- (7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to ~~[specifying geographic areas to be covered,]~~ the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than ~~three~~ **five** full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

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

Representative Helms offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain a geographic proximity of no further than seventy-five miles; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also

report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered"; and

Further amend said amendment, Page 2, Line 6, by inserting after the phrase "geographic proximity" the phrase "**of no further than seventy-five miles**"; and

Further amend said amendment, Page 4, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"right to refuse to collaborative, without penalty, with a particular physician.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

- (1) "Applicant", any individual who seeks to become licensed as a physician assistant;
- (2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;
- (3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;
- (4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;
- (5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;
- (6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;
- (7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;
- (8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than ~~[fifty]~~ **seventy-five** miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

- (1) Taking patient histories;
- (2) Performing physical examinations of a patient;
- (3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;
- (4) Performing routine therapeutic procedures;
- (5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;
- (6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;
- (7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;
- (8) Assisting in surgery;
- (9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and
- (10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

- (1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;
- (2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;
- (3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;
- (4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;
- (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and
- (6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

- (1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;
- (2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;
- (3) All specialty or board certifications of the supervising physician;
- (4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:
 - (a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and
 - (b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;
- (5) The duration of the supervision agreement between the supervising physician and physician assistant; and
- (6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197."; and"; and

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

Speaker Pro Tem Haahr resumed the Chair.

On motion of Representative Helms, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded pursuant to Rule 16:

AYES: 084

Alferman	Austin	Barnes 60	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Cierpiot	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	DeGroot

Dogan	Dohrman	Fitzpatrick	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kolkmeyer	Korman
Lant	Lauer	Lynch	Marshall	Matthiesen
McGaugh	Miller	Moon	Muntzel	Neely
Pfautsch	Phillips	Pietzman	Plocher	Redmon
Reiboldt	Reisch	Remole	Roeber	Ross
Rowland 155	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Tate	Trent	Vescovo	Wessels
White	Wiemann	Wood	Mr. Speaker	

NOES: 070

Adams	Anders	Anderson	Andrews	Arthur
Bahr	Bangert	Baringer	Barnes 28	Basye
Beck	Brown 27	Burnett	Burns	Butler
Carpenter	Christofanelli	Conway 10	Curtis	Dunn
Eggleston	Ellebracht	Ellington	Engler	Evans
Fitzwater 144	Francis	Franks Jr	Gray	Green
Harris	Henderson	Hubrecht	Kelly 141	Kendrick
Lavender	Love	Mathews	May	McCann Beatty
McCreery	McGee	Meredith 71	Merideth 80	Messenger
Mitten	Morgan	Morris	Mosley	Newman
Nichols	Peters	Pierson Jr	Pike	Pogue
Quade	Razer	Rehder	Rhoads	Roberts
Roden	Rowland 29	Runions	Smith 85	Stevens 46
Swan	Taylor	Unsicker	Walker 3	Walker 74

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Chipman	Kidd	Lichtenegger	McCaherty
McDaniel	Rone	Wilson		

VACANCIES: 001

Representative Franklin offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Line 1, by deleting said line and inserting in lieu thereof the following:

"AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

"191.1100. 1. Sections 191.1100 to [~~191.1112~~] **191.1116** shall be known and may be cited as the "Volunteer Health Services Act".

2. As used in [~~sections 191.1100 to 191.1112~~] **the volunteer health services act**, the following terms shall mean:

- (1) "Gross deviation", a conscious disregard of the safety of others;
- (2) "Health care provider", any physician, surgeon, dentist, nurse, optometrist, mental health professional licensed under chapter 337, veterinarian, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;
- (3) "Licensed health care provider", any health care provider holding a current license or certificate issued under:
 - (a) Missouri state law;
 - (b) Comparable laws of another state, territory, district, or possession of the United States;
- (4) "Regularly practice", to practice more than sixty days within any ninety-day period;
- (5) "Sponsoring organization", any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106;
- (6) "Voluntary provision of health care services", the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party. The provision of such health care services under sections 191.1100 to 191.1112 shall be the provider's professional practice area in which the provider is licensed or certified.

191.1110. 1. (1) No licensed health care provider **working on behalf of a sponsoring organization or registered with the appropriate licensing body pursuant to section 191.1114** who engages in the voluntary provision of health care services within the limits of the person's license, certificate, or authorization to ~~any~~ a patient ~~[of a sponsoring organization]~~ shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person's gross deviation from the ordinary standard of care or willful misconduct.

(2) The volunteer licensee who is providing free care shall not receive compensation of any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider's training or assignment.

(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.

(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee's office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.

2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.

191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of section 191.1110, a health care provider who provides volunteer health care services without working on behalf of a sponsoring organization shall register with the appropriate licensing body before providing such services by submitting a registration fee of fifty dollars and filing a registration form. The registration and fee shall be submitted annually to the appropriate licensing body with the fee to be used for the administration of sections 191.1100 to 191.1116. Such registration form shall contain:

- (1) **The name of the health care provider;**
- (2) **The address, including street, city, zip code, and county, of the health care provider's principal office address;**
- (3) **Telephone numbers for the principal office listed under subdivision (2) of this subsection; and**
- (4) **Such additional information as the appropriate licensing body shall require.**

Upon any change in the information required under this subsection, the health care provider shall notify the appropriate licensing body in writing of such change within thirty days of its occurrence.

2. The health care provider shall maintain on file for five years following the date of service the date, place, and type of services provided and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.

3. Adverse incidents and information on treatment outcomes shall be reported by any provider to the appropriate licensing body if the incidents and information pertain to a patient treated under the

volunteer health services act. The appropriate licensing body shall review the incident to determine whether it involves conduct by the licensee that is subject to disciplinary action. All patient medical records and any identifying information contained in adverse incident reports and treatment outcomes which are obtained by governmental entities or licensing bodies under this subsection are confidential.

4. The appropriate licensing body may revoke the registration of any health care provider that fails to comply with the requirements of this section.

5. Nothing in the volunteer health services act shall prohibit a health care provider from providing health care services without charge or shall require a health care provider to register with an appropriate licensing body. However, a health care provider who does not register or who does not work on behalf of a sponsoring organization shall not be entitled to liability protection under subdivision (1) subsection 1 of section 191.1110 or to continuing education credits under section 191.1116.

191.1116. For every hour of volunteer service performed by a health care provider, the appropriate licensing body shall credit such health care professional one hour of continuing education credit, up to a maximum of eight credit hours per licensure period. The health care provider shall submit to the appropriate licensing body a voluntary services report that lists the dates of voluntary service provided, the type of service provided, and the amount of time spent with each patient."; and

Further amend said bill,"; and

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Alferman	Andrews	Austin	Bahr	Barnes 60
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Chipman
Christofanelli	Cierpiot	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	DeGroot
Dogan	Eggleston	Engler	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Francis	Franklin	Frederick
Gannon	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Helms	Henderson	Higdon
Houx	Hubrecht	Hurst	Johnson	Justus
Kelley 127	Kolkmeier	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Pfautsch
Phillips	Pike	Plocher	Pogue	Redmon
Rehder	Reiboldt	Reisch	Remole	Rhoads
Roden	Roeber	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
White	Wiemann	Wilson	Wood	

NOES: 044

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Dunn

Ellebracht	Ellington	Franks Jr	Gray	Harris
Kendrick	Lavender	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Peters	Pierson Jr	Quade
Razer	Roberts	Rowland 29	Runions	Smith 85
Stevens 46	Unsicker	Walker 74	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 014

Anderson	Conway 104	Dohrman	Evans	Green
Hill	Houghton	Kelly 141	Kidd	May
McDaniel	Pietzman	Rone	Mr. Speaker	

VACANCIES: 001

On motion of Representative Franklin, **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Rowland (155), **House Amendment No. 2, as amended**, was adopted.

Representative Mathews offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 6, Section 208.798, Line 2, by inserting immediately after said section and line the following:

"334.506. 1. As used in this section, "approved health care provider" means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, a dentist under chapter 332, a podiatrist under chapter 330, a physician assistant under this chapter, an advanced practice registered nurse under chapter 335, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.

2. A physical therapist shall not initiate treatment for a new injury or illness without a prescription from an approved health care provider.

3. A physical therapist may provide educational resources and training, develop fitness or wellness programs for asymptomatic persons, or provide screening or consultative services within the scope of physical therapy practice without the prescription and direction of an approved health care provider.

4. A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:

(1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;

(2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;

(3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;

(4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;

(5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days.

5. The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. Physical therapy treatment provided pursuant to the provisions of subsection 4 of this section may be delegated by physical therapists to physical therapist assistants only if the patient's current approved health care provider has been so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection 4 of this section. Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of an approved health care provider. Nothing in this subsection shall prohibit an approved health care provider from acting within the scope of their practice as defined by the applicable chapters of RSMo.

6. No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

7. A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission ~~[for]~~ **on** Accreditation ~~[of]~~ **in** Physical ~~[Therapists and Physical Therapist Assistant]~~ **Therapy** Education (CAPTE) who satisfies supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry-level person shall be under ~~[on-site]~~ **the** supervision of a physical therapist."; and

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

On motion of Representative Mathews, **House Amendment No. 3** was adopted by the following vote, the ayes and noes having been demanded by Representative Lavender:

AYES: 147

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Brown 94	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Cierpiot
Conway 10	Conway 104	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	DeGroot
Dunn	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Franklin	Frederick	Gray	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Hubrecht	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kolkmeyer	Korman
Lauer	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCaherty	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Moon	Morgan	Morris	Mosley
Muntzel	Neely	Newman	Nichols	Peters
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

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NOES: 001

Pogue

PRESENT: 003

Ellington Lavender Marshall

ABSENT WITH LEAVE: 011

Cookson Dogan Dohrman Franks Jr Gannon
Green Kidd Lant May Mitten
Rone

VACANCIES: 001

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94
Chipman	Christofanelli	Cierpiot	Conway 104	Corlew
Crawford	Cross	Curtman	Davis	Dogan
Eggleston	Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Francis	Franklin	Frederick	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hubrecht	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Pfautsch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reisch
Remole	Roden	Roeber	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 044

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Dunn	Ellebracht
Ellington	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McGee
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Peters	Pierson Jr	Quade
Razer	Roberts	Rowland 29	Runions	Smith 85
Stevens 46	Unsicker	Walker 74	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 012

Cookson	Cornejo	Curtis	DeGroot	Dohrman
Evans	Gannon	Gregory	McCreery	Reiboldt
Rhoads	Rone			

VACANCIES: 001

On motion of Representative Wood, the title of **HCS SCS SB 139, as amended**, was agreed to.

On motion of Representative Wood, **HCS SCS SB 139, as amended**, was adopted.

On motion of Representative Wood, **HCS SCS SB 139, as amended**, was read the third time and passed by the following vote:

AYES: 148

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Brown 94	Burnett	Burns
Carpenter	Chipman	Christofanelli	Cierpiot	Conway 10
Conway 104	Corlew	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dunn	Eggleston
Ellebracht	Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Francis	Franklin	Franks Jr	Frederick
Green	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hubrecht	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCaherty	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris	Mosley
Muntzel	Neely	Newman	Nichols	Peters
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 006

Butler	Ellington	Hurst	Marshall	Moon
Pogue				

PRESENT: 000

ABSENT WITH LEAVE: 008

Cookson	Cornejo	DeGroot	Dohrman	Evans
Gannon	Gray	Gregory		

VACANCIES: 001

Speaker Pro Tem Haahr declared the bill passed.

On motion of Representative Austin, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Bahr.

HOUSE RESOLUTIONS

Representative Bernskoetter offered House Resolution No. 3311.

Representative Roberts offered House Resolution No. 3312.

Representative Cierpiot suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 034

Alferman	Barnes 60	Basye	Bernskoetter	Bondon
Brown 27	Cross	Curtman	Davis	Engler
Francis	Gannon	Grier	Hurst	Justus
Kelly 141	Korman	Matthiesen	McCaherty	McCreery
Morris	Newman	Phillips	Pogue	Rehder
Reisch	Remole	Rhoads	Roeber	Rowland 29
Sommer	Stephens 128	Taylor	White	

NOES: 001

Curtis

PRESENT: 072

Anders	Anderson	Andrews	Arthur	Austin
Bahr	Baringer	Barnes 28	Beard	Berry
Black	Brown 94	Burnett	Chipman	Cierpiot
Conway 104	DeGroot	Dogan	Dohrman	Eggleston
Evans	Fitzwater 49	Franklin	Frederick	Gray
Gregory	Haahr	Hannegan	Harris	Helms
Higdon	Houx	Hubrecht	Johnson	Kendrick
Kolkmeier	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	McCann Beatty	Meredith 71
Miller	Morgan	Mosley	Pfautsch	Pierson Jr
Pike	Razer	Reiboldt	Rone	Ross
Rowland 155	Runions	Ruth	Schroer	Shaul 113

Shull 16	Shumake	Stacy	Tate	Trent
Unsicker	Vescovo	Walker 3	Wessels	Wiemann
Wilson	Wood			

ABSENT WITH LEAVE: 055

Adams	Bangert	Beck	Brattin	Brown 57
Burns	Butler	Carpenter	Christofanelli	Conway 10
Cookson	Corlew	Cornejo	Crawford	Dunn
Ellebracht	Ellington	Fitzpatrick	Fitzwater 144	Fraker
Franks Jr	Green	Haefner	Hansen	Henderson
Hill	Houghton	Kelley 127	Kidd	Lavender
May	McDaniel	McGaugh	McGee	Merideth 80
Messenger	Mitten	Moon	Muntzel	Neely
Nichols	Peters	Pietzman	Plocher	Quade
Redmon	Roberts	Roden	Smith 85	Smith 163
Spencer	Stevens 46	Swan	Walker 74	Mr. Speaker

VACANCIES: 001

THIRD READING OF SENATE BILLS

HCS SB 283, relating to local commissions, was taken up by Representative Andrews.

Representative Rowland (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

- (1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;
- (2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;
- (3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;
- (4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;
- (5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;
- (6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;
- (7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;
- (8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;
- (9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; ~~and~~
- (10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants; and

(12) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county 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 county collector's option, for the property and the certified cost shall be collected by the county collector 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.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration."; and

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

On motion of Representative Rowland (155), **House Amendment No. 1** was adopted.

Representative Redmon offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after said section and line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
(2) Establish one-way streets and provide for the regulation of vehicles thereon;
(3) Require vehicles to stop before crossing certain designated streets and boulevards;
(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality. **The use by commercial motor vehicles of a municipality-designated route for such vehicles in compliance with any ordinances of the designating municipality shall not be deemed a nuisance or evidence of a nuisance. Nothing contained in this subdivision is intended to modify or limit recovery for any claim that is independent of a nuisance claim;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound-producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection while a red signal is being displayed if the operator of the motor vehicle entered the intersection during a yellow signal interval. The provisions of this subsection shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision that are to the contrary."; and

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Anderson	Andrews	Austin	Bahr	Barnes 60
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Chipman
Christofanelli	Cierpiot	Conway 104	Corlew	Cornejo
Crawford	Cross	Davis	DeGroot	Dogan
Dohrman	Eggleston	Engler	Evans	Fraker
Francis	Frederick	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hubrecht	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Kolkmeier	Korman	Lant
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	Messenger	Miller	Moon	Morris
Neely	Pfautsch	Phillips	Pietzman	Pike
Pogue	Redmon	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Ruth	Schroer	Shaul 113
Shumake	Smith 163	Sommer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Walker 3
White	Wilson	Wood		

NOES: 042

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Carpenter	Conway 10	Curtis	Dunn	Ellington
Franks Jr	Gray	Green	Harris	Kendrick
Lavender	McCann Beatty	McCreery	Meredith 71	Merideth 80
Mitten	Morgan	Mosley	Newman	Nichols
Peters	Pierson Jr	Quade	Razer	Roberts
Rowland 29	Runions	Smith 85	Stevens 46	Unsicker
Walker 74	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 022

Alferman	Butler	Cookson	Curtman	Ellebracht
Fitzpatrick	Fitzwater 144	Fitzwater 49	Franklin	Lauer
May	McCaherty	McDaniel	McGaugh	McGee
Muntzel	Plocher	Shull 16	Spencer	Vescovo
Wiemann	Mr. Speaker			

VACANCIES: 001

On motion of Representative Redmon, **House Amendment No. 2** was adopted.

Representative Ruth offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section 67.1364, Line 17, by inserting immediately after all of said section and line the following:

"68.075. 1. This section shall be known and may be cited as the "Advanced Industrial Manufacturing Zones Act".

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

(1) "AIM zone", an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) "**County average wage**", **the average wages in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;**

(3) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the ~~[state]~~ **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority's jurisdiction, **ownership, or control**, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority's jurisdiction **or under the port authority's ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023."; and

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

On motion of Representative Ruth, **House Amendment No. 3** was adopted.

Representative Chipman offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting the following after all of said line:

"67.1185. 1. The governing body of any county with a population of at least eighteen thousand inhabitants which adjoins both a county of the first classification with a population of less than one hundred thousand inhabitants and at least four counties of the third classification may impose, by ordinance or order, a surcharge on the sale of each ticket or other charge allowing admission to or participation in any private tourist attraction and on the daily rental of rooms or accommodations paid by transient guests of hotels, motels or campgrounds, as defined in section 94.802, in such county, at a rate ~~[not to exceed twenty-five cents]~~ **of up to ten percent** per ticket or other such charge. For purposes of sections 67.1185 to 67.1189, "private tourist attraction" means any commercial entity which appeals to the recreational desires and tastes of the traveling public through the presentation of services or devices designed to entertain or educate visitors, including but not limited to:

- (1) Amusement parks, carnivals, circuses, fairs and water parks;
- (2) Aerial tramways;
- (3) Commercial animal, reptile, and zoological exhibits;
- (4) Commercial beaches and hot springs;
- (5) Go-carts/miniature golf establishments;
- (6) Horse shows and rodeos and rides on horses or other animals;
- (7) Rides on airplanes, helicopters, balloons, gliders, parachutes and bungee jumps;
- (8) Automobile, bicycle, dog, horse, and other racing events;
- (9) Music shows and pageants, movie theaters, and live theaters; and
- (10) Canoe rentals.

2. Attractions operating on an occasional or intermittent basis for fund-raising purposes by nonprofit charitable organizations whose ordinary activities do not involve the operation of such attractions shall be exempt from the surcharge imposed by sections 67.1185 to 67.1189."; and

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

On motion of Representative Chipman, **House Amendment No. 4** was adopted.

Representative Roeber offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting immediately after said line the following:

"162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.

2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more

than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. ~~[Directors shall serve a four-year term]~~ **At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term.** Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five. ~~[Each voter may vote for two candidates for at large director and the two receiving the largest number of votes cast shall be elected.]~~

3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes ~~[if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled,]~~ shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an election as provided in subsection 2 of this section. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding an election as provided in subsection 2 of this section, no special election shall occur and the vacancy shall be filled at the next election day on which local elections are held as specified in the charter of any home rule city with more than four hundred thousand inhabitants and located in more than one county."; and

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

On motion of Representative Roeber, **House Amendment No. 5** was adopted.

Representative Evans offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after all of said section and line the following:

"451.090. 1. No recorder shall, in any event except as herein provided, issue a license authorizing the marriage of any person under ~~[fifteen]~~ **seventeen** years of age; provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, such license being

issued only ~~[for good cause shown and by reason of such unusual conditions as to]~~ **after a hearing has been held in which the parties present evidence to the court that would** make such marriage advisable. **The court, in its order, shall determine that there is no evidence of coercion or abuse of either person entering the marriage.**

2. No recorder shall issue a license authorizing the marriage of any male under the age of eighteen years or of any female under the age of eighteen years, except with the consent of his or her custodial parent or guardian, which consent shall be given at the time, in writing, stating the residence of the person giving such consent, signed and sworn to before an officer authorized to administer oaths. **In no instance shall a license be issued authorizing the marriage of any male or female twenty-one years of age or older if the other party to the marriage is less than seventeen years of age.**

3. The recorder shall state in every license whether the parties applying for same, one or either or both of them, are of age, or whether the male is under the age of eighteen years or the female under the age of eighteen years, and if the male is under the age of eighteen years or the female is under the age of eighteen years, the name of the custodial parent or guardian consenting to such marriage. **Applicants shall provide proof of age to the recorder in the form of a certified copy of the applicant's birth certificate, the applicant's passport, or other government-issued identification, which shall then be documented by the recorder.**"; and

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

Representative Schroer offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 283, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

"AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting after all of said section and line the following:

"211.021. [4-] As used in this chapter, unless the context clearly requires otherwise:

(1) "Adult" means a person ~~[seventeen]~~ **eighteen** years of age or older ~~[except for seventeen-year-old children as defined in this section];~~

(2) "Child" means any person under ~~[seventeen]~~ **eighteen** years of age ~~[and shall mean, in addition, any person over seventeen but not yet eighteen years of age alleged to have committed a status offense];~~

(3) "Juvenile court" means the juvenile division or divisions of the circuit court of the county, or judges while hearing juvenile cases assigned to them;

(4) "Legal custody" means the right to the care, custody and control of a child and the duty to provide food, clothing, shelter, ordinary medical care, education, treatment and discipline of a child. Legal custody may be taken from a parent only by court action and if the legal custody is taken from a parent without termination of parental rights, the parent's duty to provide support continues even though the person having legal custody may provide the necessities of daily living;

(5) "Parent" means either a natural parent or a parent by adoption and if the child is illegitimate, "parent" means the mother;

(6) "Shelter care" means the temporary care of juveniles in physically unrestricting facilities pending final court disposition. These facilities may include:

(a) "Foster home", the private home of foster parents providing twenty-four-hour care to one to three children unrelated to the foster parents by blood, marriage or adoption;

(b) "Group foster home", the private home of foster parents providing twenty-four-hour care to no more than six children unrelated to the foster parents by blood, marriage or adoption;

(c) "Group home", a child care facility which approximates a family setting, provides access to community activities and resources, and provides care to no more than twelve children;

(7) "Status offense", any offense as described in subdivision (2) of subsection 1 of section 211.031.

~~[2. The amendments to subsection 1 of this section, as provided for in this act, shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full-time equivalents and deputy~~

juvenile officer full time equivalents shall exceed by one million nine hundred thousand dollars the amount spent by the state for such officers in fiscal year 2007 and appropriations by the general assembly to single first class counties for juvenile court personnel costs shall exceed by one million nine hundred thousand dollars the amount spent by the state for such juvenile court personnel costs in fiscal year 2007 and notice of such appropriations has been given to the revisor of statutes].

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child [~~or person seventeen years of age~~] who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child [~~or person seventeen years of age~~], neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child [~~or person seventeen years of age~~] shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child [~~or person seventeen years of age~~] is otherwise without proper care, custody or support;

(c) The child [~~or person seventeen years of age~~] was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child [~~or person seventeen years of age is a child~~] is in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of [~~seventeen~~] **eighteen** years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child [~~or person seventeen years of age~~] to the guardianship of the department of social services as provided by law; and

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than [~~seventeen~~] **eighteen** years of age.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child [~~or person seventeen years of age~~] who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child [~~or person seventeen years of age~~] may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person [~~seventeen~~] **eighteen** years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child [~~or person seventeen years of age~~] to the court located in the county of the child's residence [~~or the residence of the person seventeen years of age~~], or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child [~~or person seventeen years of age~~] to the court located in the county of the child's residence [~~or the residence of the person seventeen years of age~~] for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child [~~or person seventeen years of age~~] under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child [~~or person seventeen years of age~~] or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri supreme court rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child [~~or person seventeen years of age~~], certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child [~~or person seventeen years of age~~] taken into custody in a county other than the county of the child's residence [~~or the residence of a person seventeen years of age~~], the juvenile court of the county of the child's residence [~~or the residence of a person seventeen years of age~~] shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

211.032. 1. Except as otherwise provided in a circuit participating in a pilot project established by the Missouri supreme court, when a child [~~or person seventeen years of age~~], alleged to be in need of care and treatment pursuant to subdivision (1) of subsection 1 of section 211.031, is taken into custody, the juvenile or family court shall notify the parties of the right to have a protective custody hearing. Such notification shall be in writing.

2. Upon request from any party, the court shall hold a protective custody hearing. Such hearing shall be held within three days of the request for a hearing, excluding Saturdays, Sundays and legal holidays. For circuits participating in a pilot project established by the Missouri supreme court, the parties shall be notified at the status conference of their right to request a protective custody hearing.

3. No later than February 1, 2005, the Missouri supreme court shall require a mandatory court proceeding to be held within three days, excluding Saturdays, Sundays, and legal holidays, in all cases under subdivision (1) of subsection 1 of section 211.031. The Missouri supreme court shall promulgate rules for the implementation of such mandatory court proceedings and may consider recommendations from any pilot projects established by the Missouri supreme court regarding such proceedings. Nothing in this subsection shall prevent the Missouri supreme court from expanding pilot projects prior to the implementation of this subsection.

4. The court shall hold an adjudication hearing no later than sixty days after the child has been taken into custody. The court shall notify the parties in writing of the specific date, time, and place of such hearing. If at such hearing the court determines that sufficient cause exists for the child to remain in the custody of the state, the court shall conduct a dispositional hearing no later than ninety days after the child has been taken into custody and shall

conduct review hearings regarding the reunification efforts made by the division every ninety to one hundred twenty days for the first year the child is in the custody of the division. After the first year, review hearings shall be held as necessary, but in no event less than once every six months for as long as the child is in the custody of the division.

5. At all hearings held pursuant to this section the court may receive testimony and other evidence relevant to the necessity of detaining the child out of the custody of the parents, guardian or custodian.

6. By January 1, 2005, the supreme court shall develop rules regarding the effect of untimely hearings.

7. If the placement of any child in the custody of the children's division will result in the child attending a school other than the school the child was attending when taken into custody:

(1) The child's records from such school shall automatically be forwarded to the school that the child is transferring to upon notification within two business days by the division; or

(2) Upon request of the foster family, the guardian ad litem, or the volunteer advocate and whenever possible, the child shall be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the division. The division, in consultation with the department of elementary and secondary education, shall establish the necessary procedures to implement the provisions of this subsection.

211.033. 1. No person under the age of ~~[seventeen]~~ **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071 shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of ~~[seventeen]~~ **eighteen** to a juvenile detention facility.

2. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.

~~[3. The amendments to subsection 2 of this section, as provided for in this act, shall not take effect until such time as the provisions of section 211.021 shall take effect in accordance with subsection 2 of section 211.021.]~~

211.041. When jurisdiction over the person of a child has been acquired by the juvenile court under the provisions of this chapter in proceedings coming within the applicable provisions of section 211.031, the jurisdiction of the child may be retained for the purpose of this chapter until he or she has attained the age of twenty-one years, except in cases where he or she is committed to and received by the division of youth services, unless jurisdiction has been returned to the committing court by provisions of chapter 219 through requests of the court to the division of youth services and except in any case where he or she has not paid an assessment imposed in accordance with section 211.181 or in cases where the judgment for restitution entered in accordance with section 211.185 has not been satisfied. Every child over whose person the juvenile court retains jurisdiction shall be prosecuted under the general law for any violation of a state law or of a municipal ordinance which he or she commits after he or she becomes ~~[seventeen]~~ **eighteen** years of age. The juvenile court shall have no jurisdiction with respect to any such violation and, so long as it retains jurisdiction of the child, shall not exercise its jurisdiction in such a manner as to conflict with any other court's jurisdiction as to any such violation.

211.061. 1. When a child is taken into custody with or without warrant for an offense, the child, together with any information concerning the child and the personal property found in the child's possession, shall be taken immediately and directly before the juvenile court or delivered to the juvenile officer or person acting for ~~[him]~~ **the child**.

2. If any person is taken before a circuit or associate circuit judge not assigned to juvenile court or a municipal judge, and it is then, or at any time thereafter, ascertained that he or she was under the age of ~~[seventeen]~~ **eighteen** years at the time he or she is alleged to have committed the offense, or that he or she is subject to the jurisdiction of the juvenile court as provided by this chapter, it is the duty of the judge forthwith to transfer the case or refer the matter to the juvenile court, and direct the delivery of such person, together with information concerning him or her and the personal property found in his or her possession, to the juvenile officer or person acting as such.

3. When the juvenile court is informed that a child is in detention it shall examine the reasons therefor and shall immediately:

(1) Order the child released; or

(2) Order the child continued in detention until a detention hearing is held. An order to continue the child in detention shall only be entered upon the filing of a petition or motion to modify and a determination by the court that probable cause exists to believe that the child has committed acts specified in the petition or motion that bring the child within the jurisdiction of the court under subdivision (2) or (3) of subsection 1 of section 211.031.

4. A juvenile shall not remain in detention for a period greater than twenty-four hours unless the court orders a detention hearing. If such hearing is not held within three days, excluding Saturdays, Sundays and legal holidays, the juvenile shall be released from detention unless the court for good cause orders the hearing continued. The detention hearing shall be held within the judicial circuit at a date, time and place convenient to the court. Notice of the date, time and place of a detention hearing, and of the right to counsel, shall be given to the juvenile and his or her custodian in person, by telephone, or by such other expeditious method as is available.

211.071. 1. If a petition alleges that a child between the ages of twelve and ~~seventeen~~ **eighteen** has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 as it existed prior to August 28, 2013, rape in the first degree under section 566.030, forcible sodomy under section 566.060 as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060, first degree robbery under section 569.020 **as it existed prior to January 1, 2017, or first degree robbery under section 570.023**, ~~or~~ distribution of drugs under section 195.211 **as it existed prior to January 1, 2017, or the manufacturing of a controlled substance under section 579.055**, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between ~~seventeen~~ **eighteen** and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the prosecution of the child results in a conviction, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court shall, in a case when the offender is under [~~seventeen~~] **eighteen** years [~~and six months~~] of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, consider dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section:

(1) Upon agreement of the division of youth services; and

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section. If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of [~~seventeen~~] **eighteen**, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed.

211.081. 1. Whenever any person informs the court in person and in writing that a child appears to be within the purview of applicable provisions of section 211.031 [~~or that a person seventeen years of age appears to be within the purview of the provisions of subdivision (1) of subsection 1 of section 211.031~~], the court shall make or cause to be made a preliminary inquiry to determine the facts and to determine whether or not the interests of the public or of the child [~~or person seventeen years of age~~] require that further action be taken. On the basis of this inquiry, the juvenile court may make such informal adjustment as is practicable without a petition or may authorize the filing of a petition by the juvenile officer. Any other provision of this chapter to the contrary notwithstanding, the juvenile court shall not make any order for disposition of a child [~~or person seventeen years of age~~] which would place or commit the child [~~or person seventeen years of age~~] to any location outside the state of Missouri without first receiving the approval of the children's division.

2. Placement in any institutional setting shall represent the least restrictive appropriate placement for the child [~~or person seventeen years of age~~] and shall be recommended based upon a psychological or psychiatric evaluation or both. Prior to entering any order for disposition of a child [~~or person seventeen years of age~~] which would order residential treatment or other services inside the state of Missouri, the juvenile court shall enter findings which include the recommendation of the psychological or psychiatric evaluation or both; and certification from the division director or designee as to whether a provider or funds or both are available, including a projection of their future availability. If the children's division indicates that funding is not available, the division shall recommend and make available for placement by the court an alternative placement for the child [~~or person seventeen years of age~~]. The division shall have the burden of demonstrating that they have exercised due diligence in utilizing all available services to carry out the recommendation of the evaluation team and serve the best interest of the child [~~or person seventeen years of age~~]. The judge shall not order placement or an alternative placement with a specific provider but may reasonably designate the scope and type of the services which shall be provided by the department to the child [~~or person seventeen years of age~~].

3. Obligations of the state incurred under the provisions of section 211.181 shall not exceed, in any fiscal year, the amount appropriated for this purpose.

211.091. 1. The petition shall be entitled "In the interest of, a child under **[seventeen] eighteen** years of age" [~~or "In the interest of, a child seventeen years of age" or "In the interest of, a person seventeen years of age" as appropriate to the subsection of section 211.031 that provides the basis for the filing of the petition~~].

2. The petition shall set forth plainly:

(1) The facts which bring the child [~~or person seventeen years of age~~] within the jurisdiction of the court;

(2) The full name, birth date, and residence of the child [~~or person seventeen years of age~~];

(3) The names and residence of his or her parents, if living;

(4) The name and residence of his or her legal guardian if there be one, of the person having custody of the child [~~or person seventeen years of age~~] or of the nearest known relative if no parent or guardian can be found; and

(5) Any other pertinent data or information.

3. If any facts required in subsection 2 of this section are not known by the petitioner, the petition shall so state.

4. Prior to the voluntary dismissal of a petition filed under this section, the juvenile officer shall assess the impact of such dismissal on the best interests of the child, and shall take all actions practicable to minimize any negative impact.

211.101. 1. After a petition has been filed, unless the parties appear voluntarily, the juvenile court shall issue a summons in the name of the state of Missouri requiring the person who has custody of the child [~~or person seventeen years of age~~] to appear personally and, unless the court orders otherwise, to bring the child [~~or person seventeen years of age~~] before the court, at the time and place stated.

2. If the person so summoned is other than a parent or guardian of the child [~~or person seventeen years of age~~], then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed.

3. If it appears that the child [~~or person seventeen years of age~~] is in such condition or surroundings that his or her welfare requires that his or her custody be immediately assumed by the court, the judge may order, by endorsement upon the summons, the officer serving it to take the child [~~or person seventeen years of age~~] into custody at once.

4. Subpoena may be issued requiring the appearance of any other person whose presence, in the opinion of the judge, is necessary.

211.161. 1. The court may cause any child [~~or person seventeen years of age~~] within its jurisdiction to be examined by a physician, psychiatrist or psychologist appointed by the court in order that the condition of the child [~~or person seventeen years of age~~] may be given consideration in the disposition of his case. The expenses of the examination when approved by the court shall be paid by the county, except that the county shall not be liable for the costs of examinations conducted by the department of mental health either directly or through contract.

2. The services of a state, county or municipally maintained hospital, institution, or psychiatric or health clinic may be used for the purpose of this examination and treatment.

3. A county may establish medical, psychiatric and other facilities, upon request of the juvenile court, to provide proper services for the court in the diagnosis and treatment of children [~~or persons seventeen years of age~~] coming before it and these facilities shall be under the administration and control of the juvenile court. The juvenile court may appoint and fix the compensation of such professional and other personnel as it deems necessary to provide the court proper diagnostic, clinical and treatment services for children [~~or persons seventeen years of age~~] under its jurisdiction.

211.181. 1. When a child [~~or person seventeen years of age~~] is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child [~~or person seventeen years of age~~], and the court may, by order duly entered, proceed as follows:

(1) Place the child [~~or person seventeen years of age~~] under supervision in his own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child [~~or person seventeen years of age~~] to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child [~~or person seventeen years of age~~] may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child [~~or person seventeen years of age~~] in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child [~~or person seventeen years of age~~] in a family home;

(4) Cause the child [~~or person seventeen years of age~~] to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child [~~or person seventeen years of age~~] requires it, cause the child [~~or person seventeen years of age~~] to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child [~~or person seventeen years of age~~] whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child [~~or person seventeen years of age~~];

(6) The department of social services, in conjunction with the department of mental health, shall apply to the United States Department of Health and Human Services for such federal waivers as required to provide services for such children, including the acquisition of community-based services waivers.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he **or she** is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court.

Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his or her own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require; provided that, no child who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566, RSMo, including but not limited to rape, forcible sodomy, child molestation, and sexual abuse, and in which the victim was a child, shall be placed in any residence within one thousand feet of the residence of the abused child of that offense until the abused child reaches the age of eighteen, and provided further that the provisions of this subdivision regarding placement within one thousand feet of the abused child shall not apply when the abusing child and the abused child are siblings or children living in the same home;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

- (d) The juvenile officer;
 - (3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;
 - (4) Place the child in a family home;
 - (5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;
 - (6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;
 - (7) Order the child to make restitution or reparation for the damage or loss caused by his **or her** offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his **or her** attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;
 - (8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;
 - (9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.
4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.
5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185.

211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is

sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required under section 557.026, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnapping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings under subdivision (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings under subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons ~~seventeen~~ **eighteen** years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted under the provisions of sections 578.421 to 578.437. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140.

4. Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or his **or her** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached his ~~seventeenth~~ **or her eighteenth** birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's ~~seventeenth~~ **eighteenth** birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192 unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child.

211.421. 1. After any child has come under the care or control of the juvenile court as provided in this chapter, any person who thereafter encourages, aids, or causes the child to commit any act or engage in any conduct which would be injurious to the child's morals or health or who knowingly or negligently disobeys, violates or interferes with a lawful order of the court with relation to the child, is guilty of contempt of court, and shall be proceeded against as now provided by law and punished by imprisonment in the county jail for a term not exceeding six months or by a fine not exceeding five hundred dollars or by both such fine and imprisonment.

2. If it appears at a juvenile court hearing that any person [~~seventeen~~] **eighteen** years of age or over has violated section 568.045 or 568.050, RSMo, by endangering the welfare of a child, the judge of the juvenile court shall refer the information to the prosecuting or circuit attorney, as the case may be, for appropriate proceedings.

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566 including, but not limited to, rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex offender and shall be required to register as a juvenile sex offender by complying with the registration requirements provided for in this section, unless such juvenile adjudicated as a delinquent is fourteen years of age or older at the time of the offense and the offense adjudicated would be considered a felony under chapter 566 if committed by an adult, which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, including any attempt or conspiracy to commit such offense, in which case, the juvenile shall be required to register as an adult sexual offender under sections 589.400 to 589.425. This requirement shall also apply to any person who is or has been adjudicated a juvenile delinquent in any other state or federal jurisdiction for committing, attempting to commit, or conspiring to commit offenses which would be proscribed herein.

2. Any state agency having supervision over a juvenile required to register as a juvenile sex offender or any court having jurisdiction over a juvenile required to register as a juvenile sex offender, or any person required to register as a juvenile sex offender, shall, within ten days of the juvenile offender moving into any county of this state, register with the juvenile office of the county. If such juvenile offender changes residence or address, the state agency, court or person shall inform the juvenile office within ten days of the new residence or address and shall also be required to register with the juvenile office of any new county of residence. Registration shall be accomplished by completing a registration form similar to the form provided for in section 589.407. Such form shall include, but is not limited to, the following:

(1) A statement in writing signed by the juvenile, giving the juvenile's name, address, Social Security number, phone number, school in which enrolled, place of employment, offense which requires registration, including the date, place, and a brief description of such offense, date and place of adjudication regarding such offense, and age and gender of the victim at the time of the offense; and

(2) The fingerprints and a photograph of the juvenile.

3. Juvenile offices shall maintain the registration forms of those juvenile offenders in their jurisdictions who register as required by this section. Information contained on the registration forms shall be kept confidential and may be released by juvenile offices to only those persons and agencies who are authorized to receive information from juvenile court records as provided by law, including, but not limited to, those specified in section 211.321. State agencies having custody of juveniles who fall within the registration requirements of this section shall notify the appropriate juvenile offices when such juvenile offenders are being transferred to a location falling within the jurisdiction of such juvenile offices.

4. Any juvenile who is required to register pursuant to this section but fails to do so or who provides false information on the registration form is subject to disposition pursuant to this chapter. Any person [~~seventeen~~] **eighteen** years of age or over who commits such violation is guilty of a class A misdemeanor as provided for in section 211.431.

5. Any juvenile to whom the registration requirement of this section applies shall be informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or release from such custody, of the requirement to register pursuant to this section. Such official shall obtain the address where such juvenile expects to register upon being discharged or released and shall report the juvenile's name and address to the juvenile office where the juvenile [~~will~~] **shall** be required to register. This requirement to register upon discharge or release from custody does not apply in situations where the juvenile is temporarily released under guard or direct supervision from a detention facility or similar custodial facility.

6. The requirement to register as a juvenile sex offender shall terminate upon the juvenile offender reaching age twenty-one, unless such juvenile offender is required to register as an adult offender pursuant to section 589.400.

211.431. Any person [~~seventeen~~] **eighteen** years of age or over who willfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this chapter is guilty of a class A misdemeanor.

221.044. No person under the age of [~~seventeen~~] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071, shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [~~seventeen~~] **eighteen** to a juvenile detention facility."; and

Further amend said bill and page, Section 233.180, Line 25, by inserting after all of said section and line the following:"; and

Further amend said amendment and page, Line 24, by deleting all of said line and inserting in lieu thereof the following:

identification, which shall then be documented by the recorder.

Section B. The repeal and reenactment of sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, 211.431, and 221.044 of this act shall become effective on January 1, 2020."; and"; and

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

On motion of Representative Schroer, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Speaker Pro Tem Haahr resumed the Chair.

On motion of Representative Evans, **House Amendment No. 6, as amended**, was adopted.

Representative Haefner offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

"67.505. 1. Any county may, by a majority vote of its governing body, impose a county sales tax, in conjunction with a property tax reduction for each year in which the sales tax is imposed, for the benefit of such county in accordance with the provisions of sections 67.500 to 67.545; provided, however, that no ordinance or order enacted pursuant to the authority granted by the provisions of sections 67.500 to 67.545 shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax and reduce property taxes under the provisions of sections 67.500 to 67.545.

2. The ballot of submission shall contain, but need not be limited to, the following language:
Shall the county of (county's name) impose a countywide sales tax of (insert amount) and reduce its total property tax levy annually by (insert amount) percent of the total amount of sales tax revenue collected in the same tax year?

YES NO

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

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified

voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax and reduce the property tax as herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax and reduce the property tax under the provisions of sections 67.500 to 67.545 and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-fourth of one percent, three-eighths of one percent or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. Each year in which a sales tax is imposed under the provisions of sections 67.500 to 67.545, the county shall, after determining its budget, excluding funds required to be set aside and placed to the credit of special road districts, within the limits set by the constitution and laws of this state for the following calendar year and the total property tax levy needed to raise the revenues required by such budget, reduce that total property tax levy in an amount sufficient to decrease the total property taxes it will collect by an amount equal to one of the following:

- (1) Fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (2) Sixty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (3) Seventy percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (4) Eighty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (5) Ninety percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (6) One hundred percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

provided that, in the event that in the immediately preceding year a county actually collected more or less sales tax revenue than the amount determined under subdivision (4) of section 67.500, the county shall adjust its total property tax levy for the current year to reflect such increase or decrease.

4. No county in this state shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.

67.547. 1. In addition to the tax authorized by section 67.505, any county **as defined in section 67.750** may, by a majority vote of its governing body, impose an additional county sales tax on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales tax allowed by law; except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose such tax.

2. The ballot of submission shall contain, but need not be limited to the following language:
Shall the county of (county's name) impose a countywide sales tax of (insert rate) percent **for the purpose of(insert purpose)?**

- YES
- NO

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

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon. **A county shall not submit to the voters a proposed sales tax under this section for a period of two years from the date of an election in which the**

county previously submitted to the voters a proposed sales tax under this section, regardless of whether the initial proposed sales tax was approved or disapproved by the voters. The revenue collected from the sales tax authorized under this section shall only be used for the purpose approved by voters of the county.

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax[,] if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. **In any city not within a county or any county described in subsection 5 of this section, no sales tax for the purpose of funding zoological activities and zoological facilities as those terms are defined in section 184.500 shall exceed a rate of one-eighth of one percent unless the sales tax was levied and collected before August 28, 2017. Beginning August 28, 2017, no county shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of one percent.**

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. **Three-eighths of the tax rate adopted by such a county shall be included in the calculation of the county's one percent combined tax rate ceiling provided in subsection 3 of this section.** The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census. **The provisions of this subsection shall not apply if the revenue collected is used to support zoological activities of the zoological subdistrict as defined under section 184.352.**

6. **Except as prohibited under section 184.353, residents of any county that does not adopt a sales tax under this section for the purpose of supporting zoological activities may be charged an admission fee for zoological facilities, programs, or events that are not part of the zoological subdistrict defined under subsection 15 of section 184.352 as of August 28, 2017.**

7. In any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-fourths of the proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be distributed equally among the incorporated cities, towns, and villages of the county. Upon request from any city, town, or village within the county, the county shall make available for inspection the distribution report provided to the county by the department of revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

[7-] 8. In any first class county having a charter form of government and having a population of nine hundred thousand or more, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

[8-] 9. **No county in this state, other than a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a city not within a county, shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.**

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

11. No revenue received from a tax for the purpose of funding zoological activities in any county shall be used for the benefit of any entity that has ever been named Grant's Farm or is located at ten thousand five hundred one Gravois Road, Saint Louis, Missouri, or successor address, or to supplant any funding received from the metropolitan zoological park and museum district established under section 184.350."; and

Further amend said bill, Page 2, Section 67.1364, Line 13, by inserting immediately after said section and line the following:

"94.510. 1. Any city may, by a majority vote of its council or governing body, impose a city sales tax for the benefit of such city in accordance with the provisions of sections 94.500 to 94.550; provided, however, that no ordinance enacted pursuant to the authority granted by the provisions of sections 94.500 to 94.550 shall be effective unless the legislative body of the city submits to the voters of the city, at a public election, a proposal to authorize the legislative body of the city to impose a tax under the provisions of sections 94.500 to 94.550. The ballot of submission shall be in substantially the following form:

Shall the city of (insert name of city) impose a city sales tax of (insert rate of percent) percent?

YES NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the legislative body of the city shall have no power to impose the tax herein authorized unless and until the legislative body of the city shall again have submitted another proposal to authorize the legislative body of the city to impose the tax under the provisions of sections 94.500 to 94.550, and such proposal is approved by a majority of the qualified voters voting thereon.

2. The sales tax may be imposed at a rate of one-half of one percent, seven-eighths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525; except that, each city not within a county may impose such tax at a rate not to exceed one and three-eighths percent. **Beginning August 28, 2017, no city shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of two percent.**

3. If any city in which a city tax has been imposed in the manner provided for in sections 94.500 to 94.550 shall thereafter change or alter its boundaries, the city clerk of the city shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by the act shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

4. If any city abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.";

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

On motion of Representative Haefner, **House Amendment No. 7** was adopted.

Representative May offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.990. 1. The governing body of any county or city not within a county may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed five cents per one hundred dollars of assessed valuation, or in any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants, the governing body may, upon approval of a majority of the qualified voters of the county voting thereon, levy and collect a tax not to exceed ten cents per one hundred dollars of assessed valuation upon all taxable property within the county or city or for the purpose of providing services to persons sixty years of age or older. The tax so levied shall be collected along with other county or city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of services for persons sixty years of age or older, and shall be used for no other purpose except those purposes authorized in sections 67.990 to 67.995. Deposits in the fund shall be expended only upon approval of the board of directors established in section 67.993 and only in accordance with the fund budget approved by the county ~~[or city governing body]~~. **In a city not within a county, deposits in the fund shall be expended only in accordance with the budget approved by the board established in section 67.993.**

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing services to persons sixty years of age or older?

- YES NO

67.993. 1. Upon the approval of the tax authorized by section 67.990 by the voters of the county or city not within a county, the tax so approved shall be imposed upon all taxable property within the county or city and the proceeds therefrom shall be deposited in a special fund, to be known as the "Senior Citizens' Services Fund", which is hereby established within the county ~~[or city]~~ treasury. **In a city not within a county, the proceeds shall be deposited with the board established by law to administer such funds, which shall be known as the "Senior Citizen Services Fund" to accomplish the purposes set out herein and for no other purpose.** No moneys in the senior citizens' services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized by section 67.990 by the voters of the county or city, the governing body of the county or the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the county or city at large and shall, as nearly as practicable, represent the various groups to be served by the board **and the demography of the political subdivision served**. Each director shall be a resident of the county or city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the governing body of the county or mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the senior citizens' services fund.

3. The administrative control and management of the funds in the senior citizens' services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the senior citizens' services fund shall be approved by the governing body of the county ~~[or city]~~ prior to making of any payments from the fund in any fiscal year. **In a city not within a county, such fund shall be administered by and expended only upon approval by a board of directors established under this section.** The board of directors shall use the funds in the senior citizens' services fund to provide programs which will improve the health, nutrition, and quality of life of persons who are sixty years of age or older. The budget may allocate funds for operational and capital needs to senior-related programs in the county or city in which such property taxes are collected. No funds in the senior citizens' services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 67.990.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 67.990 to 67.995. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the county [~~or city~~], may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 67.990 to 67.995, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 67.990 to 67.995 and the proceeds from such sale or exchange are used exclusively to fund such programs. **In a city not within a county, the board of directors may solicit, accept, and expend grants from private or public entities and enter into agreements to effectuate such grants so long as the transaction is in the best interests of the programs provided by the board and the proceeds are used exclusively to fund such programs.**"; and

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

On motion of Representative May, **House Amendment No. 8** was adopted.

Representative Eggleston offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting immediately after all of said section and line the following:

"229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the **road** overseer or commissioners of the road districts.

2. ~~Any~~ **No** person or persons [~~who~~] shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct **or damage** said road, highway, or drains in any other manner whatsoever [~~, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment~~].

3. The road overseer of any district, or county highway engineer, who finds any road **damaged or** obstructed as above specified, [~~shall~~] **may** notify the [~~person~~] **landowner** violating the provisions of this section, [~~verbally or~~] in writing, to remove such obstruction, **to repair such damage in a manner approved by the road overseer or county highway engineer making the request, or to pay the reasonable cost of such removal or repair.** [~~Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction~~] **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. The petition shall include an estimate of the costs.**

4. **If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law.**"; and

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

Representative Houghton offered **House Amendment No. 1 to House Amendment No. 9.**

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 283, Page 1, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"3. Road damage or obstruction shall not constitute violations under this section when farming or ranching lands have been improved using soil and water conservation practices implemented in conformance with the Missouri soil and water conservation program or natural resources conservation service technical standards.

4. The road overseer of any district, or county highway engineer, who finds any road damaged or"; and

Further amend said amendment and page, Line 17, by inserting after "writing," the words "**using any mail service with delivery tracking,"**; and

Further amend said amendment and page, Line 23, by deleting "**days,"** and inserting in lieu thereof "**days of the tracked delivery date,"**; and

Further amend said amendment and page, Line 28, by inserting after "**trespass.**" the following:

"Such authorization and entry shall not be granted until the opportunity for a hearing has been completed and the petition has been granted."; and

Further amend said amendment and page, Line 33, by inserting the following after the word, "**law.**" the following:

"If the court denies the petition, the county shall be responsible for the landowner's court costs and reasonable attorney's fees."; and

Further amend said amendment by renumbering said section accordingly; and

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

On motion of Representative Houghton, **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Eggleston, **House Amendment No. 9, as amended,** was adopted.

Representative Roden offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting after all of said section and line the following:

"190.053. 1. All members of the board of directors of an ambulance district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of an ambulance district director;
- (2) A review of all state statutes and regulations relevant to ambulance districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any ambulance district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.**"; and

Further amend said bill, Page 2, Section 233.180, Line 25, by inserting after all of said line the following:

"320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department who has worked for seven years for such department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. Employees who have satisfied the seven-year requirement in this subsection and who choose to reside outside the geographical boundaries of the department shall reside within a one-hour response time. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited.

4. No employee of a fire department who does not receive a salary shall be required to live in a fire department's fixed and legally recorded geographical area.

320.098. No county shall require attendance at a specific training academy by any candidate for a firefighter position.

321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board.

2. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.

3. Notwithstanding any provision of law to the contrary, no fire protection district or ambulance district shall require an employee who does not receive a salary to live within the district.

321.162. 1. All members of the board of directors of a fire protection district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any fire protection district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.**

321.200. 1. Except as otherwise provided in subsection 3 of this section, the board shall meet regularly, not less than once each month, at a time and at some building in the district to be designated by the board. Notice of the time and place of future regular meetings shall be posted continuously at the firehouse or firehouses of the district. Additional meetings may be held, when the needs of the district so require, at a place regular meetings are held, and notice of the time and place shall be given to each member of the board. Meetings of the board shall be held and conducted in the manner required by the provisions of chapter 610. All minutes of meetings of the board and all other records of the fire protection district shall be available for public inspection at the main firehouse within the district by appointment with the secretary of the board within one week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the members of the board shall constitute a quorum at any meeting and no business shall be transacted unless a quorum is present. The board, acting as a board, shall exercise all powers of the board, without delegation thereof to any other governmental or other body or entity or association, and without delegation thereof to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, firemen and any other member of the staff of the district may be employed or discharged only by a board which includes at least two directors; but any board of directors may suspend from duty any such person or staff member who willfully and deliberately neglects or refuses to perform his or her regular functions.

2. Any vacancy on the board shall be filled by the remaining elected members of the board, except when less than two elected members remain on the board any vacancy shall be filled by the circuit court of the county in which all or a majority of the district lies. The appointee or appointees shall act until the next biennial election at which a director or directors are elected to serve the remainder of the unexpired term.

3. Notwithstanding any provision of sections 610.015 and 610.020 to the contrary, when Missouri Task Force One or any Urban Search and Rescue Task Force is activated for deployment by the federal emergency management agency, state emergency management agency, or statewide mutual aid, a quorum of the board of directors of the affiliated fire protection district may meet in person, via telephone, facsimile, internet, or any other voice or electronic means, without public notice, in order to authorize by roll call vote the disbursement of funds necessary for the deployment.

4. In the event action is necessary under subsection 3 of this section, the board of directors of the affiliated fire protection district shall keep minutes of the emergency meeting and disclose during the next regularly scheduled meeting of the board that the emergency meeting was held, the action that precipitated calling the emergency meeting without notice, and that the minutes of the emergency meeting are available as a public record of the board.

5. Members of a fire district or ambulance district board of directors shall only receive compensation for meetings the member attended. If multiple meetings occur on the same day, members shall not receive compensation for more than one meeting.

590.025. No law enforcement agency shall require an employee who does not receive a salary to live within a jurisdiction more specific than this state."; and

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

On motion of Representative Roden, **House Amendment No. 10** was adopted.

Representative Bondon offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after all of said section and line the following:

"347.048. **1. (1)** Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city's clerk an affidavit listing the name and **street** address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

(2) Within thirty days following the cessation of management control and responsibility of any natural person named in an affidavit described under this section, the limited liability company shall file a successor affidavit listing the name and street address of a natural person successor.

2. No limited liability company shall be charged a fee for filing an affidavit or successor affidavit required under this section.

3. If a limited liability company required under this section to file an affidavit or a successor affidavit fails or refuses to file such completed affidavit with the appropriate clerk, any person who is adversely affected by such failure or refusal or the home rule city may petition the circuit court in the county where the property is located to direct the execution and filing of such document."; and

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

On motion of Representative Bondon, **House Amendment No. 11** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Chipman
Christofanelli	Cierpiot	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Francis	Franklin	Frederick
Gannon	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hubrecht	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kolkmeier
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	McGauth	Messenger
Miller	Moon	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
White	Wiemann	Wilson	Wood	Mr. Speaker

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NOES: 046

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Carpenter	Conway 10	Curtis	Dunn	Ellebracht
Ellington	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCaherty	McCann Beatty
McCreery	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Peters	Pierson Jr
Pogue	Quade	Razer	Roberts	Rowland 29
Runions	Smith 85	Stevens 46	Unsicker	Walker 74
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 011

Beard	Butler	Conway 104	Cookson	DeGroot
Kidd	Matthiesen	McDaniel	McGee	Morris
Muntzel				

VACANCIES: 001

On motion of Representative Andrews, the title of **HCS SB 283, as amended**, relating to political subdivisions, was agreed to.

On motion of Representative Andrews, **HCS SB 283, as amended**, was adopted.

On motion of Representative Andrews, **HCS SB 283, as amended**, was read the third time and passed by the following vote:

AYES: 106

Adams	Alferman	Andrews	Arthur	Austin
Bangert	Baringer	Barnes 28	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brown 27	Brown 94	Burnett	Carpenter	Chipman
Christofanelli	Cierpiot	Corlew	Crawford	Davis
Dogan	Dohrman	Dunn	Eggleston	Ellebracht
Engler	Evans	Fitzwater 49	Fraker	Franklin
Franks Jr	Gray	Green	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Hill
Houx	Justus	Kelley 127	Kendrick	Kolkmeier
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McGaugh
Merideth 80	Messenger	Miller	Mitten	Morgan
Mosley	Newman	Nichols	Peters	Phillips
Pierson Jr	Pike	Plocher	Quade	Razer
Redmon	Reiboldt	Reisch	Rhoads	Roberts
Roden	Roerber	Rone	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Stephens 128	Stevens 46	Swan
Tate	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Wessels	White	Wiemann	Wood
Mr. Speaker				

NOES: 047

Anders	Anderson	Bahr	Brattin	Brown 57
Burns	Conway 10	Cross	Curtis	Curtman
Ellington	Fitzpatrick	Fitzwater 144	Francis	Frederick
Gannon	Harris	Helms	Henderson	Higdon
Houghton	Hubrecht	Hurst	Johnson	Kelly 141
Kidd	Korman	Lavender	Marshall	McCaherty
McCreery	McDaniel	Meredith 71	Moon	Morris
Neely	Pietzman	Pogue	Rehder	Remole
Ross	Smith 163	Sommer	Spencer	Stacy
Taylor	Wilson			

PRESENT: 004

Barnes 60	Conway 104	Cornejo	Pfautsch
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ABSENT WITH LEAVE: 005

Butler	Cookson	DeGroot	McGee	Muntzel
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VACANCIES: 001

Speaker Pro Tem Haahr declared the bill passed.

Speaker Richardson resumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SS SCS SB 160** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Haahr resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 112, relating to political subdivisions, was taken up by Representative Tate.

Representative Corlew offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 19, Section 94.902, Line 13, by inserting immediately after said line the following:

"(6) Any city of the fourth classification with more than two thousand seven hundred inhabitants but fewer than four thousand inhabitants and located in any county of the first classification;"; and

Further amend said bill, page, and section, by renumbering subsequent subdivisions accordingly; and

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

On motion of Representative Corlew, **House Amendment No. 1** was adopted.

Representative Redmon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 31, Section 139.100, Line 34, by inserting the following after all of said line:

"142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) "Alternative fuel", electricity, liquefied petroleum gas (LPG or LP gas), compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) "Blend stock", any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

(5) "Blended fuel", a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

(6) "Blender", any person that produces blended motor fuel outside the bulk transfer/terminal system;

(7) "Blending", the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

(8) "Bulk plant", a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

(9) "Bulk transfer", any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

(10) "Bulk transfer/terminal system", the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

(11) "Consumer", the user of the motor fuel;

(12) "Delivery", the placing of motor fuel or any liquid **or propulsion energy** into the **battery, fuel tank, or storage device** of a motor vehicle or bulk storage facility;

(13) "Department", the department of revenue;

(14) "Destination state", the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

(15) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to

purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

(16) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

(17) "Director", the director of revenue;

(18) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) "Eligible purchaser", a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) "Export", to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) "Exporter", any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) "Farm tractor", all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) "Fuel transportation vehicle", any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

(26) "Gasoline", all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) "Gross gallons", the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) "Import", to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) "Import verification number", the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

(31) "Importer" includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) "Interstate motor fuel user", any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) "Invoiced gallons", the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) "Kerosene", the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

- (36) "Liquid", any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;
- (37) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;
- (38) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:
- (a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or
 - (b) A vehicle solely operated on rails;
- (39) "Net gallons", the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);
- (40) "Permissive supplier", an out-of-state supplier that elects, but is not required, to have a supplier's license pursuant to this chapter;
- (41) "Person", natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;
- (42) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;
- (43) "Propel", the operation of a motor vehicle, whether it is in motion or at rest;
- (44) "Public highway", every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;
- (45) "Qualified terminal", a terminal which has been assigned a terminal control number ("tcn") by the Internal Revenue Service;
- (46) "Rack", a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;
- (47) "Refiner", any person that owns, operates, or otherwise controls a refinery;
- (48) "Refinery", a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;
- (49) "Removal", any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;
- (50) "Retailer", a person that engages in the business of selling or dispensing to the consumer within this state;
- (51) "Supplier", a person that is:
- (a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and
 - (b) One or more of the following:
 - a. The position holder in a terminal or refinery in this state;
 - b. Imports motor fuel into this state from a foreign country;
 - c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or
 - d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;
- (52) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;
- (53) "Terminal", a bulk storage and distribution facility which includes:
- (a) For the purposes of motor fuel, is a qualified terminal;
 - (b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

- (54) "Terminal bulk transfers" include but are not limited to the following:
 - (a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;
 - (b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;
 - (c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and
 - (d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;
- (55) "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;
- (56) "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;
- (57) "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;
- (58) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;
- (59) "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:
 - (a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and
 - (b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;
- (60) "Ultimate vendor", a person that sells motor fuel to the consumer;
- (61) "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and
- (62) "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

- (1) Motor fuel, seventeen cents per gallon;
- (2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;
- (3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;
- (4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;
- (5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof.

In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, ~~or~~ liquefied natural gas, **electric, or propane** connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, ~~or~~ liquefied natural gas, **electricity, or propane** used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) ~~and (5)~~ **to (7)** of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.**

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than **propane**, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an

alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

4. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

5. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. **This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.**

~~[5-]~~ 6. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

~~[6-]~~ 7. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

~~[7-]~~ 8. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal **unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.**

~~[8-]~~ 9. No person shall cause to be put, or put, ~~[LP gas]~~ **any alternative fuel** into the fuel supply receptacle **or battery** of a motor vehicle required to have an alternative fuel decal unless the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is collected at the time of such fueling.** ~~[Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.]~~

~~[9-]~~ 10. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

~~[10-]~~ 11. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter."; and

Further amend said bill, Page 52, Section 1, Line 62, by inserting the following after all of said line:

"Section 2. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets."; and

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

On motion of Representative Redmon, **House Amendment No. 2** was adopted.

Representative Trent offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 50, Section 475.120, Line 42, by inserting immediately after all of said section and line the following:

"488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within ~~[the thirty first judicial circuit]~~ **any judicial circuit composed of a single noncharter county** in all **civil and** criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge, **who shall deposit the funds in a separate account known as the "justice center fund", to be established and maintained by the political subdivision.**

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, **planning**, construction, maintenance, and operation of any county or municipal judicial facility **or justice center** including, but not limited to, **architectural, engineering, and other plans and studies**, debt service, utilities, maintenance, and building security. The county or municipality shall maintain records identifying ~~[such operating costs, and any moneys not needed for the operating costs of the county or municipal judicial facility shall be transmitted quarterly to the general revenue fund of the county or municipality respectively]~~ **all funds received and expenditures made from their respective center funds.**"; and

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

Speaker Richardson resumed the Chair.

Representative Kolkmeier offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 1, Line 1, by inserting after all of said line the following:

"Page 10, Section 67.1360, Line 121, by deleting all of said line and inserting in lieu thereof the following:

"thousand inhabitants;

(37) Any city with more than four thousand five hundred but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants; or"; and

Further amend said bill, page, and section, by renumbering subsequent subdivisions accordingly; and

Further amend said bill,"; and

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

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Spencer raised a point of order that there was a violation of Rule 85.

The Chair took the point of order under advisement.

On motion of Representative Trent, **House Amendment No. 3** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 079

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bernskoetter	Berry	Black	Brown 57
Brown 94	Christofanelli	Cierpiot	Conway 104	Corlew
Cornejo	Crawford	Cross	Davis	DeGroot
Dohrman	Evans	Fitzwater 144	Fitzwater 49	Fraker
Francis	Gannon	Grier	Haahr	Haefner
Hannegan	Hansen	Helms	Henderson	Hill
Houghton	Houx	Justus	Kelley 127	Kolkmeier
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Mathews	Matthiesen	McGaugh	Messenger
Miller	Morris	Neely	Pfautsch	Pike
Plocher	Redmon	Rehder	Reiboldt	Roden
Roeber	Rowland 155	Ruth	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Wiemann	Wood	Mr. Speaker	

NOES: 073

Adams	Anders	Arthur	Bahr	Bangert
Baringer	Barnes 60	Barnes 28	Beck	Bondon
Brattin	Brown 27	Burnett	Burns	Butler
Carpenter	Chipman	Conway 10	Curtis	Curtman
Dogan	Dunn	Eggleston	Ellebracht	Ellington
Fitzpatrick	Franklin	Franks Jr	Frederick	Gray
Green	Harris	Hubrecht	Hurst	Johnson
Kelly 141	Kendrick	Lavender	Marshall	May
McCann Beatty	McCreery	McGee	Meredith 71	Merideth 80
Mitten	Moon	Morgan	Mosley	Newman
Nichols	Peters	Phillips	Pierson Jr	Pietzman
Pogue	Quade	Razer	Reisch	Remole
Rhoads	Roberts	Ross	Rowland 29	Runions
Smith 85	Spencer	Stevens 46	Unsicker	Walker 74
Wessels	White	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cookson	Engler	Gregory	Higdon	Kidd
McCaherty	McDaniel	Muntzel	Rone	Schroer

VACANCIES: 001

Representative Ruth offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 10, Section 67.1360, Line 135, by inserting the following after all of said section and line:

"68.075. 1. This section shall be known and may be cited as the "Advanced Industrial Manufacturing Zones Act".

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

(1) "AIM zone", an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) "**County average wage**", **the average wage in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;**

(3) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the ~~[state]~~ **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority's jurisdiction, **ownership, or control** and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority's jurisdiction **or under the port authority's ownership or control and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023."; and

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

On motion of Representative Ruth, **House Amendment No. 4** was adopted.

Representative Lauer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 45, Section 321.246, Line 10, by inserting after the word "thousand," the following:

"the governing body of any fire protection district that operates in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, the governing body of any fire protection district that operates in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat,"; and

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

On motion of Representative Lauer, **House Amendment No. 5** was adopted.

Representative Justus offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 34, Section 182.660, Line 38, by inserting after said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

- YES
- NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency **telephone** service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants **and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants, the board shall include one member from each of the five entities listed in subdivision (2) of this subsection [~~shall be represented on the board by at least one member~~] and two "public members" who shall be residents of the county and not affiliated with any of the entities listed under subdivision (2) of this subsection.**"; and

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

On motion of Representative Justus, **House Amendment No. 6** was adopted.

Representative Brattin offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 4, Section 54.261, Line 44, by inserting the following after all of said section and line:

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

(1) "Law enforcement officer", a sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of municipalities;

(2) "Municipality", any county, city, town, or village;

(3) "Municipality official", any elected or appointed official or any law enforcement officer serving the municipality;

(4) "Sanctuary policy", any municipality's order [~~or~~], ordinance, **or law enforcement policy, regardless of whether formally enacted or [~~followed~~] informally adopted**, that:

(a) Limits or prohibits any municipality official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such municipality; [~~or~~]

(b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law[-];

(c) **Violates 8 U.S.C. Section 1373 in any way;**

(d) **Restricts in any way, or imposes any conditions upon, the municipality's cooperation or compliance with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement;**

(e) **Requires United States Immigration and Customs Enforcement to obtain a warrant or demonstrate probable cause before complying with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement; or**

(f) Prevents the municipality's law enforcement officers from asking any individual his or her citizenship or immigration status.

2. No municipality shall enact or adopt any sanctuary policy. Any municipality that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or awarding of any grants to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether the government entity, agency, or political subdivision has current policies in contravention of this section.

3. The governing body, sheriff, or chief of police of each municipality shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

4. This section shall become effective on January 1, 2009."; and

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

Representative McCann Beatty raised a point of order that **House Amendment No. 7** was not timely distributed.

House Amendment No. 7 was withdrawn.

Representative Spencer offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 47, Section 347.048, Line 18, by inserting immediately after said section and line the following:

"393.1075. 1. This section shall be known as the "Missouri Energy Efficiency Investment Act".

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

- (1) "Commission", the Missouri public service commission;
- (2) "Demand response", measures that decrease peak demand or shift demand to off-peak periods;
- (3) "Demand-side program", any program conducted by the utility to modify the net consumption of electricity on the retail customer's side of the electric meter, including but not limited to energy efficiency measures, ~~load~~ rate management, demand response, and interruptible or curtailable load;
- (4) "Energy efficiency", measures that reduce the amount of electricity required to achieve a given end use;
- (5) "Interruptible or curtailable rate", a rate under which a customer receives a reduced charge in exchange for agreeing to allow the utility to withdraw the supply of electricity under certain specified conditions;
- (6) "Total resource cost test", a test that compares the sum of avoided utility costs and avoided probable environmental compliance costs to the sum of all incremental costs of end-use measures that are implemented due to the program, as defined by the commission in rules.

3. It shall be the policy of the state to value demand-side investments equal to traditional investments in supply and delivery infrastructure and allow recovery of all reasonable and prudent costs of delivering cost-effective demand-side programs. In support of this policy, the commission shall:

- (1) Provide timely cost recovery for utilities;
- (2) Ensure that utility financial incentives are aligned with helping customers use energy more efficiently and in a manner that sustains or enhances utility customers' incentives to use energy more efficiently; and
- (3) Provide timely earnings opportunities associated with cost-effective measurable and verifiable efficiency savings.

4. The commission shall permit electric corporations to implement commission-approved demand-side programs proposed pursuant to this section with a goal of achieving all cost-effective demand-side savings. Recovery for such programs shall not be permitted unless the programs are approved by the commission, result in energy or demand savings and are beneficial to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers. The commission shall consider the total resource cost

test a preferred cost-effectiveness test. Programs targeted to low-income customers or general education campaigns do not need to meet a cost-effectiveness test, so long as the commission determines that the program or campaign is in the public interest. Nothing herein shall preclude the approval of demand-side programs that do not meet the test if the costs of the program above the level determined to be cost-effective are funded by the customers participating in the program or through tax or other governmental credits or incentives specifically designed for that purpose.

5. To comply with this section the commission may develop cost recovery mechanisms to further encourage investments in demand-side programs including, in combination and without limitation: capitalization of investments in and expenditures for demand-side programs, rate design modifications, accelerated depreciation on demand-side investments, and allowing the utility to retain a portion of the net benefits of a demand-side program for its shareholders. In setting rates the commission shall fairly apportion the costs and benefits of demand-side programs to each customer class except as provided for in subsection 6 of this section. Prior to approving a rate design modification associated with demand-side cost recovery, the commission shall conclude a docket studying the effects thereof and promulgate an appropriate rule.

6. The commission may reduce or exempt allocation of demand-side expenditures to low-income classes, as defined in an appropriate rate proceeding, as a subclass of residential service.

7. Provided that the customer has notified the electric corporation that the customer elects not to participate in demand-side measures offered by an electrical corporation, none of the costs of demand-side measures of an electric corporation offered under this section or by any other authority, and no other charges implemented in accordance with this section, shall be assigned to any account of any customer, including its affiliates and subsidiaries, meeting one or more of the following criteria:

(1) The customer has one or more accounts within the service territory of the electrical corporation that has a demand of five thousand kilowatts or more;

(2) The customer operates an interstate pipeline pumping station, regardless of size; or

(3) The customer has accounts within the service territory of the electrical corporation that have, in aggregate, a demand of two thousand five hundred kilowatts or more, and the customer has a comprehensive demand-side or energy efficiency program and can demonstrate an achievement of savings at least equal to those expected from utility-provided programs.

8. Customers that have notified the electrical corporation that they do not wish to participate in demand-side programs under this section shall not subsequently be eligible to participate in demand-side programs except under guidelines established by the commission in rulemaking.

9. Customers who participate in demand-side programs initiated after August 1, 2009, shall be required to participate in program funding for a period of time to be established by the commission in rulemaking.

10. Customers electing not to participate in an electric corporation's demand-side programs under this section shall still be allowed to participate in interruptible or curtailable rate schedules or tariffs offered by the electric corporation.

11. The commission shall provide oversight and may adopt rules and procedures and approve corporation-specific settlements and tariff provisions, independent evaluation of demand-side programs, as necessary, to ensure that electric corporations can achieve the goals of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

12. Each electric corporation shall submit an annual report to the commission describing the demand-side programs implemented by the utility in the previous year. The report shall document program expenditures, including incentive payments, peak demand and energy savings impacts and the techniques used to estimate those impacts, avoided costs and the techniques used to estimate those costs, the estimated cost-effectiveness of the demand-side programs, and the net economic benefits of the demand-side programs.

13. Charges attributable to demand-side programs under this section shall be clearly shown as a separate line item on bills to the electrical corporation's customers.

14. ~~[(1) Any customer of an electrical corporation who has received a state tax credit under sections 135.350 to 135.362 or under sections 253.545 to 253.561 shall not be eligible for participation in any demand side program offered by an electrical corporation under this section if such program offers a monetary incentive to the customer, except as provided in subdivision (4) of this subsection.]~~

~~———— (2) As a condition of participation in any demand side program offered by an electrical corporation under this section when such program offers a monetary incentive to the customer, the commission shall develop rules that require documentation to be provided by the customer to the electrical corporation to show that the customer has not received a tax credit listed in subdivision (1) of this subsection.—~~

~~———— (3) The penalty for a customer who provides false documentation under subdivision (2) of this subsection shall be a class A misdemeanor.—~~

~~———— (4) The provisions of this subsection shall not apply to any low income customer who would otherwise be eligible to participate in a demand side program that is offered by an electrical corporation to low income customers.—~~

~~————15.] The commission shall develop rules that provide for disclosure of participants in all demand-side programs offered by electrical corporations under this section when such programs provide monetary incentives to the customer. The disclosure required by this subsection may include, but not be limited to, the following: the name of the participant, or the names of the [principles] **principals** if for a company, the property address, and the amount of the monetary incentive received.";~~ and

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

Representative Ross assumed the Chair.

Representative McCreery offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1

to

House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 1, Line 13, by deleting the phrase "[~~load~~] **rate**" and inserting in lieu thereof the word "load"; and

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

On motion of Representative McCreery, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Spencer, **House Amendment No. 8, as amended**, was adopted.

Representative Wessels offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 15, Section 88.770, Line 41, by inserting after all of said section and line the following:

"92.020. Any such municipality is hereby authorized by ordinance to levy a rate of taxation on all property subject to its taxing power for library, hospital, public health, recreation grounds and museum purposes, and the rate of taxation levied for such purposes shall be in addition to the maximum rate of taxation levied for general municipal purposes, as limited by the constitution or laws of this state. No tax levied for the special purposes enumerated in this section shall exceed the following annual rates:

- (1) Library, in the manner and at the rate authorized under the provisions of sections 182.140 to 182.301;
- (2) Hospital, ten cents on the hundred dollars assessed valuation;
- (3) Public health, [~~two~~] **sixty** cents on the hundred dollars assessed valuation;
- (4) Recreation grounds other than zoological park, two cents on the hundred dollars assessed valuation;
- (5) Zoological park, in the manner and at the rate authorized under the provisions of sections 90.640 and 90.650;
- (6) Art museum, in the manner and at the rate authorized by law.

92.024. 1. The governing body of any city not within a county may, upon approval of a majority of the qualified voters of such city voting thereon, levy and collect a tax not to exceed sixty cents per one hundred dollars of assessed valuation upon all taxable property within the city for the purpose of providing public safety services. The tax so levied shall be collected along with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of public safety services, and shall be used for no other purpose except those purposes authorized in sections 92.024 to 92.026. Deposits in the fund shall be expended only upon approval of the board of directors established in section 92.025 and only in accordance with the fund budget approved by the city governing body.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing public safety services?

- YES
- NO

92.025. 1. Upon the approval of the tax authorized under section 92.024 by the voters of the city not within a county, the tax so approved shall be imposed upon all taxable property within the city and the proceeds therefrom shall be deposited in a special fund, to be known as the "Public Safety Services Fund", which is hereby established within the city treasury. No moneys in the public safety services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized under section 92.024 by the voters of the city, the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the city at large and shall, as nearly as practicable, represent the various groups to be served by the board. Each director shall be a resident of the city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the public safety services fund.

3. The administrative control and management of the funds in the public safety services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the public safety services fund shall be approved by the governing body of the city prior to the making of any payments from the fund in any fiscal year. The board of directors shall use the funds in the public safety services fund to provide programs or to pay for existing programs which will improve public safety. The budget may allocate funds for public safety services, including the compensation of public safety personnel who serve in the city in which such property taxes are collected. No funds in the public safety services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 92.024.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 92.024 to 92.026. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the city, may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 92.024 to 92.026, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 92.024 to 92.026 and the proceeds from such sale or exchange are used exclusively to fund such programs.

92.026. 1. If the tax, special fund, and board of directors authorized by sections 92.024 to 92.026 are repealed or abolished, all funds remaining in the special fund shall be transferred to the general revenue fund of the city not within a county.

2. If the governing body of the city shall determine that an audit is necessary or desirable, the accounts of the board of directors shall be audited by a certified public accountant selected by the governing body of the city. An audit performed under this subsection shall also review the records of the receipts and disbursements and the property inventory of every officer or office of the board of directors which receives or disburses money on behalf of the board or which holds property belonging to the board. Upon the completion of the investigation, the certified public accountant shall render a report to the governing body of the city, along with a statement showing, under appropriate classifications, the receipts and disbursements of the board of directors during the period of the audit. The expense of an audit performed under this subsection shall be paid by the board of directors from funds in the public safety services fund."; and

Further amend said bill and page 52, Section 475.747, Line 4, by inserting after said section and line the following:

"Section B. Because of the importance of providing for public safety, the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act shall be in full force and effect upon its passage and approval."; and

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

Speaker Richardson resumed the Chair.

On motion of Representative Wessels, **House Amendment No. 9** was adopted.

Representative Walker (3) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 3, Section 50.740, Line 25, by inserting after all of said line the following:

"52.290. 1. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of [~~seven~~ **nine** percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. [~~Two-sevenths~~ **Of the nine percent** of the fees collected pursuant to the provisions of this section **two-ninths** shall be paid into the county general fund, two-~~[sevenths]~~ **ninths** of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312, and [~~three-sevenths~~ **five-ninths** of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200. Notwithstanding provisions of law to the contrary, an authorization for collection of a fee for the collection of delinquent and back taxes in a county's charter, at a rate different than the rate allowed by law, shall control.

2. In all counties having a charter form of government, other than any county adopting a charter form of government after January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector may charge a surcharge for payment by credit card."; and

Further amend said bill, Page 30, Section 108.170, Line 131, by inserting after all of said line the following;

"137.280. 1. Taxpayers' personal property lists, except those of merchants and manufacturers, and except those of railroads, public utilities, pipeline companies or any other person or corporation subject to special statutory requirements, such as chapter 151, who shall return and file their assessments on locally assessed property no later than April first, shall be delivered to the office of the assessor of the county between the first day of January and the first day of March each year and shall be signed and certified by the taxpayer as being a true and complete list or statement of all the taxable tangible personal property. If any person shall fail to deliver the required list to the assessor by the first day of March, the owner of the property which ought to have been listed shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	[\$10.00] \$15.00
\$1,001 - \$2,000	[\$20.00] \$25.00
\$2,001 - \$3,000	[\$30.00] \$35.00
\$3,001 - \$4,000	[\$40.00] \$45.00
\$4,001 - \$5,000	[\$50.00] \$55.00
\$5,001 - \$6,000	[\$60.00] \$65.00
\$6,001 - \$7,000	[\$70.00] \$75.00
\$7,001 - \$8,000	[\$80.00] \$85.00
\$8,001 - \$9,000	[\$90.00] \$95.00
\$9,001 and above	[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire or flood;
- (4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; ~~[or]~~
- (5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or
- (6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. Between March first and April first, the assessor shall send to each taxpayer who was sent an assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

3. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all personal property discovered in the calendar year which was taxable on January first of that year.

4. If annual waivers exceed forty percent then by February first of each year, the assessor shall transmit to the county employees' retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.

137.345. 1. If any person, corporation, partnership or association neglects or refuses to deliver an itemized statement or list of all the taxable tangible personal property signed and certified by the taxpayer, as required by section 137.340, by the first day of March, ~~they~~ **the taxpayer** shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	[\$10.00] \$15.00
\$1,001 - \$2,000	[\$20.00] \$25.00
\$2,001 - \$3,000	[\$30.00] \$35.00
\$3,001 - \$4,000	[\$40.00] \$45.00
\$4,001 - \$5,000	[\$50.00] \$55.00
\$5,001 - \$6,000	[\$60.00] \$65.00
\$6,001 - \$7,000	[\$70.00] \$75.00
\$7,001 - \$8,000	[\$80.00] \$85.00
\$8,001 - \$9,000	[\$90.00] \$95.00
\$9,001 and above	[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire, theft, fraud or flood;
- (4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; ~~[Ø]~~
- (5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or
- (6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all property discovered in the calendar year which was taxable on January first of that year.

3. Between March first and April first, the assessor shall send to each taxpayer who was sent an assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require that the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

4. The assessor, in the absence of the owner failing to deliver a required list of property is not required to furnish to the owner a duplicate of the assessment as made.

5. In every instance where a taxpayer has appealed to the board of equalization or the state tax commission the assessment of the taxpayer's property, real or personal, and that appeal has been successful, then in the next following and all subsequent years the basis upon which the assessor must base future assessments of the subject property shall be the basis established by the successful appeal and any increases must be established from that basis."; and

Further amend said bill, Page 31, Section 139.100, Line 34, by inserting after all of said section and line the following:

"140.100. 1. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent per month or fractional part thereof.

2. For making and recording the delinquent land lists, the collector and the clerk shall receive ten cents per tract or lot and the clerk shall receive five cents per tract or lot for comparing and authenticating such list.

3. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, in addition to the amount collected in subsection 2 of this section, for making and recording the delinquent land lists, the collector and the clerk shall each receive five dollars per tract or lot. The ten dollars shall be paid into the county employees' retirement fund established pursuant to section 50.1010."; and

Further amend said bill, Page 52, Section 473.747, Line 4, by inserting after all of said section and line the following:

"Section B. Sections 52.290, 137.280, 137.345, and 140.100 of section A of this act shall become effective January 1, 2018."; and

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

On motion of Representative Walker (3), **House Amendment No. 10** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Bernskoetter	Berry	Black
Bondon	Brown 57	Brown 94	Christofanelli	Cierpiot
Conway 104	Corlew	Cornejo	Crawford	Curtman
Davis	DeGroot	Dohrman	Eggleston	Engler
Evans	Fitzwater 144	Fitzwater 49	Fraker	Francis
Frederick	Gannon	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Helms	Henderson
Hill	Houghton	Houx	Hubrecht	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Korman
Lant	Lichtenegger	Love	Lynch	Marshall
Matthiesen	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Neely	Pfautsch	Pietzman
Pike	Plocher	Pogue	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	White
Wilson	Wood	Mr. Speaker		

NOES: 045

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Dunn
Ellebracht	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Peters	Pierson Jr
Quade	Razer	Roberts	Rowland 29	Runions
Smith 85	Stevens 46	Unsicker	Walker 74	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 019

Beard	Brattin	Chipman	Cookson	Cross
Dogan	Ellington	Fitzpatrick	Franklin	Higdon
Kidd	Kolkmeyer	Lauer	Mathews	McDaniel
Muntzel	Phillips	Sommer	Wiemann	

VACANCIES: 001

HCS SCS SB 112, as amended, was referred to the Committee on Fiscal Review pursuant to Rule 53.

Representative Cierpiot moved the House stand in recess until 7:00 p.m.

Which motion was defeated.

THIRD READING OF SENATE BILLS

SCS SB 322, relating to the designation of certain memorial infrastructure, was taken up by Representative Gannon.

Representative Kendrick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 322, Page 1, Section 227.447, Line 7, by inserting immediately after said line the following:

"227.449. The portion of State Highway 163 from the interchange with Interstate 70 continuing south to Loop 70 in Boone County shall be designated as "Sherman Brown Jr. Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

Section 1. The bridge on Interstate 70 crossing over The Paseo Boulevard in the city of Kansas City in Jackson County shall be designated as the "Mary Groves Bland Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs of such designation to be paid for by private donation."; and

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

SCS SB 322, with House Amendment No. 1, pending, was laid over.

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 **SS SCS HCS HB 292** entitled:

An act to repeal sections 362.105, 362.111, 362.280, 362.285, 365.100, 408.140, 408.330, and 443.812, RSMo, and to enact in lieu thereof thirty-two new sections relating to powers of certain financial institutions, with penalty provisions.

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 **HCS HB 451**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 50, as amended**, and has taken up and passed **CCS SB 50**.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

SS SCS HCS HB 292 - Fiscal Review

On motion of Representative Cierpiot, the House recessed until 7:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Tate.

Representative Austin suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 031

Alferman	Basye	Bernskoetter	Berry	Bondon
Brown 27	Burns	Curtman	Davis	Dogan
Engler	Fraker	Hurst	Justus	Kelley 127
Kelly 141	Lant	Lauer	McGaugh	Morris
Newman	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Roeber	Taylor	White
Wiemann				

NOES: 000

PRESENT: 067

Anders	Anderson	Arthur	Austin	Baringer
Barnes 28	Beard	Black	Brown 57	Brown 94
Chipman	Corlew	Crawford	Cross	Dohrman
Dunn	Eggleston	Fitzwater 49	Francis	Franklin
Franks Jr	Frederick	Gray	Gregory	Haahr
Hannegan	Hansen	Harris	Helms	Henderson
Houghton	Johnson	Kendrick	Kolkmeyer	Lavender
Love	Lynch	Mathews	McCann Beatty	McCreery
Meredith 71	Merideth 80	Messenger	Moon	Morgan
Mosley	Neely	Peters	Pfautsch	Pierson Jr
Pike	Quade	Reisch	Rhoads	Rowland 155
Rowland 29	Runions	Ruth	Shaul 113	Shull 16
Shumake	Sommer	Stacy	Tate	Vescovo
Walker 3	Wood			

ABSENT WITH LEAVE: 064

Adams	Andrews	Bahr	Bangert	Barnes 60
Beck	Brattin	Burnett	Butler	Carpenter
Christofanelli	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Curtis	DeGroot	Ellebracht	Ellington
Evans	Fitzpatrick	Fitzwater 144	Gannon	Green
Grier	Haefner	Higdon	Hill	Houx

Hubrecht	Kidd	Korman	Lichtenegger	Marshall
Matthiesen	May	McCaherty	McDaniel	McGee
Miller	Mitten	Muntzel	Nichols	Pietzman
Plocher	Razer	Roberts	Roden	Rone
Ross	Schroer	Smith 85	Smith 163	Spencer
Stephens 128	Stevens 46	Swan	Trent	Unsicker
Walker 74	Wessels	Wilson	Mr. Speaker	

VACANCIES: 001

THIRD READING OF SENATE BILLS

SCS SB 322, with House Amendment No. 1, pending, relating to the designation of certain memorial infrastructure, was again taken up by Representative Gannon.

On motion of Representative Kendrick, **House Amendment No. 1** was adopted.

Representative Alferman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 322, Page 1, Section 227.447, Line 7, by inserting after all of said section and line the following:

"227.532. The portion of Missouri 249 from State Highway VV continuing north to Missouri 171 in Jasper County shall be designated as the "Edward F Dixon The Third Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs of such designation to be paid for by private donation.

227.533. The bridge on State Highway 100 crossing over Big Boeuf Creek in Franklin County shall be designated the "Lyndon Ebker Memorial Bridge". The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs of such designation to be paid for by private donation.

Section 1. The bridge on State Highway 99 crossing over Eleven Point River in Thomasville in Oregon County shall be designated as the "Roger "Dusty" Shaw Memorial Bridge". The department of transportation shall erect and maintain signs designating such bridge, with the cost of such designation to be paid for by private donations."; and

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

On motion of Representative Alferman, **House Amendment No. 2** was adopted.

On motion of Representative Gannon, the title of **SCS SB 322, as amended**, was agreed to.

On motion of Representative Gannon, **SCS SB 322, as amended**, was read the third time and passed by the following vote:

AYES: 117

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Berry	Black	Bondon

Brown 27	Brown 57	Burnett	Burns	Chipman
Conway 10	Conway 104	Corlew	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dunn
Eggleston	Engler	Fitzwater 144	Fitzwater 49	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Gregory	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Kolkmeier
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	McCann Beatty	McCreery	McGaugh
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Moon	Morgan	Morris	Mosley	Neely
Newman	Peters	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Quade	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Shaul 113	Shull 16	Shumake	Sommer
Stacy	Stephens 128	Stevens 46	Tate	Taylor
Unsicker	Vescovo	Walker 3	Wessels	White
Wiemann	Wood			

NOES: 000

PRESENT: 001

Pogue

ABSENT WITH LEAVE: 044

Andrews	Bahr	Barnes 60	Bernskoetter	Brattin
Brown 94	Butler	Carpenter	Christofanelli	Cierpiot
Cookson	Cornejo	Curtis	DeGroot	Ellebracht
Ellington	Evans	Fitzpatrick	Green	Grier
Hill	Hubrecht	Korman	Marshall	Matthiesen
May	McCaherty	McDaniel	McGee	Muntzel
Nichols	Plocher	Razer	Roberts	Roden
Schroer	Smith 85	Smith 163	Spencer	Swan
Trent	Walker 74	Wilson	Mr. Speaker	

VACANCIES: 001

Representative Tate declared the bill passed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 112, as amended**, with **House Amendment No. 9**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Conway (104), Fraker, Haefner, Morgan, Morris, Rowland (29), Smith (163), Swan, Wessels and Wood

Noes (0)

Absent (4): Alferman, Unsicker, Vescovo and Wiemann

THIRD READING OF SENATE BILLS

SB 503, relating to the designation of a state 911 coordinator, was taken up by Representative Lauer.

Representative Lauer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 503, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

(1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:

- (a) The name of the complainant;
- (b) **The name, address, and phone number of the guardian, if any, of the missing person;**
- (c) The relationship of the complainant to the missing person;
- ~~[(e)]~~ (d) The name, age, address, and all identifying characteristics of the missing person;
- ~~[(e)]~~ (e) The length of time the person has been missing; **and**
- ~~[(e)]~~ (f) All other information deemed relevant by either the complainant or the law enforcement agency;

(2) A report of the complaint of a missing person shall be immediately entered into the Missouri uniform law enforcement system (MULES) and the National Crime Information Center (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other law enforcement agencies who may come in contact with or be involved in the investigation or location of a missing person;

(3) A law enforcement agency with which a complaint of a missing child has been filed shall prepare, as soon as practicable, a standard missing child report. The missing child report shall be maintained as a record by the reporting law enforcement agency during the course of an active investigation;

(4) Upon the location of a missing person, or the determination by the law enforcement agency of jurisdiction that the person is no longer missing, the law enforcement agency which reported the missing person shall immediately remove the record of the missing person from the MULES and NCIC files.

2. No law enforcement agency shall prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.

70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) "Governing body", the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) "Municipality", municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) "Political subdivision", counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, any board of control of an art museum, **any 911 or emergency services board authorized in chapter 190 or in section 321.243**, the board created under sections 205.968 to 205.973, and any other public subdivision or public corporation having the power to tax.

190.300. As used in sections 190.300 to ~~[190.320]~~ **190.340**, the following terms and phrases mean:

(1) "Emergency telephone service", a telephone system utilizing a single three digit number "911" for reporting police, fire, medical or other emergency situations;

- (2) "Emergency telephone tax", a tax to finance the operation of emergency telephone service;
- (3) "Exchange access facilities", all facilities provided by the service supplier for local telephone exchange access to a service user;
- (4) "Governing body", the legislative body for a city, county or city not within a county;
- (5) "Person", any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user;
- (6) "Public agency", any city, county, city not within a county, municipal corporation, public district or public authority located in whole or in part within this state which provides or has authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other emergency services;
- (7) "Service supplier", any person providing exchange telephone services to any service user in this state;
- (8) "Service user", any person, other than a person providing pay telephone service pursuant to the provisions of section 392.520 not otherwise exempt from taxation, who is provided exchange telephone service in this state;
- (9) "Tariff rate", the rate or rates billed by a service supplier to a service user as stated in the service supplier's tariffs, ~~approved by the Missouri public service commission~~ **contracts, service agreements, or similar documents governing the provision of the service**, which represent the service supplier's recurring charges for exchange access facilities or their equivalent, **or equivalent rates contained in contracts, service agreements, or similar documents**, exclusive of all taxes, fees, licenses, or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone service pursuant to sections 190.300 to ~~[190.320]~~ **190.340**, it shall be unlawful for any person to misuse the emergency telephone service. For the purposes of this section, "emergency" means any incident involving danger to life or property that calls for an emergency response dispatch of police, fire, EMS or other public safety organization, "misuse the emergency telephone service" includes, but is not limited to, repeatedly calling the "911" for nonemergency situations causing operators or equipment to be in use when emergency situations may need such operators or equipment and "repeatedly" means three or more times within a one-month period.

2. Any violation of this section is a class B misdemeanor.

3. No political subdivision shall impose any fine or penalty on the owner of a pay telephone or on the owner of any property upon which a pay telephone is located for calls to the emergency telephone service made from the pay telephone. Any such fine or penalty is hereby void.

190.325. 1. In any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants but less than two hundred **fifty** thousand inhabitants, the county commission may use all or a part of the moneys derived from the emergency telephone tax authorized pursuant to section 190.305 for central dispatching of fire protection, emergency ambulance service or any other emergency services, which may include the purchase and maintenance of communications and emergency equipment. In the event such commission chooses to use the tax provided in that section for such services, the provisions of sections 190.300 to 190.320 shall apply except as provided in this section.

2. The tax shall not exceed a percentage of the base tariff rate and such percentage shall not exceed an amount equal to a maximum rate of one dollar thirty cents per line per month, the provisions of section 190.305 to the contrary notwithstanding. The tax imposed by this section and the amounts required to be collected are due monthly. The amount of tax collected in one calendar month by the service supplier shall be remitted to the governing body no later than one month after the close of a calendar month. On or before the last day of each calendar month, a return for the preceding month shall be filed with the governing body in such form as the governing body and service supplier shall agree. The service supplier shall include the list of any service user refusing to pay the tax imposed by this section with each return filing. The service supplier required to file the return shall deliver the return, together with a remittance of the amount of the tax collected. The records shall be maintained for a period of one year from the time the tax is collected. From every remittance to the governing body made on or before the date when the same becomes due, the service supplier required to remit the same shall be entitled to deduct and retain, as a collection fee, an amount equal to two percent thereof.

3. Nothing in this section shall be construed to require any municipality or other political subdivision to join the central dispatching system established pursuant to this section. The governing body of any municipality or

other political subdivision may contract with the board established pursuant to section 190.327 for such services or portion of such services, or for the purchase and maintenance of communication and emergency equipment.

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of section 115.121, after approval by a simple majority of the county commission.

3. For the purpose of providing the services described in this section, the board shall have the following powers, authority and privileges:

- (1) To have and use a corporate seal;
- (2) To sue and be sued, and be a party to suits, actions and proceedings;
- (3) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the board;
- (4) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, including leases and easements;
- (5) To have the management, control and supervision of all the business affairs of the board and the construction, installation, operation and maintenance of any improvements;
- (6) To hire and retain agents and employees and to provide for their compensation including health and pension benefits;
- (7) To adopt and amend bylaws and any other rules and regulations;
- (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of implementing and operating the services described in this section;
- (9) To pay all expenses connected with the first election and all subsequent elections; and
- (10) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this subsection. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

4. (1) Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, the county commission may elect to appoint the members of the board to administer the funds and oversee the provision of central dispatching for emergency services in the counties and municipalities and other political subdivisions which have contracted for such service upon the request of the municipalities and other political subdivisions. Upon appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of central dispatching service and such duties shall be exercised by the board.

(2) The board shall consist of seven members appointed without regard to political affiliation. The members shall include:

- (a) Five members who shall serve for so long as they remain in their respective county or municipal positions as follows:**
 - a. The county sheriff, or his or her designee;**
 - b. The heads of the municipal police department who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees; and**
 - c. The heads of the municipal fire departments or fire divisions who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees;**
- (b) Two members who shall serve two-year terms appointed from among the following:**
 - a. The head of any of the county's fire protection districts who have contracted for central dispatching service, or his or her designee;**
 - b. The head of any of the county's ambulance districts who have contracted for central dispatching service, or his or her designee;**

c. The head of any of the municipal police departments located in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph b of paragraph (a) of subdivision (2) of this subsection; and

d. The head of any of the municipal fire departments in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph c of paragraph (a) of subdivision (2) of this subsection.

(3) Upon the appointment of the board under this subsection, the board shall have the powers provided in subsection 3 of this section and the commission shall relinquish all powers and duties relating to the provision of central dispatching service under this chapter to the board.

190.328. 1. Beginning in 1997, within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of two members from each township within such area and one at-large member who shall serve as the initial chairperson of such board.

2. Within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification, voters shall elect a board to administer funds and oversee the provision of central dispatching for emergency services. Such board shall consist of two members elected from each of the townships within such area and one member elected at large who shall serve as the chairperson of the board.

3. Of those initially elected to the board as provided in this section, four from the townships shall be elected to a term of two years, and four from the townships and the at-large member shall be elected to a term of four years. Upon the expiration of these initial terms, all members shall thereafter be elected to terms of four years; **provided that, if a board established in this section consolidates with a board established under section 190.327 or 190.335, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

190.329. 1. Except in areas from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities located in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of seven members appointed without regard for political party who shall be selected from and shall represent the fire protection districts, ambulance districts, sheriff 's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from any one commission district of the county.

2. Beginning in 1992, three members shall be elected from each commission district and one member shall be elected at large, with such at-large member to be a voting member and chairman of the board. Of those first elected, four members from commission districts shall be elected for terms of two years and two members from commission districts and the member at large shall be elected for terms of four years. In 1994, and thereafter, all terms of office shall be for four years, except as **otherwise provided in this subsection or as provided in subsection 3 of this section.** Any vacancy on the board shall be filled in the same manner as the initial appointment was made. Four members shall constitute a quorum. **If a board established in section 190.327 consolidates with a board established under section 190.327, 190.328, or 190.335, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

3. Upon approval by the county commission for the election of board members to be held on general municipal election day, pursuant to subsection 2 of section 190.327, the terms of those board members then holding office shall be reduced by seven months. After a board member's term has been reduced, all following terms for that position shall be for four years, **except as otherwise provided under subsection 2 of this section.**

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

YES

NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and

thereafter, all terms of office shall be four years; **provided that, if a board established in this section consolidates with a board established under this section, section 190.327, or section 190.328, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.** Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency **telephone** service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.

(5) In any county with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants, the entities listed in subdivision (2) of this subsection shall be represented by one member, and two members shall be residents of the county not affiliated with any of the entities listed in subdivision (2) of this subsection and shall be known as public members.

190.400. As used in sections 190.400 to [190.440] **190.451**, the following words and terms shall mean:

- (1) [~~"911", the primary emergency telephone number within the wireless system;~~
- ~~———~~ (2) [~~"Board", the wireless service provider enhanced 911 advisory board;~~
- ~~———~~ (3)] **"Active telephone number", a ten-digit North American Numbering Plan number that has been assigned to a subscriber and is provisioned to generally reach, by dialing, the public switched telephone network and not only 911 or the 911 system;**
- (2) **"Communications service":**
 - (a) **Any service that:**
 - a. **Uses telephone numbers or their functional equivalents or successors;**

b. Provides access to, and a connection or interface with, a 911 system through the activation or enabling of a device, transmission medium, or technology that is used by a customer to dial, initialize, or otherwise activate the 911 system, regardless of the particular device, transmission medium, or technology employed;

c. Provides and enables real-time or interactive communications other than machine-to-machine communications; and

d. Is available to a prepaid user or a standard user;

(b) The term includes, but is not limited to, the following:

a. Internet protocol enabled services and applications that are provided through wireline, cable, wireless, or satellite facilities, or any other facility or platform that is capable of connecting and enabling a 911 communication to a public safety answering point;

b. Commercial mobile radio service; and

c. Interconnected voice over internet protocol service and voice over power lines;

(c) The term does not include broadband internet access service;

(d) For purposes of this section, if a device that is capable of contacting 911 is permanently installed in a vehicle, it shall not be subject to this section unless the owner of such vehicle purchases or otherwise subscribes to a commercial mobile service as defined under 47 U.S.C. Section 332(d) of the Telecommunications Act of 1996;

(3) "Provider or communications service provider", a person who provides retail communications services to the public that include 911 communications service including, but not limited to, a local exchange carrier, a wireless provider, and a voice over internet protocol provider, but only if such entity provides access to, and connection and interface with, a 911 communications service or its successor service;

(4) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

~~[(4)]~~ (5) "Public safety answering point", the location at which 911 calls are ~~[initially]~~ answered;

~~[(5)]~~ (6) "Subscriber", a person who contracts with and is billed by a provider for a retail communications service. In the case of wireless service and for purposes of section 190.450, the term "subscriber" means a person who contracts with a provider if the person's primary place of use is within the county or city imposing a monthly fee under section 190.450, and does not include subscribers to prepaid wireless service;

(7) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).

190.420. 1. There is hereby established a **special trust** fund to be known as the "~~[Wireless Service-Provider Enhanced]~~ Missouri 911 Service **Trust** Fund". All fees collected pursuant to sections 190.400 to ~~[190.440- by wireless service providers]~~ **190.451** shall be remitted to the director of the department of revenue.

2. The director of the department of revenue shall deposit such payments into the ~~[wireless service-provider enhanced]~~ Missouri 911 service **trust** fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the ~~[wireless service-provider enhanced]~~ Missouri 911 ~~[system]~~ systems and for the answering and dispatching of emergency calls as determined to be appropriate by the governing body of the county or city imposing the fee.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund, and may be used to fund the study required under subsection 18 of section 190.450.

4. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which were collected in each county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants under sections 190.400 to 190.451, and the records shall be open to the inspection of officers of a participating county or city and the public.

190.450. 1. Except as provided under subsections 9 and 10 of this section, in lieu of the tax levy authorized under section 190.305 or 190.325 or the sales tax imposed under section 190.292 or 190.335, the governing body of any county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants may impose, by order or ordinance, a monthly fee on subscribers of any communications service that has been enabled to contact 911. The monthly fee authorized in this section shall not exceed one dollar and fifty cents and shall be assessed to the subscriber of the communications service, regardless of technology, based upon the number of active telephone numbers, or their functional equivalents or successors, assigned by the provider and capable of simultaneously contacting the public safety answering point; provided that, for multiline telephone systems and for facilities provisioned with capacity greater than a voice capable grade channel or its equivalent, regardless of technology, the charge shall be assessed on the number of voice-capable grade channels as provisioned by the provider that allow simultaneous contact with the public safety answering point. Only one fee may be assessed per active telephone number, or its functional equivalent or successor, used to provide a communications service. No fee imposed under this section shall be imposed on more than one hundred voice-grade channels or their equivalent per person per location. Notwithstanding any provision to the contrary in this section, the monthly fee shall not be assessed on the provision of broadband internet access service. The fee shall be imposed solely for the purpose of funding 911 service in such county or city. The monthly fee authorized in this section shall be limited to one fee per device. The fee authorized in this section shall be in addition to all other taxes and fees imposed by law and may be stated separately from all other charges and taxes. The fee shall be the liability of the subscriber, not the provider, except that the provider shall be liable to remit all fees that the provider collects under this section.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the county or city submits to the voters residing within the county or city at a state general, primary, or special election a proposal to authorize the governing body to impose a fee under this section. The question submitted shall be in substantially the following form:

"Shall (insert name of county or city) impose a monthly fee of (insert amount) on a subscriber of any communications service that has been enabled to contact 911 for the purpose of funding 911 service in the (county or city)?"

YES NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the fee shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the fee. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the fee shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. The question shall not be resubmitted within three hundred fifty-nine days of the previous election at which a majority of the votes cast were opposed to the question.

3. Except as modified in this section, all provisions of sections 32.085 and 32.087 and subsection 7 of section 144.190 shall apply to the fee imposed under this section.

4. All revenue collected under this section by the director of the department of revenue on behalf of the county or city, except for two percent to be withheld by the provider for the cost of administering the collection and remittance of the fee and one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in the Missouri 911 service trust fund created in section 190.420. The director of the department of revenue shall remit such funds to the county or city on a monthly basis. The governing body of any such county or city shall control such funds remitted to the county or city unless the county or city has established an elected board for the purpose of administering such funds. In the event that any county or city has established a board under any other provision of state law for the purpose of administering funds for 911 service, such existing board may continue to perform such functions after the county or city has adopted the monthly fee under this section.

5. Nothing in this section imposes any obligation upon a provider of a communications service to take any legal action to enforce the collection of the tax imposed in this section. The tax shall be collected in compliance, as applicable, with the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

6. Notwithstanding any other provision of law to the contrary, proprietary information submitted under this section shall only be subject to subpoena or lawful court order. Information collected under this section shall only be released or published in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual communications service provider.

7. Notwithstanding any other provision of law to the contrary, in no event shall any communications service provider, its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons, be liable for any form of civil damages or criminal liability that directly or indirectly results from, or is caused by:

(1) An act or omission in the development, design, installation, operation, maintenance, performance, or provision of service to a public safety answering point or to subscribers that use such service, whether providing such service is required by law or is voluntary; or

(2) The release of subscriber information to any governmental entity under this section unless such act, release of subscriber information, or omission constitutes gross negligence, recklessness, or intentional misconduct.

Nothing in this section is intended to void or otherwise override any contractual obligation pertaining to equipment or services sold to a public safety answering point by a communications service provider. No cause of action shall lie in any court of law against any provider of communications service, commercial mobile service, or other communications-related service, or its officers, employees, assignees, agents, vendors, or anyone acting on behalf of such persons, for providing call location information concerning the user of any such service in an emergency situation to a law enforcement official or agency in order to respond to a call for emergency service by a subscriber, customer, or user of such service or for providing caller location information or doing a ping locate in an emergency situation that involves danger of death or serious physical injury to any person where disclosure of communications relating to the emergency is required without delay, whether such provision of information is required by law or voluntary.

8. The fee imposed under this section shall not be imposed on customers who pay for service prospectively, known as purchasers of prepaid wireless telecommunications service customers.

9. No county or city shall submit a proposal to the voters under this section for a fee of more than one dollar until the county or city receives approval for the fee amount from the Missouri 911 service board established under section 650.325. Once a fee of more than one dollar has been approved by the Missouri 911 service board and the voters, the county or city shall not subsequently increase the fee until the increased fee amount has been approved by the Missouri 911 service board and the voters under this section. Any county or city seeking to impose or increase a fee of more than one dollar shall submit to the Missouri 911 service board information to justify the fee amount. The information to be provided shall include, but not be limited to, the following:

(1) Estimated costs of services to be provided;

(2) Estimated revenue from all sources intended to financially support the proposed 911 service;

(3) Prior revenue amounts and sources of financial support for the previously funded 911 or emergency dispatch service;

(4) Efforts to secure revenue to support the proposed 911 service other than the proposed fee under this section;

(5) Current level of 911 service provided and the proposed level of 911 service to be provided;

(6) Any previous efforts regarding the consolidation of 911 services and any currently proposed efforts regarding the consolidation of 911 services; and

(7) Expected level of training of personnel and expected number of telecommunications per shift.

10. The fee imposed under this section shall not be imposed in conjunction with any tax imposed under section 190.292, 190.305, 190.325, or 190.335. No county or city shall simultaneously impose more than one tax authorized in this section or section 190.292, 190.305, 190.325, or 190.335. No fee imposed under this section shall be imposed on more than one hundred exchange access facilities or their equivalent per person per location.

11. No county shall submit a proposal to the voters of the county under this section or section 190.335 until the department of public safety has issued a state consolidation plan to the Missouri 911 service board and either:

(1) All providers of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; and

(2) The county develops a plan for consolidation of emergency telephone service as defined in section 190.300, and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; or

(3) The county develops a plan for consolidation of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county that includes either consolidation or entering into a shared services agreement for such services, which shall be implemented on approval of the fee by the voters.

12. Any plan developed under subdivision (2) or (3) of subsection 11 of this section shall be filed with the Missouri 911 service board under subsection 4 of section 650.330, and the board shall review the plan to ensure it is not inconsistent with the state consolidation plan issued under subsection 18 of this section. Any plan that is filed under this subsection shall provide for the establishment of a joint emergency communications board as described in section 70.260. The director of the department of revenue shall not remit any funds as provided under this section until the department receives notification from the Missouri 911 service board that the county has filed a plan that is ready for implementation and that the board has received the state consolidation plan issued under subsection 18 of this section. If after one year following the enactment of the fee described in subsection 1 of this section the county has not complied with the plan that the county submitted under subdivision (2) or (3) of subsection 11 of this section, but the county has substantially complied with the plan, then the Missouri 911 service board may grant the county an extension of up to six months to comply with its plan. Not more than one extension may be granted to a county. The authority to impose the fee granted to the county in subsection 1 of this section shall be null and void if after one year following the enactment of the fee described in subsection 1 of this section the county has not complied with the plan and has not been granted an extension by the Missouri 911 service board, or if the six-month extension expires and the county has not complied with the plan.

13. Each county that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall either:

(1) Enter into a shared services agreement for providing emergency telephone services with a public agency that provides emergency telephone service, if such an agreement is feasible; or

(2) Form with one or more counties an emergency telephone services district in conjunction with any county with a public agency that provides emergency telephone service within the county. If such a district is formed under this subdivision, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section.

14. A county operating joint or shared emergency telephone service as defined in section 190.300 may submit to the voters of the county a proposal to impose the fee to support joint operations and further consolidation under this section.

15. All 911 fees shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

16. Nothing in subsections 11, 12, 13, and 14 of this section shall apply to a county with a charter form of government where all public safety answering points within the county utilize a common 911 communication service as implemented by the appropriate local and county agencies prior to August 28, 2017.

17. No county which contains any portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall submit a proposal to the voters under this section until the county and the home rule city with more than four hundred thousand inhabitants and located in more than one county enter into an agreement for equitable sharing of revenue under this section and section 190.451.

18. By December 31, 2017, the department of public safety shall complete a study of the number of public safety answering points necessary to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, issue a state public safety answering point consolidation plan based on the study, and provide such plan to the Missouri 911 service board.

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

(1) "Board", the Missouri 911 service board established under section 650.325;

(2) "Consumer", a person who purchases prepaid wireless telecommunications service in a retail transaction;

- (3) "Department", the department of revenue;
- (4) "Prepaid wireless service provider", a provider that provides prepaid wireless service to an end user;
- (5) "Prepaid wireless telecommunications service", a wireless telecommunications service that allows a caller to dial 911 to access the 911 system and which service shall be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount;
- (6) "Retail transaction", the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. The purchase of more than one item that provides prepaid wireless telecommunication service, when such items are sold separately, constitutes more than one retail transaction;
- (7) "Seller", a person who sells prepaid wireless telecommunications service to another person;
- (8) "Wireless telecommunications service", commercial mobile radio service as defined by 47 CFR 20.3, as amended.

2. (1) Beginning January 1, 2018, there is hereby imposed a prepaid wireless emergency telephone service charge on each retail transaction. The amount of such charge shall be equal to three percent of each retail transaction. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single nonitemized price, then the seller may elect not to apply such service charge to such transaction. For purposes of this subdivision, an amount of service denominated as ten or fewer minutes, or five dollars or less is minimal.

(2) The prepaid wireless emergency telephone service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless emergency telephone service charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller or otherwise disclosed to the consumer.

(3) For purposes of this subsection, a retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state; and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state under state law.

(4) The prepaid wireless emergency telephone service charge is the liability of the consumer and not of the seller or of any provider; except that, the seller shall be liable to remit all charges that the seller is deemed to collect if the amount of the charge has not been separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller.

(5) The amount of the prepaid wireless emergency telephone service charge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall be remitted to the department at the times and in the manner provided by state law with respect to sales and use taxes. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply under state law.

(2) Beginning on January 1, 2018, and ending on January 31, 2018, when a consumer purchases prepaid wireless telecommunications service in a retail transaction from a seller under this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless emergency telephone service charges that are collected by the seller from the consumer. Beginning on February 1, 2018, a seller shall be permitted to deduct and retain three percent of prepaid wireless emergency telephone service charges that are collected by the seller from consumers.

(3) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use purposes under state law.

(4) The department shall deposit all remitted prepaid wireless emergency telephone service charges into the general revenue fund for the department's use until eight hundred thousand one hundred fifty dollars is collected to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges. From then onward, the department shall deposit all remitted prepaid wireless emergency telephone service charges into the Missouri 911 service trust fund created in section 190.420 within thirty days of receipt for use by the board. After the initial eight hundred thousand

one hundred fifty dollars is collected, the department may deduct an amount not to exceed one percent of collected charges to be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges.

(5) The board shall set a rate between twenty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties without a charter form of government, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to such counties in direct proportion to the amount of charges collected in each county. The board shall set a rate between sixty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties with a charter form of government and any city not within a county, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to each such county or city not within a county in direct proportion to the amount of charges collected in each such county or city not within a county. The initial percentage rate set by the board for counties with and without a charter form of government and any city not within a county may be adjusted after three years, and thereafter the rate may be adjusted every two years; however, at no point shall the board set rates that fall below twenty-five percent for counties without a charter form of government and sixty-five percent for counties with a charter form of government and any city not within a county.

(6) Any amounts received by a county or city under subdivision (5) of this subsection shall be used only for purposes authorized in sections 190.305 and 190.335.

4. (1) A seller that is not a provider shall be entitled to the immunity and liability protections under section 190.450, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

(2) A provider shall be entitled to the immunity and liability protections under section 190.450.

(3) In addition to the protection from liability provided in subdivisions (1) and (2) of this subsection, each provider and seller and its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.450.

5. The prepaid wireless emergency telephone service charge imposed by this section shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes, except that such prepaid wireless emergency telephone service charge shall be charged in lieu of, and not imposed in addition to, any tax imposed under sections 190.292 or 190.335.

6. The provisions of this section shall expire on December 31, 2024.

190.455. 1. In order to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, it is the public policy of this state to encourage the consolidation of emergency communications operations.

2. Any county, city, or 911 or emergency services board established under chapter 190 or under section 321.243 may contract and cooperate with any other county, city, or 911 or emergency services board established under chapter 190 or under section 321.243 as provided in sections 70.210 to 70.320. Any contracting counties or boards may seek assistance and advice from the Missouri 911 service board established in section 650.325 regarding the terms of the joint contract and the administration and operation of the contracting counties, cities, and boards.

3. If two or more counties, cities, 911 districts, or existing emergency communications entities desire to consolidate their emergency communications operations, a joint emergency communications entity may be established by the parties through an agreement identifying the conditions and provisions of the consolidation and the operation of the joint entity. This agreement may include the establishment of a joint governing body that may be comprised of the boards of the entities forming the agreement currently authorized by statute or an elected or appointed joint board authorized in section 70.260; provided that, the representation on the joint board of each of the entities forming the agreement shall be equal. If the entities entering into an agreement under this subsection decide that any 911 service center responsible for the answering of 911 calls and the dispatch of assistance shall be physically located in a county other than a county with the lowest average county wage from the set of counties where the entities entering into an agreement under this subsection are located in whole or part, then such entities shall provide a written reason for this decision to

the Missouri 911 service board and such document shall be a public record under chapter 610. The county average wage comparison shall be conducted using the information from the Missouri department of economic development, which calculates such county average wages under section 135.950.

4. After August 28, 2017, no public safety answering point operation may be established as a result of its separation from an existing public safety answering point operation without a study by and the approval of the Missouri 911 service board.

5. No provision of this law shall be construed to prohibit or discourage in any manner the formation of multiagency or multijurisdictional public safety answering point operations.

190.460. 1. As an alternative to the procedure provided in section 190.455, two or more 911 central dispatch centers that are organized under sections 190.327 to 190.329 or section 190.335 and funded by public taxes may consolidate into one 911 central dispatch center by following the procedures set forth in this section.

2. If the consolidation of existing 911 central dispatch centers is desired, a number of voters residing in the existing 911 central dispatch centers' service areas equal to ten percent of the votes cast for governor in those service areas in the preceding gubernatorial election may file with the county clerk in which the territory or greater part of the proposed consolidated 911 central dispatch center service area will be situated a petition requesting consolidation of two or more 911 central dispatch centers.

3. The petition shall be in the following form:

"We, the undersigned voters residing in the service areas for the following 911 central dispatch centers, do hereby petition that the following existing 911 central dispatch centers be consolidated into one 911 central dispatch center."

4. An alternative procedure of consolidation may be followed if each of the boards of directors of the existing 911 central dispatch centers passes a resolution in the following form:

"The board of directors of the 911 central dispatch center resolves that the and 911 central dispatch centers be consolidated into one consolidated 911 central dispatch center."

5. Upon the filing of a petition or resolution with the county clerk from each of the service areas of the 911 central dispatch centers to be consolidated, the clerk shall present the petition or resolution to the commissioners of the county commission having jurisdiction, who shall thereupon order the submission of the question to voters within the affected 911 central dispatch center service areas. The filing of a petition shall be no later than twelve months after any original voter's signature contained therein.

6. The notice of election shall contain the names of the existing 911 central dispatch centers to be included in the consolidated 911 central dispatch center.

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

"Shall the existing 911 central dispatch centers be consolidated into one 911 central dispatch center?"

YES

NO

8. If the question of consolidation of the 911 central dispatch centers receives a majority of the votes cast in each service area, the county commissions having joint jurisdiction shall each enter an order declaring the proposition passed.

9. Within thirty days after the 911 central dispatch center has been declared consolidated, the respective county commissions having jurisdiction shall jointly meet to appoint a new seven-person board consisting of the agencies and professions listed in subsection 9 of section 190.335, and shall ensure geographic representation by appointing no more than four members from any one county having jurisdiction within the consolidated area for the newly consolidated 911 central dispatch center.

10. Within thirty days after the appointment of the initial board of directors of the newly consolidated 911 central dispatch center, the board of directors shall meet at a time and place designated by the county commissions. At the first meeting, the newly appointed board of directors shall choose a name for the consolidated 911 central dispatch center and shall notify the clerks of the county commission of each county within which the newly consolidated 911 central dispatch center's service area now subsumes.

11. Starting with the April election in the year after the appointment of the initial board of directors, one member shall be subject to running at large as chair for a four-year term. Four members shall be selected by lot to run for two-year terms, and two members shall be selected by lot to run for four-year terms. Thereafter, all terms shall be four-year terms.

12. On the thirtieth day following the appointment of the initial board of directors, the existing 911 central dispatch centers shall cease to exist and the consolidated 911 central dispatch center shall assume all

of the powers and duties exercised by the 911 central dispatch centers. All assets and obligations of the existing 911 central dispatch centers shall become the assets and obligations of the newly consolidated 911 central dispatch center.

13. In any county that has a single board established under chapter 190 or under section 321.243, if a consolidation under this section only affects existing 911 central dispatch centers located wholly within said county, then the existing board shall vote as to whether the existing board shall continue to exist. Upon a majority vote for approval of the existing board continuing to exist, subsections 9 to 12 of this section shall not apply, and the existing board shall continue to exist and have the powers set forth under the applicable section or sections within chapter 190 or under section 321.243. Upon a majority vote in disapproval of the existing board continuing to exist, all applicable subsections of this section shall apply to the consolidation. A tied vote shall be considered a disapproval of the existing board continuing to exist.

190.475. The director of the department of revenue shall maintain a centralized database, which shall be made available to the Missouri 911 service board established under section 650.325, specifying the current monthly fee or tax imposed by each county or city under section 190.292, 190.305, 190.325, 190.335, or 190.450. The database shall be updated no less than sixty days prior to the effective date of the establishment or modification of any monthly fee or tax listed in the database.

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

- (1) [~~"Committee"~~] "**Board**", the [~~advisory committee for~~] **Missouri 911 service** [~~oversight~~] **board** established in section 650.325;
- (2) "Public safety answering point", the location at which 911 calls are [~~initially~~] answered;
- (3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.325. There is hereby established within the department of public safety the [~~"Advisory Committee for 911 Service Oversight"~~] "**Missouri 911 Service Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training, and education, **but shall have no authority over communications service providers as defined in section 190.400.** The [~~committee for 911 service oversight~~] **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state, **including text to 911.**"; and

Further amend said bill, Pages 1-3, Section 650.330, Lines 1-72, by deleting all of said lines and inserting in lieu thereof the following:

"650.330. 1. The [~~committee for 911 service oversight~~] **board** shall consist of [~~sixteen~~] **fifteen** members, one of which shall be chosen from the department of public safety [~~who shall serve as chair of the committee and only vote in the instance of a tie vote among the other members~~], and the other members shall be selected as follows:

- (1) One member chosen to represent an association domiciled in this state whose primary interest relates to [~~counties~~] **municipalities**;
- (2) One member chosen to represent the Missouri [~~public service commission~~] **911 Directors Association**;
- (3) One member chosen to represent emergency medical services **and physicians**;
- (4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;
- (5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;
- (6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;
- (7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

~~(8) [One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;~~

~~—————(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;~~

~~[(40)] (9) One member chosen to represent [911 service providers in] counties of the second, third, and fourth classification;~~

~~[(41)] (10) One member chosen to represent [911 service providers in] counties of the first classification, counties with [and without] a charter [forms] form of government, and cities not within a county;~~

~~[(42)] (11) One member chosen to represent telecommunications service providers [with at least one hundred thousand access lines located within Missouri];~~

~~[(43)] (12) One member chosen to represent wireless telecommunications service providers [with less than one hundred thousand access lines located within Missouri];~~

~~—————(14) One member chosen to represent a professional association of physicians who conduct with-emergency care; and~~

~~—————(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers; and];~~

(13) One member chosen to represent voice over internet protocol service providers; and

(14) One member chosen to represent the governor's council on disability established under section 37.735.

2. Each of the members of the ~~[committee for 911 service oversight]~~ **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years~~[-except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years].~~ Members of the committee may serve multiple terms. **No corporation or its affiliate shall have more than one officer, employee, assign, agent, or other representative serving as a member of the board. Notwithstanding subsection 1 of this section to the contrary, all members appointed as of August 28, 2017, shall continue to serve the remainder of their terms.**

3. The ~~[committee for 911 service oversight]~~ **board** shall meet at least quarterly at a place and time specified by the chairperson of the ~~[committee]~~ **board** and it shall keep and maintain records of such meetings, as well as the other activities of the ~~[committee]~~ **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the ~~[committee]~~ **board**.

4. The ~~[committee for 911 service oversight]~~ **board** shall:

(1) Organize and adopt standards governing the ~~[committee's]~~ **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on ~~[statewide]~~ technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that ~~[such committee]~~ **the board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state, **including monitoring federal and industry standards being developed for next generation 911 systems; [and]";** and

Further amend said bill and section, Pages 3-4, Lines 75-90, by deleting all of said lines and inserting in lieu thereof the following:

"federal grants for 911 funding;

(10) [Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections 650.320 to 650.340] Elect the chair from its membership;

(11) Designate a state 911 coordinator who shall be responsible for overseeing statewide 911 operations and ensuring compliance with federal grants for 911 funding;

(12) Apply for and receive grants from federal, private, and other sources;

(13) Administer and authorize grants and loans under section 650.335 to those counties and any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants that can demonstrate a financial commitment to improving 911 services by providing at least a fifty percent match and demonstrate the ability to operate and maintain ongoing 911 services. The purpose of grants and loans from the 911 service trust fund shall include:

(a) Implementation of 911 services in counties of the state where services do not exist or to improve existing 911 systems;

(b) Promotion of consolidation where appropriate;

(c) Mapping and addressing all county locations;

(d) Ensuring primary access and texting abilities to 911 services for disabled residents; and

(e) Implementation of initial emergency medical dispatch services including prearrival medical instructions in counties where those services are not offered as of July 1, 2017;

(14) Develop an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to ensure funds are used in accordance with the law and purpose of the grant, then conduct audits as deemed necessary;

(15) Report to the governor and the general assembly at least every three years on the status of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and levels of service;

(16) Conduct and review an annual survey of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation;

(17) Set the percentage rate of the prepaid wireless emergency telephone service charges to be remitted to a county or city as provided under subdivision (5) of subsection 3 of section 190.451;

(18) Make and execute contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;

(19) Approve a proposal of a county or city to impose a fee of more than one dollar under section 190.450;

(20) Retain in its records proposed county plans developed under subsection 11 of section 190.450 and notify the department of revenue that the county has filed a plan that is ready for implementation;

(21) Notify any communications service provider, as defined in section 190.400, that has voluntarily submitted its contact information when any update is made to the centralized database established under section 190.475 as a result of a county or city establishing or modifying a tax or monthly fee no less than ninety days prior to the effective date of the establishment or modification of the tax or monthly fee; and

(22) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next generation 911 system throughout Missouri. The next generation 911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data.

5. The department of public safety shall provide staff assistance to the ~~[committee for 911 service oversight]~~ **board** as necessary in order for the ~~[committee]~~ **board** to perform its duties pursuant to sections 650.320 to 650.340. **The board shall have the authority to hire consultants to administer the provisions of sections 650.320 to 650.340.**

6. The ~~[department of public safety is authorized to adopt these]~~ **board shall promulgate rules and regulations** that are reasonable and necessary ~~[to accomplish the limited duties specifically delegated within section]~~ **to implement and administer the provisions of sections 650.320 to 650.340.** Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, ~~[1999]~~ **2017**, shall be invalid and void.

650.335. 1. Any county or any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants, when the prepaid wireless emergency telephone service charge is collected in the county or city, may submit an application for loan funds or other financial assistance to the board for the purpose of financing all or a portion of the costs incurred in implementing a 911 communications service project. The application shall be accompanied by a technical assistance report. The application and the technical assistance report shall be in such form and contain such information, financial or otherwise, as prescribed by the board. This section shall not preclude any applicant or borrower from joining in a cooperative project with any other political subdivision or with any state or federal agency or entity in a 911 communications service project, provided that all other requirements of this section have been met.

2. Applications may be approved for loans only in those instances where the applicant has furnished the board information satisfactory to assure that the project cost will be recovered during the repayment period of the loan. In no case shall a loan be made to an applicant unless the approval of the governing body of the applicant to the loan agreement is obtained and a written certification of such approval is provided, where applicable. Repayment periods are to be determined by the board.

3. The board shall approve or disapprove all applications for loans which are sent by certified or registered mail or hand delivered and received by the board upon a schedule as determined by the board.

4. Each applicant to whom a loan has been made under this section shall repay such loan, with interest. The rate of interest shall be the rate required by the board. The number, amounts, and timing of the payments shall be as determined by the board.

5. Any applicant who receives a loan under this section shall annually budget an amount which is at least sufficient to make the payments required under this section.

6. Repayment of principal and interest on loans shall be credited to the Missouri 911 service trust fund established under section 190.420.

7. If a loan recipient fails to remit a payment to the board in accordance with this section within sixty days of the due date of such payment, the board shall notify the director of the department of revenue to deduct such payment amount from first, the prepaid wireless emergency telephone service charge remitted to the county or city under section 190.451; and if insufficient to affect repayment of the loan, next, the regular apportionment of local sales tax distributions to that county or city. Such amount shall then immediately be deposited in the Missouri 911 service trust fund and credited to the loan recipient.

8. All applicants having received loans under this section shall remit the payments required by subsection 4 of this section to the board or such other entity as may be directed by the board. The board or such other entity shall immediately deposit such payments in the Missouri 911 service trust fund.

9. Loans made under this section shall be used only for the purposes specified in an approved application or loan agreement. In the event the board determines that loan funds have been expended for purposes other than those specified in an approved application or loan agreement or any event of default of the loan agreement occurs without resolution, the board shall take appropriate actions to obtain the return of the full amount of the loan and all moneys duly owed or other available remedies.

10. Upon failure of a borrower to remit repayment to the board within sixty days of the date a payment is due, the board may initiate collection or other appropriate action through the provisions outlined in subsection 7 of this section, if applicable.

11. If the borrower is an entity not covered under the collection procedures established in this section, the board, with the advice and consent of the attorney general, may initiate collection procedures or other appropriate action pursuant to applicable law.

12. The board may, at its discretion, audit the expenditure of any loan, grant, or expenditure made or the computation of any payments made.

650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator, 16 hours;
- (2) Fire telecommunicator, 16 hours;
- (3) Emergency medical services telecommunicator, 16 hours;
- (4) Joint communication center telecommunicator, 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which ~~are~~ is at least as stringent as the training requirements of subsection 2 of this section.

6. The ~~[department of public safety]~~ **board** shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134.

Section 1. The state auditor shall have the authority to conduct performance and fiscal audits of any board, dispatch center, joint emergency communications entity, or trust fund established under section 190.327, 190.328, 190.329, 190.335, 190.420, 190.455, 190.460, or 650.325.

~~[190.307. 1. No public agency or public safety agency, nor any officer, agent or employee of any public agency, shall be liable for any civil damages as a result of any act or omission except willful and wanton misconduct or gross negligence, in connection with developing, adopting, operating or implementing any plan or system required by sections 190.300 to 190.340.—
2. No person who gives emergency instructions through a system established pursuant to sections 190.300 to 190.340 to persons rendering services in an emergency at another location, nor any persons following such instructions in rendering such services, shall be liable for any civil damages as a result of issuing or following the instructions, unless issuing or following the instructions constitutes willful and wanton misconduct, or gross negligence.]~~

~~[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:
(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;
(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;
(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and
(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.—
2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.—
3. The board shall do the following:—~~

- ~~(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;~~
 - ~~(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;~~
 - ~~(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and~~
 - ~~(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.~~
- ~~4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]~~

~~[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.—~~

~~2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536.— All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536.— This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.—~~

~~3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:—~~

- ~~(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and~~
- ~~(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:—~~
 - ~~(a) The volume of wireless 911 calls received by each public safety answering point;~~
 - ~~(b) The population of the public safety answering point jurisdiction;~~
 - ~~(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code;—~~

~~and—~~

- ~~(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;—~~

~~(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;—~~

~~(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.—~~

~~4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.—~~

- 5. ~~No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.—~~
- 6. ~~The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.—~~
- 7. ~~The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.—~~
- 8. ~~Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two and three digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]~~

~~[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.—~~

~~2. The ballot of the submission shall contain, but is not limited to, the following language: Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless-enhanced 911 service?—~~

~~_____ YES _____ NO~~

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

~~3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]; and~~

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

On motion of Representative Lauer, **House Amendment No. 1** was adopted.

Representative Rowland (155) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 503, Page 1, Section A, Line 2, by inserting after all of said line the following:

"650.325. There is hereby established within the department of public safety the "Advisory Committee for 911 Service Oversight" which is charged with assisting and advising the state in ensuring the availability, implementation, and enhancement of a statewide emergency telephone number common to all jurisdictions through

research, planning, training, and education. The committee for 911 service oversight shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state, **including text to 911.**"; and

Further amend said bill, Page 3, Section 650.330, Lines 61-64, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next generation 911 system throughout Missouri. The next generation 911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data;

(5) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such committee shall not supersede decision-making authority of local political subdivisions in regard to 911 services;" ; and

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

On motion of Representative Rowland (155), **House Amendment No. 2** was adopted.

Representative Hubrecht offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Bill No. 503, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

"190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region's EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director's advisory committee and shall advise the department and their region's ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. **The state EMS medical director shall be the chair of the state EMS medical director's advisory committee.**

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. Notwithstanding any other provision of law, when regional EMS medical directors are providing either online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.144. 1. No emergency medical technician licensed under section 190.142 or 190.143, if acting in good faith and without gross negligence, shall be liable for:

(1) Transporting a person for whom an application for detention for evaluation and treatment has been filed under section 631.115 or 632.305; [Ø]

(2) Physically or chemically restraining an at-risk behavioral health patient as that term is defined under section 190.240 if such restraint is to ensure the safety of the patient or technician; or

(3) The administration of a patient's personal medication when deemed necessary.

2. Nothing in this section shall be construed as creating an exception to sovereign immunity, official immunity, or the Missouri public duty doctrine defenses."; and

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

On motion of Representative Hubrecht, **House Amendment No. 3** was adopted.

On motion of Representative Lauer, the title of **SB 503, as amended**, was agreed to.

On motion of Representative Lauer, **SB 503, as amended**, was read the third time and passed by the following vote:

AYES: 113

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Berry	Black	Brown 27
Brown 57	Brown 94	Burnett	Burns	Butler
Carpenter	Chipman	Conway 10	Corlew	Crawford
Cross	Curtis	Davis	Dohrman	Dunn
Eggleston	Engler	Fitzpatrick	Fitzwater 144	Fraker

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Francis	Franks Jr	Gannon	Gray	Green
Haahr	Haefner	Hannegan	Hansen	Harris
Henderson	Houghton	Houx	Hubrecht	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Kolkmeyer
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	May	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris	Mosley
Neely	Newman	Nichols	Peters	Pfautsch
Phillips	Pierson Jr	Pike	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roberts	Rone	Rowland 155	Rowland 29
Runions	Ruth	Shaul 113	Shull 16	Shumake
Sommer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Unsicker	Walker 3	Walker 74	Wessels
White	Wiemann	Wood		

NOES: 021

Alferman	Barnes 60	Bernskoetter	Bondon	Cierpiot
Conway 104	Curtman	Fitzwater 49	Franklin	Frederick
Helms	Hurst	Johnson	Marshall	Moon
Pietzman	Pogue	Roeber	Smith 85	Taylor
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 028

Bahr	Brattin	Christofanelli	Cookson	Cornejo
DeGroot	Dogan	Ellebracht	Ellington	Evans
Gregory	Grier	Higdon	Hill	Korman
Mathews	Matthiesen	McCaherty	Muntzel	Plocher
Roden	Ross	Schroer	Smith 163	Spencer
Trent	Vescovo	Wilson		

VACANCIES: 001

Representative Tate declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beck	Berry	Black	Bondon
Brown 27	Brown 94	Burnett	Burns	Butler
Carpenter	Chipman	Cierpiot	Conway 10	Conway 104
Corlew	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dunn	Eggleston	Engler
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Gannon	Gray	Green	Haahr	Haefner
Hannegan	Hansen	Harris	Henderson	Houghton
Hubrecht	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Kolkmeyer	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	May
McCann Beatty	McCreery	McGee	Meredith 71	Merideth 80

Messenger	Miller	Mitten	Morgan	Morris
Mosley	Neely	Newman	Nichols	Peters
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Rone	Rowland 155
Rowland 29	Runions	Ruth	Shaul 113	Shull 16
Shumake	Smith 85	Sommer	Stacy	Stevens 46
Swan	Tate	Unsicker	Walker 3	Walker 74
Wessels	White	Wood	Mr. Speaker	

NOES: 022

Barnes 60	Beard	Bernskoetter	Brattin	Brown 57
Dohrman	Ellington	Franklin	Franks Jr	Frederick
Helms	Houx	Hurst	Johnson	Marshall
McDaniel	Moon	Pogue	Roberts	Roeber
Stephens 128	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 026

Bahr	Christofanelli	Cookson	Cornejo	DeGroot
Ellebracht	Evans	Gregory	Grier	Higdon
Hill	Korman	Matthiesen	McCaherty	McGaughy
Muntzel	Plocher	Roden	Ross	Schroer
Smith 163	Spencer	Trent	Vescovo	Wiemann
Wilson				

VACANCIES: 001

Speaker Richardson resumed the Chair.

HCS SCS SB 355, relating to road signs, was taken up by Representative Alferman.

Representative Lichtenegger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

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

(1) "Community college", an institution of higher education deriving financial resources from local, state, and federal sources, and providing postsecondary education primarily for persons above the twelfth grade age level, including courses in:

- (a) Liberal arts and sciences, including general education;
- (b) Occupational, vocational-technical; and
- (c) A variety of educational community services.

Community college course offerings **shall generally** lead to the granting of certificates, diplomas, or associate degrees, ~~but do not~~ **and may** include baccalaureate ~~or higher~~ degrees **only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor's**

degrees, the level of education required for employment in a field increases to that level, and when doing so would not unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by the delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor's degrees;

(2) "Operating costs", all costs attributable to current operations, including all direct costs of instruction, instructors' and counselors' compensation, administrative costs, all normal operating costs and all similar noncapital expenditures during any year, excluding costs of construction of facilities and the purchase of equipment, furniture, and other capital items authorized and funded in accordance with subsection 6 of this section. Operating costs shall be computed in accordance with accounting methods and procedures to be specified by the department of higher education;

(3) "Year", from July first to June thirtieth of the following year.

2. Each year public community colleges in the aggregate shall be eligible to receive from state funds, if state funds are available and appropriated, an amount up to but not more than fifty percent of the state community colleges' planned operating costs as determined by the department of higher education. The department of higher education shall review all institutional budget requests and prepare appropriation recommendations annually for the community colleges under the supervision of the department. The department's budget request shall include a recommended level of funding.

3. (1) Except as provided in subdivision (2) of this subsection, distribution of appropriated funds to community college districts shall be in accordance with the community college resource allocation model. This model shall be developed and revised as appropriate cooperatively by the community colleges and the department of higher education. The department of higher education shall recommend the model to the coordinating board for higher education for their approval. The core funding level for each community college shall initially be established at an amount agreed upon by the community colleges and the department of higher education. This amount will be adjusted annually for inflation, limited growth, and program improvements in accordance with the resource allocation model starting with fiscal year 1993.

(2) Unless the general assembly chooses to otherwise appropriate state funding, beginning in fiscal year 2016, at least ninety percent of any increase in core funding over the appropriated amount for the previous fiscal year shall be distributed in accordance with the achievement of performance-funding measures under section 173.1006.

4. The department of higher education shall be responsible for evaluating the effectiveness of the resource allocation model and shall submit a report to the governor, the joint committee on education, the speaker of the house of representatives and president pro tempore of the senate by October 31, 2019, and every four years thereafter.

5. The department of higher education shall request new and separate state aid funds for any new community college district for its first six years of operation. The request for the new district shall be based upon the same level of funding being provided to the existing districts, and should be sufficient to provide for the growth required to reach a mature enrollment level.

6. In addition to state funds received for operating purposes, each community college district shall be eligible to receive an annual appropriation, exclusive of any capital appropriations, for the cost of maintenance and repair of facilities and grounds, including surface parking areas, and purchases of equipment and furniture. Such funds shall not exceed in any year an amount equal to ten percent of the state appropriations, exclusive of any capital appropriations, to community college districts for operating purposes during the most recently completed fiscal year. The department of higher education may include in its annual appropriations request the necessary funds to implement the provisions of this subsection and when appropriated shall distribute the funds to each community college district as appropriated. The department of higher education appropriations request shall be for specific maintenance, repair, and equipment projects at specific community college districts, shall be in an amount of fifty percent of the cost of a given project as determined by the coordinating board and shall be only for projects which have been approved by the coordinating board through a process of application, evaluation, and approval as established by the coordinating board. The coordinating board, as part of its process of application, evaluation, and approval, shall require the community college district to provide proof that the fifty-percent share of funding to be defrayed by the district is either on hand or committed for maintenance, repair, and equipment projects. Only salaries or portions of salaries paid which are directly related to approved projects may be used as a part of the fifty-percent share of funding.

7. School districts offering two-year college courses pursuant to section 178.370 on October 31, 1961, shall receive state aid pursuant to subsection 2, subdivision (1) of subsection 3, and subsection 6 of this section if all scholastic standards established pursuant to sections 178.770 to 178.890 are met.

8. In order to make postsecondary educational opportunities available to Missouri residents who do not reside in an existing community college district, community colleges organized pursuant to section 178.370 or sections 178.770 to 178.890 shall be authorized pursuant to the funding provisions of this section to offer courses and programs outside the community college district with prior approval by the coordinating board for higher education. The classes conducted outside the district shall be self-sustaining except that the coordinating board shall promulgate rules to reimburse selected out-of-district instruction only where prior need has been established in geographical areas designated by the coordinating board for higher education. Funding for such off-campus instruction shall be included in the appropriation recommendations, shall be determined by the general assembly and shall continue, within the amounts appropriated therefor, unless the general assembly disapproves the action by concurrent resolution.

9. When distributing state aid authorized for community colleges, the state treasurer may, in any year if requested by a community college, disregard the provision in section 30.180 requiring the state treasurer to convert the warrant requesting payment into a check or draft and wire transfer the amount to be distributed to the community college directly to the community college's designated deposit for credit to the community college's account.

172.280. The curators shall have the authority to confer, by diploma, under their common seal, on any person whom they may judge worthy thereof, such degrees as are known to and usually granted by any college or university. **The University of Missouri is the state's only public research university and the exclusive grantor of research doctorates. As such, except as provided in section 175.040, the University of Missouri shall be the only state college or university that may offer doctor of philosophy degrees or first-professional degrees, including chiropractic, dentistry, law, medicine, optometry, osteopathic medicine, pharmacy, podiatry, and veterinary medicine.**

173.005. 1. There is hereby created a "Department of Higher Education", and the division of higher education of the department of education is abolished and all its powers, duties, functions, personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B, RSMo.

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the "Coordinating Board for Higher Education", which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education ~~[shall have approval of]~~ **may approve, not approve, or provisionally approve** proposed new degree programs to be offered by the state institutions of higher education. **The coordinating board may authorize a degree program outside an institution's coordinating board-approved mission only when the coordinating board has received clear evidence that the institution proposing to offer the program:**

(a) **Made a good-faith effort to explore the feasibility of offering the program in collaboration with an institution the mission of which includes offering the program;**

(b) Is contributing substantially to the goals in the coordinating board's coordinated plan for higher education;

(c) Has the existing capacity to ensure the program is delivered in a high-quality manner;

(d) Has demonstrated that the proposed program is needed;

(e) Has a clear plan to meet the articulated workforce need; and

(f) Such other factors deemed relevant by the coordinating board;

(2) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

(3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

(4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

(5) The coordinating board for higher education shall establish admission guidelines consistent with institutional missions;

(6) The coordinating board for higher education shall require all public two-year and four-year higher education institutions to replicate best practices in remediation identified by the coordinating board and institutions from research undertaken by regional educational laboratories, higher education research organizations, and similar organizations with expertise in the subject, and identify and reduce methods that have been found to be ineffective in preparing or retaining students or that delay students from enrollment in college-level courses;

(7) The coordinating board shall establish policies and procedures for institutional decisions relating to the residence status of students;

(8) The coordinating board shall establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state and, with the assistance of the committee on transfer and articulation, shall require all public two-year and four-year higher education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. The coordinating board shall establish policies and procedures to ensure such courses are accepted in transfer among public institutions and treated as equivalent to similar courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse transfer for any student who has accumulated enough hours in combination with at least one public higher education institution in Missouri that offers an associate degree and one public four-year higher education institution in the prescribed courses sufficient to meet the public higher education institution's requirements to be awarded an associate degree. The department of elementary and secondary education shall maintain the alignment of the assessments found in section 160.518 and successor assessments with the competencies previously established under this subdivision for entry-level collegiate courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core;

(9) The coordinating board shall collect the necessary information and develop comparable data for all institutions of higher education in the state. The coordinating board shall use this information to delineate the areas of competence of each of these institutions and for any other purposes deemed appropriate by the coordinating board;

(10) Compliance with requests from the coordinating board for institutional information and the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a prerequisite to the receipt of any funds which the coordinating board is responsible for administering;

(11) If any institution of higher education in this state, public or private, willfully fails or refuses to follow any lawful guideline, policy or procedure established or prescribed by the coordinating board, or knowingly deviates from any such guideline, or knowingly acts without coordinating board approval where such approval is required, or willfully fails to comply with any other lawful order of the coordinating board, the coordinating board may, after a public hearing, withhold or direct to be withheld from that institution any funds the disbursement of which is subject to the control of the coordinating board, or may remove the approval of the institution as an approved institution within the meaning of section 173.1102. If any such public institution willfully disregards board policy, the commissioner of higher education may order such institution to remit a fine in an amount not to exceed one percent of the institution's current fiscal year state operating appropriation to the board. The board shall hold such funds until such time that the institution, as determined by the commissioner of higher education, corrects the violation, at which time the board shall refund such amount to the institution. If the commissioner determines that the institution has not redressed the violation within one year, the fine amount shall be deposited into the general revenue fund, unless the institution appeals such decision to the full coordinating board, which shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter. However, nothing in this section shall prevent any institution of higher education in this state from presenting additional budget requests or from explaining or further clarifying its budget requests to the governor or the general assembly;

(12) In recognition of institutions that meet the requirements of subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by name as an educational institution in Missouri, and are authorized to operate programs beyond secondary education for purposes of authorization under 34 CFR 600.9, the coordinating board for higher education shall maintain and publish on its website a list of such postsecondary educational institutions; and

(13) (a) As used in this subdivision, the term "out-of-state public institution of higher education" shall mean an education institution located outside of Missouri that:

- a. Is controlled or administered directly by a public agency or political subdivision or is classified as a public institution by the state;
- b. Receives appropriations for operating expenses directly or indirectly from a state other than Missouri;
- c. Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
- d. Meets the standards for accreditation by an accrediting body recognized by the United States Department of Education or any successor agency; and
- e. Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source.

(b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

- a. The board's approval process of proposed new degree programs and course offerings by any out-of-state public institution of higher education seeking to offer degree programs or course work within the state of Missouri; and
- b. The board's approval process of degree programs and courses offered by any out-of-state public institutions of higher education that, prior to July 1, 2008, were approved by the board to operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses within the state of Missouri are evaluated in a manner similar to Missouri public higher education institutions. Such out-of-state public institutions shall be held to standards no lower than the standards established by the coordinating board for program approval and the policy guidelines of the coordinating board for data collection, cooperation, and resolution of disputes between Missouri institutions of higher education under this section. Any such out-of-state public institutions of higher education wishing to continue operating within this state must be approved by the board under the rules promulgated under this subdivision. The coordinating board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

(c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that students attending an out-of-state public institution are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

3. The coordinating board shall meet at least four times annually with an advisory committee who shall be notified in advance of such meetings. The coordinating board shall have exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall be the president or other chief administrative officer of the University of Missouri; the chancellor of each campus of the University of Missouri; the president of each state-supported four-year college or university, including Harris-Stowe State University, Missouri Southern State University, Missouri Western State University, and Lincoln University; the president of State Technical College of Missouri; the president or chancellor of each public community college district; and representatives of each of five accredited private institutions selected biennially, under the supervision of the coordinating board, by the presidents of all of the state's privately supported institutions; but always to include at least one representative from one privately supported community college, one privately supported four-year college, and one privately supported university. The conferences shall enable the committee to advise the coordinating board of the views of the institutions on matters within the purview of the coordinating board.

4. The University of Missouri, Lincoln University, and all other state-governed colleges and universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the department of higher education subject to the provisions of subsection 2 of this section.

5. The state historical society, chapter 183, is transferred by type III transfer to the University of Missouri.

6. The state anatomical board, chapter 194, is transferred by type II transfer to the department of higher education.

7. All the powers, duties and functions vested in the division of public schools and state board of education relating to community college state aid and the supervision, formation of districts and all matters otherwise related to the state's relations with community college districts and matters pertaining to community colleges in public school districts, chapters 163, 178, and others, are transferred to the coordinating board for higher education by type I transfer. Provided, however, that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the department of elementary and secondary education. The department of elementary and secondary education and the coordinating board for higher education shall cooperate in developing the various plans for vocational-technical education; however, the ultimate responsibility will remain with the state board of education.

8. All the powers, duties, functions, and properties of the state poultry experiment station, chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry association and state poultry board are abolished. In the event the University of Missouri shall cease to use the real estate of the poultry experiment station for the purposes of research or shall declare the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be disposed of without legislative approval.

174.160. The board of regents of each state college and each state teachers college shall have power and authority to confer upon students, by diploma under the common seal, such degrees as are usually granted by such colleges, **and additional degrees only when authorized by the coordinating board for higher education in circumstances in which offering such degree would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. In the case of nonresearch doctoral degrees in allied health professions, an institution may be authorized to offer such degree independently if offering it in collaboration with another institution would not increase the quality of the program or allow it to be delivered more efficiently. Such boards shall have the power and authority to confer degrees in engineering only in collaboration with the University of Missouri, provided that such collaborative agreements are approved by the governing board of each institution and that in these instances the University of Missouri will be the degree-granting institution. Should the University of Missouri decline to collaborate in the offering of such programs, one of these institutions may seek approval of the program through the coordinating board for higher education's comprehensive review process when doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner.**

174.225. ~~[Missouri State University] No state college or university shall [not] seek the land grant designation held by Lincoln University and the University of Missouri [nor shall Missouri State University seek] or the research designation currently held by the University of Missouri. [Missouri State University shall offer engineering programs and doctoral programs only in cooperation with the University of Missouri; provided that such cooperative agreements are approved by the governing boards of each institution and that in these instances the~~

~~University of Missouri shall be the degree granting institution. Should the University of Missouri decline to cooperate in the offering of such programs within one year of the formal approval of the coordinating board, Missouri State University may cooperate with another educational institution, or directly offer the degree. In all cases, the offering of such degree programs shall be subject to the approval of the coordinating board for higher education, or any other higher education governing authority that may replace it. Missouri State University may offer doctoral programs in audiology and physical therapy. Missouri State University shall neither offer nor duplicate the professional programs at the University of Missouri including, without limitation, those that train medical doctors, pharmacists, dentists, veterinarians, optometrists, lawyers, and architects. The alteration of the name of Southwest Missouri State University to Missouri State University shall not entitle Missouri State University to any additional state funding.]~~

174.231. 1. On and after August 28, 2005, the institution formerly known as Missouri Southern State College located in Joplin, Jasper County, shall be known as "Missouri Southern State University". Missouri Southern State University is hereby designated and shall hereafter be operated as a statewide institution of international or global education. The Missouri Southern State University is hereby designated a moderately selective institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs and public service activities it deems necessary and appropriate to establish international or global education as a distinctive theme of its mission. ~~[Consistent with the provisions of section 174.324, Missouri Southern State University is authorized to offer master's level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.]~~

2. As of July 1, 2008, Missouri Southern State University shall discontinue any and all associate degree programs unless the continuation of such associate degree programs is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section 173.005.

174.251. 1. On and after August 28, 2005, the institution formerly known as Missouri Western State College at St. Joseph, Buchanan County, shall hereafter be known as the "Missouri Western State University". Missouri Western State University is hereby designated and shall hereafter be operated as a statewide institution of applied learning. The Missouri Western State University is hereby designated an open enrollment institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs as it deems necessary and appropriate to an open enrollment institution with a statewide mission of applied learning. ~~[Consistent with the provisions of section 174.324, Missouri Western State University is authorized to offer master's level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.]~~

2. As of July 1, 2010, Missouri Western State University shall discontinue any and all associate degree programs unless the continuation of such associate degree program is approved by the coordinating board for higher education pursuant to subdivision 2 of section 173.005.

174.500. 1. The board of governors of Missouri State University is authorized to continue the program of higher education at West Plains, Missouri, which was begun in 1963 and which shall be known as the "West Plains Campus of Missouri State University". Missouri State University may include an appropriation request for the branch facility at West Plains in its operating budget.

2. The coordinating board for higher education in cooperation with the board of governors shall develop a mission implementation plan for the campus at West Plains, Howell County, which is known as the "West Plains Campus of Missouri State University", and which shall be a teaching institution, offering one-year certificates, two-year associate degrees and credit and noncredit courses to both traditional and nontraditional students to meet the ongoing and emerging employer and educational needs of the citizens of the area served. **The West Plains campus of Missouri State University may offer baccalaureate degrees only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor's degrees, the level of education required for employment in a field increases to that level, and when doing so would not**

unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor's degrees.

178.636. 1. State Technical College of Missouri shall be a special purpose institution that shall make available to students from all areas of the state exceptional educational opportunities through highly specialized and advanced technical education and training at the certificate and associate degree level in both emerging and traditional technologies with particular emphasis on technical and vocational programs not commonly offered by community colleges or area vocational technical schools. Primary consideration shall be placed on the industrial and technological manpower needs of the state. In addition, State Technical College of Missouri is authorized to assist the state in economic development initiatives and to facilitate the transfer of technology to Missouri business and industry directly through the graduation of technicians in advanced and emerging disciplines and through technical assistance provided to business and industry. State Technical College of Missouri is authorized to provide technical assistance to area vocational technical schools and community colleges through supplemental on-site instruction and distance learning as such area vocational technical schools and community colleges deem appropriate.

2. Consistent with the mission statement provided in subsection 1 of this section, State Technical College of Missouri shall offer vocational and technical programs leading to the granting of certificates, diplomas, and applied science associate degrees, or a combination thereof~~[, but not including]~~. **State Technical College of Missouri may offer** associate of arts or baccalaureate ~~[or higher]~~ degrees **only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor's degrees, the level of education required for employment in a field increases to that level, and when doing so would not unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor's degrees.** State Technical College of Missouri shall also continue its role as a recognized area vocational technical school as provided by policies and procedures of the state board of education."; and

Further amend said bill, Page 9, Section 227.447, Line 6, by inserting after all of said section and line the following:

~~"[174.324. 1. Notwithstanding any law to the contrary, Missouri Western State University and Missouri Southern State University may offer master's degrees in accounting, subject to any terms and conditions of the Missouri state board of accountancy applicable to any other institution of higher education in this state which offers such degrees, and subject to approval of the coordinating board for higher education.~~

~~2. Any new master's degree program offered at Missouri Southern State University, Missouri Western State University, or any other public institution of higher education in this state must be approved by the coordinating board for higher education pursuant to the provisions of subdivision (1) or (2) of subsection 2 of section 173.005.]"; and~~

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

On motion of Representative Lichtenegger, **House Amendment No. 1** was adopted.

Representative Walker (3) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 9, Section 227.447, Line 6, by inserting immediately after all of said section and line the following:

"332.081. 1. No person or other entity shall practice dentistry in Missouri or provide dental services as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri or **the board has issued such certificate** to an entity that has been duly registered to provide dental services by licensed dentists and dental hygienists and unless and until the board has issued to the person a license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

(1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth;

(2) A dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri;

(3) Dental students in any accredited dental school to practice dentistry under the personal direction of instructors;

(4) Dental hygiene students in any accredited dental hygiene school to practice dental hygiene under the personal direction of instructors;

(5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as defined in section 332.091;

(6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be delegated duties as defined in section 332.093;

(7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental hygiene school;

(8) **A person who has been granted a dental faculty permit under section 332.183 to practice dentistry in the scope of his or her employment at an accredited dental school, college, or program in Missouri;**

(9) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in connection with dental services or dental surgery; ~~or~~

~~[(9)]~~ (10) A person to practice dentistry in or for:

(a) The United States Armed Forces;

(b) The United States Public Health Service;

(c) Migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b));

(d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act;

(e) Governmental entities, including county health departments; or

(f) The United States Veterans Bureau; or

~~[(10)]~~ (11) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral, written, or otherwise documented dental opinion when providing testimony or records for the purpose of a civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state.

2. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is organized under the provisions of chapter 355 or 356 provided that a corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render dental services to Medicaid recipients, low-income individuals who have available income below two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection shall not apply to:

(1) A hospital licensed under chapter 197 that provides care and treatment only to children under the age of eighteen at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(2) A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396(d)(l)), or a migrant, community, or health care for the homeless health center provided for in Section 330 of the Public Health Services Act (42 U.S.C. 254(b)) at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(3) A city or county health department organized under chapter 192 or chapter 205 at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(4) A social welfare board organized under section 205.770, a city health department operating under a city charter, or a city-county health department at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(5) Any entity that has received a permit from the dental board and does not receive compensation from the patient or from any third party on the patient's behalf at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as amended, that engages in its operations and provides dental services at facilities owned by a city, county, or other political subdivision of the state at which a person regulated under this chapter provides dental care within the scope of his or her license or registration.

If any of the entities exempted from the requirements of this subsection are unable to provide services to a patient due to the lack of a qualified provider and a referral to another entity is made, the exemption shall extend to the person or entity that subsequently provides services to the patient.

3. No unincorporated organization shall practice dentistry as defined in section 332.071 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and provides dental treatment without compensation from the patient or any third party on their behalf as a part of a broader program of social services including food distribution. Nothing in this chapter shall prohibit organizations under this subsection from employing any person regulated by this chapter.

4. A dentist shall not enter into a contract that allows a person who is not a dentist to influence or interfere with the exercise of the dentist's independent professional judgment.

5. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating pursuant to subsection 3 of this section, or any other person should not direct or interfere or attempt to direct or interfere with a licensed dentist's professional judgment and competent practice of dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit organizations to enforce employment contracts, corporate policy and procedure manuals, or quality improvement or assurance requirements.

6. All entities defined in subsection 2 of this section and those exempted under subsection 3 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state to render dental services, and the entity shall apply for the permit in writing on forms provided by the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal of such permit. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

7. Any entity that obtains a permit to render dental services in this state is subject to discipline pursuant to section 332.321. If the board concludes that the person or entity has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint before the administrative hearing commission. The board may refuse to issue or renew the permit of any entity for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

8. A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as part of the registration shall include the name of the health center, the nonprofit status of the health center, sites where dental services will be provided, and the names of all persons employed by, or contracting with, the health center who are required to hold a license pursuant to this chapter. The registration shall be renewed every twenty-four months. The board shall not charge a fee of any kind for the issuance or renewal of the registration. The registration of the health center shall not be subject to discipline pursuant to section 332.321. Nothing in this subsection shall prohibit disciplinary action against a licensee of this chapter who is employed by, or contracts with, such health center for the actions of the licensee in connection with such employment or contract. All licensed persons employed by, or contracting with, the health center shall certify in writing to the board at the time of issuance and renewal of the registration that the facility of the health center meets the same operating standards regarding cleanliness, sanitation, and professionalism as would the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such standards.

9. The board may promulgate rules and regulations to ensure not-for-profit corporations are rendering care to the patient populations as set forth herein, including requirements for covered not-for-profit corporations to report

patient census data to the board. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

10. All not-for-profit corporations organized or operated pursuant to the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the requirements relating to migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b)) and federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act, that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent with, federal statute or regulation.

332.183. 1. The board may issue a dental faculty permit to an individual who is employed by an accredited dental school, college, or program in Missouri. The holder of a dental faculty permit shall be authorized to practice dentistry in accordance with section 332.071 only within accredited dental school programs and only while engaged in teaching didactic courses, preclinical laboratories, and supervising student-delivered patient care at an accredited Missouri dental school, college, or program.

2. The holder of a dental faculty permit shall not receive any fee or compensation for the practice of dentistry, other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program and shall not engage in the private practice of dentistry for any fee or compensation.

3. To qualify for a dental faculty permit, an applicant shall:

(1) Be a graduate of and hold a degree from a dental school. An applicant shall not be required to be a graduate of an accredited dental school as defined in section 332.011;

(2) Submit to the board an affidavit from the dean of the accredited Missouri dental school, college, or program confirming the individual's employment as a teacher or instructor at the accredited Missouri dental school, college, or program;

(3) Submit to the board an affidavit stating that he or she will only practice dentistry within the course and scope of his or her teaching responsibilities and will not practice dentistry for any fee or compensation other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program;

(4) Pass a written jurisprudence examination given by the board on the Missouri dental laws and rules with a grade of at least eighty percent; and

(5) Submit to the board a completed application on forms provided by the board and the applicable fees as determined by the board; and

(6) Document satisfactory completion of an American Dental Association-accredited postdoctoral training program that is a minimum of twelve continuous months in length; or

(7) Have passed the National Board Examination in accordance with the criteria established by the sponsoring body.

4. The board may waive the requirements under subdivision (6) or (7) of subsection 3 of this section, at the request of the applicant, based on the applicant's portfolio of cases completed and documentation that the applicant held a license to teach dentistry in another state within a year of applying to teach dentistry in Missouri. The board shall only waive the requirements under this subsection if the board determines, based on the information provided in this subsection, that the applicant has a similar level of knowledge and experience as persons who have met the requirements under subdivision (6) or (7) of subsection 3 of this section.

5. A dental faculty permit shall be renewed every two years and shall be subject to the same renewal requirements contained under section 332.181.

6. A dental faculty permit shall be subject to discipline in accordance with section 332.321 and shall be automatically cancelled and nullified if the holder ceases to be employed by the accredited Missouri dental school, college, or program.

7. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void."; and

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

On motion of Representative Walker (3), **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"172.287. 1. The University of Missouri shall annually request an appropriation under capital improvements, subject to availability of funds, for a program of grants established for the engineering colleges of the University of Missouri for the purpose of assisting such colleges in the purchase of teaching and research laboratory equipment exclusive of laboratory or classroom furniture. The amount granted for each engineering college may not exceed the lesser of an amount equal to one thousand two hundred dollars per each such bachelor's degree awarded in the previous fiscal year in all engineering programs currently accredited by the accreditation board for engineering and technology, or the dollar value of new funds for equipment purchase which such colleges may obtain from sources other than state appropriations for laboratory equipment.

2. For purposes of this section, the fair market value of in-kind contributions of laboratory equipment to the colleges may be included as funds for equipment purchase from sources other than state appropriations. In the event that new funds for laboratory equipment purchase obtained by any college of engineering from such nonstate sources exceed the amount necessary to reach the maximum dollar limits herein specified, such excess amounts will be carried over to the following fiscal year and considered the same as that year's new equipment funds from nonstate sources.

3. In the event that the appropriations for this grant program are insufficient to fund all grants approved for a given fiscal year, all such grants shall be reduced pro rata as necessary.

4. The provisions of this section shall terminate on June 30, [~~2017~~] **2027**.

173.2528. 1. Prior to January 1, 2018, the department of higher education shall promulgate rules establishing the Coordinating Board for Mental Health Issues in Higher Education (CBMHI).

2. The CBMHI shall consist of representatives from the coordinating board for higher education and designated counseling directors from each public institution of higher education in Missouri. Every sector of public institution of higher education in Missouri shall be represented on the CBMHI, with no two members to be employed by the same institution or engaged in a supervisory relationship of any kind. Committee membership shall change every four years. One member shall be a representative of the coordinating board for higher education, and the remaining members shall consist of designated counseling directors from public institutions of higher education.

173.2530. 1. Prior to January 1, 2019, the coordinating board for mental health issues in higher education shall promulgate rules setting forth reasonable standards and regulations for student counseling facilities at public institutions of higher education in this state relating to student-to-staff ratios, average wait time to see a counselor for an initial appointment, prevention services and any other factors the board determines are contributing factors leading to the prevalence of mental health problems within the academic community. After establishing such standards and regulations, the CBMHI shall develop a process for evaluating student counseling programs at public institutions of higher education to assess whether programs have met the board's criteria. The evaluation process at each institution of higher education shall include measurement of an institution's ability to adequately meet student mental health needs using assessment criteria developed in validated studies of well-being and mental health of students in order to ensure that the effectiveness of the student counseling programs are objectively evaluated.

2. The CBMHI shall prescribe policies and procedures for annual review of an institution's counseling program and actions to be taken when an institution's counseling program fails to meet CBMHI standards.

3. For purposes of sections 173.2530 and 173.2532, the term "student counseling facility" means any entity that provides confidential mental health counseling, psychiatric services, or developmental counseling to college students that is located on campus or is associated with the institution of higher education and operates in accordance with state and federal law pertaining to mental health professionals as well as applicable professional and ethical codes.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

173.2532. Beginning in the 2019-20 school year, and continuing on an annual basis thereafter, student counseling facilities in operation at public institutions of higher education in this state shall participate in an annual needs assessment to identify deficiencies that place such facilities below standards established by the coordinating board for mental health issues in higher education under section 173.2532. The CBMHI shall develop specific procedures through which the assessments are written, distributed, collected, and evaluated."; and

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

Speaker Pro Tem Haahr resumed the Chair.

Representative Alferman offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

"172.287. 1. The University of Missouri shall annually request an appropriation under capital improvements, subject to availability of funds, for a program of grants established for the engineering colleges of the University of Missouri for the purpose of assisting such colleges in the purchase of teaching and research laboratory equipment exclusive of laboratory or classroom furniture. The amount granted for each engineering college may not exceed the lesser of an amount equal to one thousand two hundred dollars per each such bachelor's degree awarded in the previous fiscal year in all engineering programs currently accredited by the accreditation board for engineering and technology, or the dollar value of new funds for equipment purchase which such colleges may obtain from sources other than state appropriations for laboratory equipment.

2. For purposes of this section, the fair market value of in-kind contributions of laboratory equipment to the colleges may be included as funds for equipment purchase from sources other than state appropriations. In the event that new funds for laboratory equipment purchase obtained by any college of engineering from such nonstate sources exceed the amount necessary to reach the maximum dollar limits herein specified, such excess amounts will be carried over to the following fiscal year and considered the same as that year's new equipment funds from nonstate sources.

3. In the event that the appropriations for this grant program are insufficient to fund all grants approved for a given fiscal year, all such grants shall be reduced pro rata as necessary.

4. The provisions of this section shall terminate on June 30, ~~2017~~ 2027.

173.2528. 1. Prior to January 1, 2018, the department of higher education shall promulgate rules establishing the Coordinating Board for Mental Health Issues in Higher Education (CBMHI).

2. The CBMHI shall consist of representatives from the coordinating board for higher education and designated counseling directors from each public institution of higher education in Missouri. Every sector of public institution of higher education in Missouri shall be represented on the CBMHI, with no two members to be employed by the same institution or engaged in a supervisory relationship of any kind. Committee membership shall change every four years. One member shall be a representative of the coordinating board for higher education, and the remaining members shall consist of designated counseling directors from public institutions of higher education.

173.2530. 1. Prior to January 1, 2019, the coordinating board for mental health issues in higher education shall promulgate rules setting forth reasonable standards and regulations for student counseling facilities at public institutions of higher education in this state relating to student-to-staff ratios, average wait time to see a counselor for an initial appointment, prevention services and any other factors the board determines are contributing factors leading to the prevalence of mental health problems within the academic community. After establishing such standards and regulations, the CBMHI shall develop a process for evaluating student counseling programs at public institutions of higher education to assess whether programs have met the board's criteria. The evaluation process at each institution of higher education shall include measurement of an institution's ability to adequately meet student mental health needs using assessment criteria developed in validated studies of well-being and mental health of students in order to ensure that the effectiveness of the student counseling programs are objectively evaluated.

2. The CBMHI shall prescribe policies and procedures for annual review of an institution's counseling program and actions to be taken when an institution's counseling program fails to meet CBMHI standards.

3. For purposes of sections 173.2530 and 173.2532, the term "student counseling facility" means any entity that provides confidential mental health counseling, psychiatric services, or developmental counseling to college students that is located on campus or is associated with the institution of higher education and operates in accordance with state and federal law pertaining to mental health professionals as well as applicable professional and ethical codes.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

173.2532. Beginning in the 2019-20 school year, and continuing on an annual basis thereafter, student counseling facilities in operation at public institutions of higher education in this state shall participate in an annual needs assessment to identify deficiencies that place such facilities below standards established by the coordinating board for mental health issues in higher education under section 173.2532. The CBMHI shall develop specific procedures through which the assessments are written, distributed, collected, and evaluated."; and

Further amend said bill, Pages 2-7, Section 226.540, Lines 1-150, by deleting all of said section and lines;
and

Further amend said bill, Pages 7-9, Section 226.550, Lines 1-72, by deleting all of said section and lines;
and

Further amend said bill, Page 9, Section 227.447, Lines 1-6, by deleting all of said section and lines; and

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

On motion of Representative Alferman, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Lichtenegger offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting after all of said line the following:

"173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the "Access Missouri Financial Assistance Program". The coordinating board and all approved private, ~~and~~ public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution's business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

- (1) "Academic year", the period from July first of any year through June thirtieth of the following year;
- (2) "Approved private institution", a nonprofit institution, dedicated to educational purposes, located in Missouri which:
 - (a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;
 - (b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;
 - (c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;
 - (d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;
 - (e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;
- (3) "Approved public institution", an educational institution located in Missouri which:
 - (a) Is directly controlled or administered by a public agency or political subdivision;
 - (b) Receives appropriations directly or indirectly from the general assembly for operating expenses;
 - (c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
 - (d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;
 - (e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;
 - (f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;
- (4) **"Approved virtual institution", an educational institution that meets all of the following requirements:**
 - (a) **Is recognized as a qualifying institution by gubernatorial executive order, unless such order is rescinded;**
 - (b) **Is recognized as a qualifying institution through a memorandum of understanding between the state of Missouri and the approved virtual institution;**

(c) **Is accredited by a regional accrediting agency recognized by the United States Department of Education;**

(d) **Has established and continuously maintains a physical campus or location of operation within the state of Missouri;**

(e) **Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in operations;**

(f) **Enrolls at least one thousand Missouri residents as degree or certificate seeking students;**

(g) **Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations;**

(h) **Is organized as a nonprofit institution; and**

(i) **Utilizes an exclusively competency-based education model;**

(5) "Coordinating board", the coordinating board for higher education;

~~[(5)]~~ (6) "Expected family contribution", the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

~~[(6)]~~ (7) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

~~[(7)]~~ (8) "Full-time student", an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, ~~public,~~ **or virtual** institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

2. The failure of an approved virtual institution to continuously maintain all of the requirements in subdivision (4) of subsection 1 of this section shall preclude such institution's students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

(1) Is a citizen or a permanent resident of the United States;

(2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;

(3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, ~~public,~~ **or virtual** institution; and

(4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, ~~public,~~ **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

(1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

(b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and

(c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;

(2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri, ~~or~~ approved private institutions, **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public ~~or~~, private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

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

On motion of Representative Lichtenegger, **House Amendment No. 4** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Alferman	Anderson	Andrews	Austin	Barnes 60
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brown 94	Chipman	Christofanelli	Cierpiot
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	DeGroot	Dohrman
Eggleston	Engler	Evans	Fitzwater 144	Fraker
Francis	Franklin	Frederick	Gannon	Gregory

Grier	Haahr	Haefner	Hannegan	Hansen
Helms	Henderson	Hill	Houghton	Houx
Hubrecht	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Kolkmeier	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Redmon	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roeber	Rone	Ross
Rowland 155	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	White	Wiemann	Wilson	Wood

NOES: 043

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Dunn
Ellington	Gray	Green	Harris	Kendrick
Lavender	May	McCann Beatty	McCreery	McGee
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Peters	Pierson Jr	Quade
Roberts	Rowland 29	Runions	Smith 85	Stevens 46
Unsicker	Walker 74	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 019

Bahr	Brattin	Brown 57	Dogan	Ellebracht
Fitzpatrick	Fitzwater 49	Franks Jr	Higdon	Korman
Mathews	Matthiesen	McDaniel	Muntzel	Neely
Razer	Roden	Spencer	Mr. Speaker	

VACANCIES: 001

On motion of Representative Alferman, the title of **HCS SCS SB 355, as amended**, relating to higher education, was agreed to.

On motion of Representative Alferman, **HCS SCS SB 355, as amended**, was adopted.

On motion of Representative Alferman, **HCS SCS SB 355, as amended**, was read the third time and passed by the following vote:

AYES: 141

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 60
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 27	Brown 57
Brown 94	Burnett	Burns	Butler	Carpenter
Chipman	Christofanelli	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	DeGroot	Dogan	Dohrman
Dunn	Eggleston	Engler	Evans	Fitzpatrick

Fitzwater 144	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Hubrecht	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Kolkmeier	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
May	McCaherty	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Morgan	Morris	Mosley	Neely	Newman
Nichols	Peters	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roberts	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Stacy	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 006

Curtis	Hurst	Marshall	Moon	Pogue
Stephens 128				

PRESENT: 002

Ellington	Mitten
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ABSENT WITH LEAVE: 013

Bahr	Barnes 28	Ellebracht	Fitzwater 49	Higdon
Korman	Mathews	Matthiesen	McDaniel	Muntzel
Roden	Spencer	Walker 74		

VACANCIES: 001

Speaker Pro Tem Haahr declared the bill passed.

BILLS IN CONFERENCE

SS HCS HBs 90 & 68, as amended, relating to a program for the monitoring of certain prescribed controlled substances, was taken up by Representative Rehder.

Representative Rehder moved that the Conference Committee on **SS HCS HBs 90 & 68, as amended**, be dissolved.

Which motion was adopted.

Representative Rehder moved that **SS HCS HBs 90 & 68, as amended**, be adopted.

Speaker Richardson resumed the Chair.

SS HCS HBs 90 & 68, as amended, was laid over.

HCS SB 111, as amended, relating to public administrators, was taken up by Representative Crawford.

Representative Crawford moved that the House conferees be allowed to exceed the differences on **HCS SB 111, as amended**, in Section 108.170 and Section 347.048.

Which motion was adopted.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 3311 - Consent and House Procedure

HR 3312 - Consent and House Procedure

COMMITTEE REPORTS

Committee on Children and Families, Chairman Franklin reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 195**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (8): Cookson, Franklin, Gannon, Justus, Moon, Neely, Ruth and Stacy

Noes (3): Meredith (71), Newman and Walker (74)

Absent (0)

Committee on Rules - Administrative Oversight, Chairman Barnes (60) reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Austin, Barnes (60), Corlew, Engler, Roeber, Sommer, Vescovo and Wiemann

Noes (4): Arthur, Carpenter, Runions and Unsicker

Absent (2): Berry and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Arthur, Austin, Barnes (60), Carpenter, Corlew, Engler, Roeber, Sommer, Vescovo and Wiemann

Noes (2): Runions and Unsicker

Absent (2): Berry and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Arthur, Austin, Barnes (60), Carpenter, Corlew, Roeber, Sommer, Vescovo and Wiemann

Noes (2): Runions and Unsicker

Absent (3): Berry, Engler and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SS SCS SB 49**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Arthur, Austin, Barnes (60), Carpenter, Corlew, Engler, Roeber, Runions, Sommer, Unsicker, Vescovo and Wiemann

Noes (0)

Absent (2): Berry and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 248**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Arthur, Austin, Barnes (60), Carpenter, Corlew, Engler, Roeber, Runions, Sommer, Unsicker, Vescovo and Wiemann

Noes (0)

Absent (2): Berry and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 478**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Arthur, Austin, Barnes (60), Carpenter, Corlew, Engler, Roeber, Runions, Sommer, Vescovo and Wiemann

Noes (1): Unsicker

Absent (2): Berry and Mathews

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SS SB 490**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Arthur, Austin, Barnes (60), Carpenter, Corlew, Engler, Roeber, Runions, Sommer, Unsicker, Vescovo and Wiemann

Noes (0)

Absent (2): Berry and Mathews

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCB 3** and requests the House take up and pass **SS HCB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 850**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees be allowed to exceed the differences for the purposes of modifying the provisions of **House Amendment No. 1** and **House Amendment No. 1 to House Amendment No. 2** to **HCS SB 111**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 139, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 283, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conference on **SB 411, as amended**, has been dissolved and the Senate requests the House recede on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5** and **House Amendment No. 5, as amended**, to **SB 411** and take up and pass **SB 411**.

COMMUNICATIONS

May 9, 2017

Chief Clerk Adam Crumbliss
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, Missouri 65101

Dear Chief Clerk Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a practicing Physical Therapist in Kirkwood, Mo.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Sincerely,

/s/ Deb Lavender
State Representative
District 90

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 8**

The Conference Committee appointed on Senate Bill No. 8, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6 and 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment Nos. 1, 2, and 3 to House Amendment No. 9, House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 8, as amended;
2. That the Senate recede from its position on Senate Bill No. 8;
3. That the attached Conference Committee Substitute for Senate Bill No. 8 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Sen. Brian Munzlinger
/s/ Sen. Caleb Rowden
/s/ Sen. Dave Schatz
/s/ Sen. Jill Schupp
/s/ Sen. Jacob Hummel

FOR THE HOUSE:

/s/ Rep. Shawn Rhoads
/s/ Rep. Mike Bernskoetter
/s/ Rep. Paul Fitzwater
Rep. Tracy McCreery
Rep. Gina Mitten

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 50**

The Conference Committee appointed on Senate Bill No. 50, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8 and 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10 as amended, House Amendment No. 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, and House Amendment Nos. 13, 14, and 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 50, as amended;
2. That the Senate recede from its position on Senate Bill No. 50;

- 3. That the attached Conference Committee Substitute for Senate Bill No. 50 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gina Walsh
 /s/ Shalonn "Kiki" Curls
 /s/ David Sater
 /s/ Jeanie Riddle
 /s/ Jay Wasson

FOR THE HOUSE:

/s/ Keith Frederick
 /s/ Bill White
 /s/ Joe Don McGaugh
 /s/ Jerome Barnes, 28th
 /s/ Lauren Arthur

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Reports were referred to the Committee indicated:

CCR SB 8, as amended - Fiscal Review
CCR SB 50, as amended - Fiscal Review

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Wednesday, May 10, 2017.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Rory Rowland, District 29, hereby state and affirm that my vote on the motion by which **CCR SCS HCS HB 3** was adopted in the Journal of the House for Sixty-eighth Day, Thursday, May 4, 2017 was incorrectly recorded as "Absent with Leave" on page 2171. Pursuant to House Rule 94, I ask that the Journal be corrected to note that I was in the Chamber at the time the vote was taken, I did vote, and my vote should have been recorded as "No."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May, 2017.

/s/ Rory Rowland
 State Representative

State of Missouri)
) ss.
 County of Cole)

Subscribed and sworn to before me this 9th day of May in the year 2017.

/s/ Leann M. Hager
 Notary Public

COMMITTEE HEARINGS

BUDGET

Thursday, May 11, 2017, 8:30 AM, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Annual Review of state tax credits.

FISCAL REVIEW

Wednesday, May 10, 2017, 8:30 AM, House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Room subject to change.

FISCAL REVIEW

Thursday, May 11, 2017, 8:30 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, May 12, 2017, 8:30 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

LEGISLATIVE TASK FORCE ON DYSLEXIA

Thursday, May 18, 2017, 9:00 AM, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
We will be hearing testimony on teacher preparation and professional development.

RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, May 10, 2017, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Be prepared to take action on any bill referred to committee.

RULES - ADMINISTRATIVE OVERSIGHT

Thursday, May 11, 2017, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Wednesday, May 10, 2017, 9:50 AM, House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please be prepared to take action on any bill referred to committee. Please note time change.
CORRECTED

RULES - LEGISLATIVE OVERSIGHT

Thursday, June 8, 2017, 2:00 PM, House Hearing Room 5.

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

Please be prepared to take action on any bill referred to committee.

CANCELLED

HOUSE CALENDAR

SEVENTY-FIRST DAY, WEDNESDAY, MAY 10, 2017

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 29 - Dohrman

HJR 2 - Shumake

HJR 18 - Moon

HOUSE COMMITTEE BILLS FOR PERFECTION

HCB 2 - Reiboldt

HCS HCB 8 - McGaugh

HCB 9 - McGaugh

HOUSE BILLS FOR PERFECTION

HB 459 - Kolkmeyer

HB 463 - Kolkmeyer

HB 39 - Higdon

HB 182 - Hurst

HCS HB 326 - Miller

HB 358 - Bahr

HCS HB 415 - McGaugh

HB 426 - Cornejo

HCS HBs 908 & 757 - Lichtenegger

HB 708 - Hill

HB 56 - Love

HB 110 - Davis

HCS HB 574 - Davis

HCS HB 677 - Rowland (155)

HB 738 - Kolkmeyer

HB 799 - Lauer

HCS HB 890 - Mathews

HB 114 - McGaugh

HB 301 - Hill

HB 305 - Pike

HB 322 - Neely

HCS HB 379 - Plocher

HCS HB 436 - Hill

HB 705 - Cross
HCS HB 754 - Schroer
HCS HB 827 - DeGroot
HB 889 - Rehder
HCS HB 136 - Spencer
HCS HB 351 - McGaugh
HB 352 - Eggleston
HB 603 - Rone
HB 897 - Houghton
HB 102 - Swan
HB 257 - Pfautsch
HCS HB 291 - Crawford
HB 356 - Bahr
HCS HB 432 - Conway (10)
HCS HB 611 - Carpenter
HCS HB 717 - Curtman
HB 723 - Walker (3)
HB 899 - Brown (57)
HB 1008 - Kelly (141)
HB 187 - Swan
HCS HB 226 - Hubrecht
HB 254 - Swan
HB 268 - Brattin
HCS HB 405 - Hubrecht
HCS HB 642 - Kelly (141)
HCS HB 696 - Kelly (141)
HB 768 - Lant
HB 790 - Wiemann
HB 794 - Walker (3)
HCS HB 878 - Dogan
HB 888 - Basye
HB 906 - DeGroot
HCS HB 957 - Rhoads
HCS#2 HBs 48, 69, 495 & 589 - Lichtenegger
HB 287 - Beard
HB 457 - Swan
HB 665 - Walker (3)
HB 761 - Barnes (60)
HB 486 - Dunn
HB 397 - Nichols
HCS HBs 1007 & 937 - Evans
HB 637 - Helms
HB 472 - Smith (85)
HB 630 - Taylor

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 48 - Kidd
HCR 20 - Kidd
HCR 36 - Walker (74)
HCR 30 - May

HOUSE BILLS FOR THIRD READING

HB 401 - McDaniel
HCS HB 654 - Rowland (155)
HCS HB 1116 - Shaul (113)

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HB 914 - Kidd

SENATE BILLS FOR THIRD READING - CONSENT

SCS SB 52, E.C. - Frederick

SENATE BILLS FOR THIRD READING

SB 45 - Corlew
SCS SB 108 - Davis
SB 329 - Kolkmeier
SS SCS SB 16 - Engler
SB 194, as amended (Fiscal Review 5/2/17), E.C. - Trent
SCS SB 229 - Fitzwater (49)
HCS SCS SB 11 - Fraker
HCS SB 30 - Fitzpatrick
SS SB 31 - McGaugh
SCS SB 82, E.C. - Shaul (113)
SCS SB 93 - Cierpiot
HCS SB 95 - Fraker
SB 222 - Korman
HCS SCS SB 237 - Austin
SCS SB 279 - Davis
HCS SCS SB 421 - Kidd
HCS SB 488 - Bernskoetter
SB 296, E.C. - Baringer
HCS SS SB 35 - Ross
HCS SB 225 - Davis
SCS SB 240 - Mathews
HCS SCS SB 309 - Walker (3)
SCS SB 404 - Alferman
HCS SB 501, E.C. - Stephens (128)

SCS SB 88 - McGaugh
SB 395 - Sommer
SCS SB 217 - Dogan
SCS#2 SB 128 - Roeber
HCS SB 134, (Fiscal Review 5/2/17) - Mosley
HCS SB 114 - Alferman
HCS SCS SB 112, as amended, E.C. - Tate
HCS SCS SB 399 - Korman
HCS SB 394, E.C. - Walker (3)
SB 65 - Ross
HCS SS SB 124, (Fiscal Review 5/8/17) - Austin
SS SB 293 - Engler
SB 376 - Dohrman
SS SCS SB 49 - Haefner
SB 248 - Love
HCS SB 478 - Barnes (60)
SS SB 490 - Frederick

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 4 - Frederick
HCS SCR 14 - Basye
SCR 21 - Brattin

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 292, (Fiscal Review 5/9/17) - Crawford
SS HCS HBs 90 & 68, as amended (motion to adopt SS, as amended, pending) - Rehder

BILLS CARRYING REQUEST MESSAGES

SS HCB 3, (Senate refuse to recede/request House take up and pass SS HCB 3) - Fitzpatrick
HCS SCS SB 139, as amended (request House recede/grant conference) - Wood
SB 411, with HA 1, HA 2, HA 1 HA 3, HA 3, a.a., HA 4, HA 1 HA 5, HA 5, a.a. (Request House recede/take up and pass SB 411) - Tate
HCS SB 283, as amended (request House recede/grant conference) - Andrews

BILLS IN CONFERENCE

SCS HCS HB 19 - Fitzpatrick
CCR SB 8, with HA 1, HA 2, HA 1 HA 3, HA 3, a.a., HA 4, HA 5, HA 6, HA 7, HA 1 HA 8, HA 8, a.a., HA 1 HA 9, HA 2 HA 9, HA 3 HA 9, HA 9, a.a. (Fiscal Review 5/9/17), E.C. - Rhoads
HCS SS SB 34, as amended, E.C. - Rhoads

CCR SB 50, with HA 1, HA 2, HA 3, HA 4, HA 1 HA 5, HA 5, a.a., HA 1 HA 6, HA 6, a.a.,
HA 1 HA 7, HA 7, a.a., HA 8, HA 9, HA 1 HA 10, HA 10, a.a., HA 11, HA 1 HA 12,
HA 12, a.a., HA 13, HA 14, HA 15 (Fiscal Review 5/9/17) - Frederick
SB 64, with HA 1, HA 2, HA 3 - Alferman
HCS SB 111, as amended (exceed differences) - Crawford
HCS SS SB 62, as amended - Black
HCS SB 302, as amended - Ruth

HOUSE RESOLUTIONS

HR 11 - Peters

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 2001 - Fitzpatrick
CCS SCS HCS HB 2002 - Fitzpatrick
CCS SCS HCS HB 2003 - Fitzpatrick
CCS SCS HCS HB 2004 - Fitzpatrick
CCS SCS HCS HB 2005 - Fitzpatrick
CCS SCS HCS HB 2006 - Fitzpatrick
CCS SCS HCS HB 2007 - Fitzpatrick
CCS SCS HCS HB 2008 - Fitzpatrick
CCS SCS HCS HB 2009 - Fitzpatrick
CCS SCS HCS HB 2010 - Fitzpatrick
CCS SCS HCS HB 2011 - Fitzpatrick
CCS SCS HCS HB 2012 - Fitzpatrick
HCS HB 2013 - Fitzpatrick
SCS HCS HB 2017 - Fitzpatrick
SS SCS HCS HB 2018 - Fitzpatrick