

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 12**  
**98TH GENERAL ASSEMBLY**

0110H.08C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

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

Section A. Sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and  
2 537.325, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as  
3 sections 262.900, 275.352, 277.040, 281.065, 304.180, 414.300, 442.571, and 537.325, to read  
4 as follows:

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

2 (1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable  
3 product, growing of grapes that will be processed into wine, bees, honey, fish or other  
4 aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or  
5 a poultry product, either in its natural or processed state, that has been produced, processed, or  
6 otherwise had value added to it in this state;

7 (2) "Blighted area", that portion of the city within which the legislative authority of such  
8 city determines that by reason of age, obsolescence, inadequate, or outmoded design or physical  
9 deterioration have become economic and social liabilities, and that such conditions are conducive  
10 to ill health, transmission of disease, crime or inability to pay reasonable taxes;

11 (3) "Department", the department of agriculture;

12 (4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not  
13 limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal

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

14 source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement  
15 for human consumption;

16 (5) "Grower UAZ", a type of UAZ:

17 (a) That can either grow produce, raise livestock, or produce other value-added  
18 agricultural products;

19 (b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty  
20 domesticated animals;

21 (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to  
22 ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk  
23 documented as obtained from a legal source and not from the wild, goats, or horses, other  
24 equines, or rabbits raised in confinement for human consumption;

25 (7) "Locally grown", a product that was grown or raised in the same county or city not  
26 within a county in which the UAZ is located or in an adjoining county or city not within a  
27 county. For a product raised or sold in a city not within a county, locally grown also includes  
28 an adjoining county with a charter form of government with more than nine hundred fifty  
29 thousand inhabitants and those adjoining said county;

30 (8) ["Processing UAZ", a type of UAZ:

31 (a) That processes livestock or poultry for human consumption;

32 (b) That meets federal and state processing laws and standards;

33 (c) Is a qualifying small business approved by the department;

34 (9) "Meat", any edible portion of livestock or poultry carcass or part thereof;

35 [(10)] (9) "Meat product", anything containing meat intended for or capable of use for  
36 human consumption, which is derived, in whole or in part, from livestock or poultry;

37 [(11)] (10) "Mobile unit", the same as motor vehicle as defined in section 301.010;

38 (11) "Poultry", any domesticated bird intended for human consumption;

39 (12) "Processing UAZ", a type of UAZ:

40 (a) That processes livestock, poultry, or produce for human consumption;

41 (b) That meets federal and state processing laws and standards;

42 (c) Is a qualifying small business approved by the department;

43 (13) "Qualifying small business", those enterprises which are established within an  
44 Urban Agricultural Zone subsequent to its creation, and which meet the definition established  
45 for the Small Business Administration and set forth in Section [121.301] 121.201 of Part 121 of  
46 Title 13 of the Code of Federal Regulations;

47 [(13)] (14) "Value-added agricultural products", any product or products that are the  
48 result of:

49 (a) Using an agricultural product grown in this state to produce a meat or dairy product  
50 in this state;

51 (b) A change in the physical state or form of the original agricultural product;

52 (c) An agricultural product grown in this state which has had its value enhanced by  
53 special production methods such as organically grown products; or

54 (d) A physical segregation of a commodity or agricultural product grown in this state that  
55 enhances its value such as identity preserved marketing systems;

56 [(14)] **(15)** "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical  
57 area as defined by the United States Office of Budget and Management that has one or more of  
58 the following entities that is a qualifying small business and approved by the department, as  
59 follows:

60 (a) Any organization or person who grows produce or other agricultural products;

61 (b) Any organization or person that raises livestock or poultry;

62 (c) Any organization or person who processes livestock or poultry;

63 (d) Any organization that sells at a minimum seventy-five percent locally grown food;

64 [(15)] **(16)** "Vending UAZ", a type of UAZ:

65 (a) That sells produce, meat, or value-added locally grown agricultural goods;

66 (b) That is able to accept food stamps under the provisions of the Supplemental Nutrition  
67 Assistance Program as a form of payment; and

68 (c) Is a qualifying small business that is approved by the department for an UAZ vendor  
69 license.

70 2. (1) A person or organization shall submit to any incorporated municipality an  
71 application to develop an UAZ on a blighted area of land. Such application shall demonstrate  
72 or identify on the application:

73 (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or  
74 a combination of all three types of UAZs provided in this paragraph, in which case the person  
75 or organization shall meet the requirements of each type of UAZ in order to qualify;

76 (b) The number of jobs to be created;

77 (c) The types of products to be produced; and

78 (d) If applying for a vending UAZ, the ability to accept food stamps under the provisions  
79 of the Supplemental Nutrition Assistance Program if selling products to consumers.

80 (2) A municipality shall review and modify the application as necessary before either  
81 approving or denying the request to establish an UAZ.

82 (3) Approval of the UAZ by such municipality shall be reviewed five and ten years after  
83 the development of the UAZ. After twenty-five years, the UAZ shall dissolve.

84 If the municipality finds during its review that the UAZ is not meeting the requirements set out  
85 in this section, the municipality may dissolve the UAZ.

86 3. The governing body of any municipality planning to seek designation of an urban  
87 agricultural zone shall establish an urban agricultural zone board. The number of members on  
88 the board shall be seven. One member of the board shall be appointed by the school district or  
89 districts located within the area proposed for designation of an urban agricultural zone. Two  
90 members of the board shall be appointed by other affected taxing districts. The remaining four  
91 members shall be chosen by the chief elected officer of the municipality. The four members  
92 chosen by the chief elected officer of the municipality shall all be residents of the county or city  
93 not within a county in which the UAZ is to be located, and at least one of such four members  
94 shall have experience in or represent organizations associated with sustainable agriculture, urban  
95 farming, community gardening, or any of the activities or products authorized by this section for  
96 UAZs.

97 4. The school district member and the two affected taxing district members shall each  
98 have initial terms of five years. Of the four members appointed by the chief elected official, two  
99 shall have initial terms of four years, and two shall have initial terms of three years. Thereafter,  
100 members shall serve terms of five years. Each member shall hold office until a successor has  
101 been appointed. All vacancies shall be filled in the same manner as the original appointment.  
102 For inefficiency or neglect of duty or misconduct in office, a member of the board may be  
103 removed by the applicable appointing authority.

104 5. A majority of the members shall constitute a quorum of such board for the purpose  
105 of conducting business and exercising the powers of the board and for all other purposes. Action  
106 may be taken by the board upon a vote of a majority of the members present.

107 6. The members of the board annually shall elect a chair from among the members.

108 7. The role of the board shall be to conduct the activities necessary to advise the  
109 governing body on the designation of an urban agricultural zone and any other advisory duties  
110 as determined by the governing body. The role of the board after the designation of an urban  
111 agricultural zone shall be review and assessment of zone activities.

112 8. Prior to the adoption of an ordinance proposing the designation of an urban  
113 agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and  
114 notify each taxing district located wholly or partially within the boundaries of the proposed urban  
115 agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing  
116 districts and political subdivisions in the area to be affected and shall publish notice of such  
117 hearing in a newspaper of general circulation in the area to be affected by the designation at least  
118 twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice  
119 shall state the time, location, date, and purpose of the hearing. At the public hearing any

120 interested person or affected taxing district may file with the board written objections to, or  
121 comments on, and may be heard orally in respect to, any issues embodied in the notice. The  
122 board shall hear and consider all protests, objections, comments, and other evidence presented  
123 at the hearing. The hearing may be continued to another date without further notice other than  
124 a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

125 9. Following the conclusion of the public hearing required under subsection 8 of this  
126 section, the governing authority of the municipality may adopt an ordinance designating an urban  
127 agricultural zone.

128 10. The real property of the UAZ shall not be subject to assessment or payment of ad  
129 valorem taxes on real property imposed by the cities affected by this section, or by the state or  
130 any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance  
131 under subsection 9 of this section, except to such extent and in such amount as may be imposed  
132 upon such real property during such period, as was determined by the assessor of the county in  
133 which such real property is located, or, if not located within a county, then by the assessor of  
134 such city, in an amount not greater than the amount of taxes due and payable thereon during the  
135 calendar year preceding the calendar year during which the urban agricultural zone was  
136 designated. The amounts of such tax assessments shall not be increased during such period so  
137 long as the real property is used in furtherance of the activities provided under the provisions of  
138 subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement  
139 provided by the ordinance, the property shall then be reassessed. If only a portion of real  
140 property is used as an UAZ, then only that portion of real property shall be exempt from  
141 assessment or payment of ad valorem taxes on such property, as provided by this section.

142 11. If the water services for the UAZ are provided by the municipality, the municipality  
143 may authorize a grower UAZ to pay wholesale water rates[. If available,] for the cost of water  
144 consumed on the UAZ [and] . **If available, the UAZ may** pay fifty percent of the standard cost  
145 to hook onto the water source.

146 12. (1) Any local sales tax revenues received from the sale of agricultural products sold  
147 in the UAZ, **or any local sales tax revenues received by a mobile unit associated with a**  
148 **vending UAZ selling agricultural products in the municipality in which the vending UAZ**  
149 **is located**, shall be deposited in the urban agricultural zone fund established in subdivision (2)  
150 of this subsection. An amount equal to one percent shall be retained by the director of revenue  
151 for deposit in the general revenue fund to offset the costs of collection.

152 (2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund",  
153 which shall consist of money collected under subdivision (1) of this subsection. The state  
154 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state  
155 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon

156 appropriation, shall be used for the purposes authorized by this section. Notwithstanding the  
157 provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the  
158 biennium shall not revert to the credit of the general revenue fund. The state treasurer shall  
159 invest moneys in the fund in the same manner as other funds are invested. Any interest and  
160 moneys earned on such investments shall be credited to the fund. **Fifty percent of fund moneys**  
161 **shall be made available to school districts. The remaining fifty percent of fund moneys**  
162 **shall be allocated to municipalities that have urban agricultural zones based upon the**  
163 **municipality's percentage of local sales tax revenues deposited into the fund. The**  
164 **municipalities shall, upon appropriation, provide fund moneys to urban agricultural zones**  
165 **within the municipality for improvements.** School districts may apply to the department for  
166 money in the fund to be used for the development of curriculum on or the implementation of  
167 urban farming practices under the guidance of the University of Missouri extension service and  
168 a certified vocational agricultural instructor. The funds are to be distributed on a competitive  
169 basis within the school district or districts in which the UAZ is located pursuant to rules to be  
170 promulgated by the department, with special consideration given to the relative number of  
171 students eligible for free and reduced-price lunches attending the schools within such district or  
172 districts.

173 13. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
174 created under the authority delegated in this section shall become effective only if it complies  
175 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
176 This section and chapter 536 are nonseverable and if any of the powers vested with the general  
177 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and  
178 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
179 any rule proposed or adopted after August 28, 2013, shall be invalid and void.

180 14. The provisions of this section shall not apply to any county with a charter form of  
181 government and with more than three hundred thousand but fewer than four hundred fifty  
182 thousand inhabitants.

275.352. **1.** If a national referendum among beef producers passes and a federal  
2 assessment on beef producers is adopted pursuant to federal law, no state fees shall be collected  
3 under the provisions of this chapter, in excess of a commensurate amount credited against the  
4 obligation to pay any such federal assessment. Upon adoption of the federal assessment, beef  
5 shall be exempt from the refund provision of section 275.360.

**2. Notwithstanding the provisions of subsection 1 of this section to the contrary, a**  
6 **beef commodity council may only collect state fees if a referendum is approved on or after**  
7 **August 28, 2015, in the manner provided under the provisions of subsections 3 to 12 of this**  
8 **section.**  
9

10           **3. A beef commodity council established pursuant to the provisions of this chapter**  
11 **may submit to the director a petition approved by a two-thirds vote of the council or signed**  
12 **by twenty-five percent of Missouri beef producers to impose or modify a Missouri beef**  
13 **checkoff fee upon beef producers. Any petition submitted to establish or modify a**  
14 **Missouri beef checkoff fee, and the referendum to follow, shall specify the amount and**  
15 **manner of collection of the fee to be assessed. In no case shall the Missouri beef checkoff**  
16 **fee exceed the amount of the federal assessment on beef. Upon receipt of such petition the**  
17 **director shall:**

- 18           **(1) Determine the legal sufficiency of the petition;**  
19           **(2) Establish a list of beef producers or make any such existing list current;**  
20           **(3) Hold a public hearing or hearings on the proposed program;**  
21           **(4) Publish a notice to beef producers advising them:**  
22           **(a) That a petition has been filed with the director;**  
23           **(b) The time and place or places of the public hearing or hearings; and**  
24           **(c) That to be eligible to vote in the referendum the producer shall register. The**  
25 **director shall give notice in publications devoted to agriculture which have a total**  
26 **statewide circulation of not less than two hundred twenty-five thousand, at least one month**  
27 **prior to the hearing. The fees for the publication of notice shall be advanced in cash to the**  
28 **director by the beef commodity council and no publication of notice shall be paid for by**  
29 **state funds;**  
30           **(5) Provide forms to enable producers to register, which forms shall include the**  
31 **producer's name, mailing address, and the yearly average quantity of beef cattle sold by**  
32 **him or her in the three years preceding the date of the notice, or in such lesser period as**  
33 **a producer has sold beef cattle;**  
34           **(6) Approve the petition, in whole or as revised, or disapprove the petition**  
35 **depending upon the determinations made after public hearing;**  
36           **(7) After approval of a petition, hold a referendum among the beef producers to**  
37 **determine whether or not the Missouri beef checkoff fee shall be imposed.**

38           **4. The director shall determine the sufficiency of the petition within twenty-one**  
39 **days after it is submitted to him or her and shall publish notice of the public hearing and**  
40 **registration requirements giving at least ten days' notice prior to public hearing and thirty**  
41 **days' notice to register prior to the referendum.**

42           **5. If a majority of the votes cast are in favor of adoption, and if those producers**  
43 **voting in favor of adoption represent a majority of the production of all registered**  
44 **producers casting votes, the petition is adopted.**

45           **6. If the required percentage by number and by production of those voting is in**  
46 **favor of the adoption of the proposal in the petition, the director shall declare the proposal**  
47 **to be adopted.**

48           **7. A proposal to change the amount of the fee to be collected or to make other**  
49 **changes may be made by a two-thirds vote of the council or by petition of twenty-five**  
50 **percent of the commodity producers. The proposal shall then be submitted to referendum**  
51 **under which the same percentages by number and production shall be required for**  
52 **approval as were required for establishment of the original merchandising program.**  
53 **However, the council, by two-thirds vote, may lower the amount of the fee to be collected,**  
54 **or may thereafter increase the amount of the fee to not more than the rate originally**  
55 **approved without a referendum vote. Such increase or decrease of fees shall not become**  
56 **effective except at the beginning of the next state fiscal year.**

57           **8. A proposal to terminate the Missouri beef checkoff fee may be made by a**  
58 **majority of the council or by petition of ten percent of the registered beef producers. The**  
59 **proposed termination shall be submitted to referendum under which a simple majority of**  
60 **those voting shall be required for termination.**

61           **9. No referendum to change the amount of fee, or to make other major changes may**  
62 **be held within twelve months of a referendum conducted for a similar purpose.**

63           **10. Fees collected pursuant to this section shall be collected in the same manner as**  
64 **that used to collect the federal assessment on beef. The department shall keep and account**  
65 **for the state and federal assessments separately. State fees collected pursuant to this**  
66 **section shall be subject to the refund provision provided under section 275.360.**

67           **11. Notwithstanding the provisions of section 275.350 to the contrary, fees imposed**  
68 **under this section shall be collected and remitted to the Missouri Beef Industry Council,**  
69 **which shall deposit such fees in a separate account from all other funds. Funds derived**  
70 **from the fees established under this section shall only be used to research, market, educate,**  
71 **and promote beef products and production.**

72           **12. The department may adopt such rules, statements of policy, procedures, forms,**  
73 **and guidelines as may be necessary to carry out the provisions of this section. Any rule or**  
74 **portion of a rule, as that term is defined in section 536.010 that is created under the**  
75 **authority delegated in this section shall become effective only if it complies with and is**  
76 **subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This**  
77 **section and chapter 536 are nonseverable and if any of the powers vested with the general**  
78 **assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove**  
79 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**



80 **authority and any rule proposed or adopted after August 28, 2015, shall be invalid and**  
81 **void.**

277.040. 1. Any person engaged in establishing or operating a livestock sale or market  
2 for the purpose aforesaid shall file with the state veterinarian of the state department of  
3 agriculture an application for a license to transact such business under the provisions of this  
4 chapter. The application shall state the nature of the business and the city, township and county,  
5 and the complete post office address at which the business is to be conducted, together with any  
6 additional information that the state veterinarian requires, and a separate license shall be secured  
7 for each place where a sale is to be conducted such as is defined and required to be licensed  
8 under the provisions of this chapter.

9 2. The state veterinarian shall then issue to the applicant a license upon payment of an  
10 annual license fee to be fixed by rule or regulation entitling the applicant to conduct a livestock  
11 sale or market for the period of the license year or for any unexpired portion thereof, unless the  
12 license is revoked as herein provided.

13 3. All license fees collected under this chapter **shall not yield revenue greater than the**  
14 **total cost of administering this chapter during the ensuing year. All license fees collected**  
15 **shall be made payable to the order of the state treasurer and deposited with him to the credit of**  
16 **the "Livestock Sales and Markets Fees Fund" hereby created, subject to appropriation by the**  
17 **general assembly, to inure to the use and benefit of the animal health division of the department**  
18 **of agriculture.**

19 4. No business entity, whether a proprietorship, partnership or corporation shall be issued  
20 a livestock market license if any such proprietor, partner or, if a corporation, any officer or major  
21 shareholder thereof, participated in the violation of any provision of this chapter within the  
22 preceding five years, which resulted in the revocation of a livestock market license.

281.065. 1. The director shall not issue a certified commercial applicator's license until  
2 the applicant or the employer of the applicant has furnished evidence of financial responsibility  
3 with the director consisting either of a surety bond or a liability insurance policy or certification  
4 thereof, protecting persons who may suffer legal damages as a result of the operations of the  
5 applicant; except that, such surety bond or liability insurance policy need not apply to damages  
6 or injury to crops, plants or land being worked upon by the applicant. **Following the receipt of**  
7 **the initial license, the certified commercial applicator shall not be required to furnish**  
8 **evidence of financial responsibility to the department for the purpose of license renewal**  
9 **unless upon request. Annual renewals for surety bonds or liability insurance shall be**  
10 **maintained at the business location from which the certified commercial applicator is**  
11 **licensed. Valid surety bonds or liability insurance certificates shall be available for**  
12 **inspection by the director or his or her designee at a reasonable time during regular**

13 **business hours or, upon a request in writing, the director shall be furnished a copy of the**  
14 **surety bond or liability insurance certificate within ten working days of receipt of the**  
15 **request.**

16         2. The amount of the surety bond or liability insurance required by this section shall be  
17 not less than [twenty-five] **fifty** thousand dollars [for property damage and bodily injury  
18 insurance, each separately and] for each occurrence. Such surety bond or liability insurance shall  
19 be maintained at not less than that sum at all times during the licensed period. The director shall  
20 be notified **by the surety or insurer** within twenty days prior to any **cancellation or** reduction  
21 [at the request of the bond- or policyholder or any cancellation of such] **of the** surety bond or  
22 liability insurance [by the surety or insurer, as long as the total and aggregate of the surety and  
23 insurer for all claims shall be limited to the face of the bond or liability insurance policy]. If the  
24 surety bond or liability insurance policy which provides the financial responsibility for the  
25 [applicant] **certified commercial applicator** is provided by the employer of the [applicant]  
26 **certified commercial applicator**, the employer of the [applicant] **certified commercial**  
27 **applicator** shall immediately notify the director upon the termination of the employment of the  
28 [applicant] **certified commercial applicator** or when a condition exists under which the  
29 [applicant] **certified commercial applicator** is no longer provided bond or insurance coverage  
30 by the employer. The [applicant] **certified commercial applicator** shall then immediately  
31 execute a surety bond or an insurance policy to cover the financial responsibility requirements  
32 of this section and [shall furnish the director with evidence of financial responsibility as required  
33 by this section] **the certified commercial applicator or the applicator's employer shall**  
34 **maintain the surety bond or liability insurance certificate at the business location from**  
35 **which the certified commercial applicator is licensed.** The director may accept a liability  
36 insurance policy or surety bond in the proper sum which has a deductible clause in an amount  
37 not exceeding one thousand dollars; except that, if the bond- or policyholder has not satisfied the  
38 requirement of the deductible amount in any prior legal claim, such deductible clause shall not  
39 be accepted by the director unless the bond- or policyholder [furnishes the director with]  
40 **executes and maintains** a surety bond or liability insurance which shall satisfy the amount of  
41 the deductible as to all claims that may arise in his **or her** application of pesticides.

42         3. If the surety [furnished] becomes unsatisfactory, the bond- or policyholder shall[, upon  
43 notice,] immediately execute a new bond or insurance **policy and maintain the surety bond or**  
44 **liability insurance certificate at the business location from which the certified commercial**  
45 **applicator is licensed, and** if he **or she** fails to do so, the director shall cancel his **or her** license,  
46 or deny the license of an applicant, and give him **or her** notice of cancellation or denial, and it  
47 shall be unlawful thereafter for the applicant to engage in the business of using pesticides until  
48 the bond or insurance is brought into compliance with the requirements of subsection 1 of this

49 section. If the bond- or policyholder does not execute a new bond or insurance policy within  
 50 sixty days of expiration of such bond or policy, the licensee shall be required to satisfy all the  
 51 requirements for licensure as if never before licensed.

52 4. Nothing in sections 281.010 to 281.115 shall be construed to relieve any person from  
 53 liability for any damage to the person or lands of another caused by the use of pesticides even  
 54 though such use conforms to the rules and regulations of the director.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any  
 2 highway in this state having a greater weight than twenty thousand pounds on one axle, no  
 3 combination of vehicles operated by transporters of general freight over regular routes as defined  
 4 in section 390.020 shall be moved or operated on any highway of this state having a greater  
 5 weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not  
 6 to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated  
 7 on any state highway of this state having a greater weight than thirty-four thousand pounds on  
 8 any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one  
 9 behind another, the distance between the extremes of which is more than forty inches and not  
 10 more than ninety-six inches apart.

11 2. An "axle load" is defined as the total load transmitted to the road by all wheels whose  
 12 centers are included between two parallel transverse vertical planes forty inches apart, extending  
 13 across the full width of the vehicle.

14 3. Subject to the limit upon the weight imposed upon a highway of this state through any  
 15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two  
 16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the  
 17 maximum load in pounds as set forth in the following table:

18 Distance in feet between the extremes  
 19 of any group of two or more consecutive  
 20 axles, measured to the nearest foot,  
 21 except where indicated otherwise

feet	Maximum load in pounds				
	2 axles	3 axles	4 axles	5 axles	6 axles
22 4	34,000				
24 5	34,000				
25 6	34,000				
26 7	34,000				
27 8	34,000	34,000			
28 More than 8	38,000	42,000			

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29	9	39,000	42,500			
30	10	40,000	43,500			
31	11	40,000	44,000			
32	12	40,000	45,000	50,000		
33	13	40,000	45,500	50,500		
34	14	40,000	46,500	51,500		
35	15	40,000	47,000	52,000		
36	16	40,000	48,000	52,500	58,000	
37	17	40,000	48,500	53,500	58,500	
38	18	40,000	49,500	54,000	59,000	
39	19	40,000	50,000	54,500	60,000	
40	20	40,000	51,000	55,500	60,500	66,000
41	21	40,000	51,500	56,000	61,000	66,500
42	22	40,000	52,500	56,500	61,500	67,000
43	23	40,000	53,000	57,500	62,500	68,000
44	24	40,000	54,000	58,000	63,000	68,500
45	25	40,000	54,500	58,500	63,500	69,000
46	26	40,000	55,500	59,500	64,000	69,500
47	27	40,000	56,000	60,000	65,000	70,000
48	28	40,000	57,000	60,500	65,500	71,000
49	29	40,000	57,500	61,500	66,000	71,500
50	30	40,000	58,500	62,000	66,500	72,000
51	31	40,000	59,000	62,500	67,500	72,500
52	32	40,000	60,000	63,500	68,000	73,000
53	33	40,000	60,000	64,000	68,500	74,000
54	34	40,000	60,000	64,500	69,000	74,500

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55	35	40,000	60,000	65,500	70,000	75,000
56	36		60,000	66,000	70,500	75,500
57	37		60,000	66,500	71,000	76,000
58	38		60,000	67,500	72,000	77,000
59	39		60,000	68,000	72,500	77,500
60	40		60,000	68,500	73,000	78,000
61	41		60,000	69,500	73,500	78,500
62	42		60,000	70,000	74,000	79,000
63	43		60,000	70,500	75,000	80,000
64	44		60,000	71,500	75,500	80,000
65	45		60,000	72,000	76,000	80,000
66	46		60,000	72,500	76,500	80,000
67	47		60,000	73,500	77,500	80,000
68	48		60,000	74,000	78,000	80,000
69	49		60,000	74,500	78,500	80,000
70	50		60,000	75,500	79,000	80,000
71	51		60,000	76,000	80,000	80,000
72	52		60,000	76,500	80,000	80,000
73	53		60,000	77,500	80,000	80,000
74	54		60,000	78,000	80,000	80,000
75	55		60,000	78,500	80,000	80,000
76	56		60,000	79,500	80,000	80,000
77	57		60,000	80,000	80,000	80,000

78 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load  
79 of thirty-four thousand pounds each if the overall distance between the first and last axles of such  
80 consecutive sets of tandem axles is thirty-six feet or more.

81 4. Whenever the state highways and transportation commission finds that any state  
82 highway bridge in the state is in such a condition that use of such bridge by vehicles of the

83 weights specified in subsection 3 of this section will endanger the bridge, or the users of the  
84 bridge, the commission may establish maximum weight limits and speed limits for vehicles  
85 using such bridge. The governing body of any city or county may grant authority by act or  
86 ordinance to the state highways and transportation commission to enact the limitations  
87 established in this section on those roadways within the purview of such city or county. Notice  
88 of the weight limits and speed limits established by the commission shall be given by posting  
89 signs at a conspicuous place at each end of any such bridge.

90           5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle  
91 loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23  
92 of the United States Code.

93           6. Notwithstanding the weight limitations contained in this section, any vehicle or  
94 combination of vehicles operating on highways other than the interstate highway system may  
95 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two  
96 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except  
97 as provided in subsections 9 and 10 of this section.

98           7. Notwithstanding any provision of this section to the contrary, the department of  
99 transportation shall issue a single-use special permit, or upon request of the owner of the truck  
100 or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or  
101 well-drillers' equipment. The department of transportation shall set fees for the issuance of  
102 permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete  
103 pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways  
104 at any time on any day.

105           8. Notwithstanding the provision of this section to the contrary, the maximum gross  
106 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an  
107 idle reduction technology may be increased by a quantity necessary to compensate for the  
108 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as  
109 amended. In no case shall the additional weight increase allowed by this subsection be greater  
110 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the  
111 vehicle operator shall provide proof that the idle reduction technology is fully functional at all  
112 times and that the gross weight increase is not used for any purpose other than for the use of idle  
113 reduction technology.

114           9. [Notwithstanding subsection 3 of this section or any other provision of law to the  
115 contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may  
116 be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating  
117 on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa  
118 state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway

119 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The provisions of this  
120 subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate  
121 and Defense Highways.

122 10.] Notwithstanding any provision of this section or any other law to the contrary, the  
123 total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a  
124 processing facility **or livestock** may be as much as, but shall not exceed, eighty-five thousand  
125 five hundred pounds while operating on highways other than the interstate highway system. The  
126 provisions of this subsection shall not apply to vehicles operated and operating on the Dwight  
127 D. Eisenhower System of Interstate and Defense Highways.

128 [11.] **10. Notwithstanding any provision of this section or any other law to the**  
129 **contrary, any vehicle or combination of vehicles hauling grain or grain co-products during**  
130 **times of harvest may be as much as, but not exceeding, ten percent over the maximum**  
131 **weight limitation allowable under subsection 3 of this section while operating on highways**  
132 **other than the interstate highway system. The provisions of this subsection shall not apply**  
133 **to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and**  
134 **Defense Highways.**

135 **11.** Notwithstanding any provision of this section or any other law to the contrary, the  
136 department of transportation shall issue emergency utility response permits for the transporting  
137 of utility wires or cables, poles, and equipment needed for repair work immediately following  
138 a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval  
139 of such operation may be made either by the motor carrier compliance supervisor or other  
140 designated motor carrier services representative. Utility vehicles and equipment used to assist  
141 utility companies granted special permits under this subsection may be operated and transported  
142 on state-maintained roads and highways at any time on any day. The department of  
143 transportation shall promulgate all necessary rules and regulations for the administration of this  
144 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
145 under the authority delegated in this section shall become effective only if it complies with and  
146 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
147 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
148 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule  
149 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
150 proposed or adopted after August 28, 2014, shall be invalid and void.

**414.300. 1. No later than January 1, 2016, the department of agriculture shall**  
2 **propose a rule regarding renewable fuels and the labeling of motor fuel pumps.**

3 **2. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
4 **created under the authority delegated in this section shall become effective only if it**

5 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
6 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
7 **vested with the general assembly under chapter 536 to review, to delay the effective date,**  
8 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
9 **of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be**  
10 **invalid and void.**

442.571. 1. Except as provided in sections 442.586 and 442.591, no alien or foreign  
2 business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this  
3 state if the total aggregate alien and foreign ownership of agricultural acreage in this state  
4 exceeds one percent of the total aggregate agricultural acreage in this state. [No such] A sale[,]  
5 **or transfer[, or acquisition]** of any agricultural land in this state shall [occur unless such sale,  
6 transfer, or acquisition is approved by] **be submitted to** the director of the department of  
7 agriculture **for review** in accordance with subsection 3 of this section **only if there is no**  
8 **completed Internal Revenue Service Form W-9 signed by the purchaser.** No person may  
9 hold agricultural land as an agent, trustee, or other fiduciary for an alien or foreign business in  
10 violation of sections 442.560 to 442.592, **provided, however, that no security interest in such**  
11 **agricultural land shall be divested or invalidated by such violation.**

12 2. Any alien or foreign business who acquires agricultural land in violation of sections  
13 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as he or she  
14 holds an interest in the land, **provided, however, that no security interest in such agricultural**  
15 **land shall be divested or invalidated by such violation.**

16 3. [All] **Subject to the provisions of subsection 1 of this section,** such proposed  
17 acquisitions by grant, purchase, devise, descent, or otherwise of agricultural land in this state  
18 shall be submitted to the department of agriculture to determine whether such acquisition of  
19 agricultural land is conveyed in accordance with the one percent restriction on the total aggregate  
20 alien and foreign ownership of agricultural land in this state. The department shall establish by  
21 rule the requirements for submission and approval of requests under this subsection.

22 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
23 under the authority delegated in this section shall become effective only if it complies with and  
24 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
25 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
26 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule  
27 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
28 proposed or adopted after August 28, 2014, shall be invalid and void.

537.325. 1. As used in this section, unless the context otherwise requires, the following  
2 words and phrases shall mean:



- 3 (1) "Engages in an equine activity", riding, training, assisting in medical treatment of,  
4 driving or being a passenger upon an equine, whether mounted or unmounted, or any person  
5 assisting a participant or any person involved in show management. The term "engages in an  
6 equine activity" does not include being a spectator at an equine activity, except in cases where  
7 the spectator places himself in an unauthorized area;
- 8 (2) "Equine", a horse, pony, mule, donkey or hinny;
- 9 (3) "Equine activity":
- 10 (a) Equine shows, fairs, competitions, performances or parades that involve any or all  
11 breeds of equines and any of the equine disciplines, including, but not limited to, dressage,  
12 hunter and jumper horse shows, grand prix jumping, three-day events, combined training, rodeos,  
13 driving, pulling, cutting, polo, steeplechasing, English and western performance riding,  
14 endurance trail riding and western games and hunting;
- 15 (b) Equine training or teaching activities or both;
- 16 (c) Boarding equines;
- 17 (d) Riding, inspecting or evaluating an equine belonging to another, whether or not the  
18 owner has received [some] **or currently receives** monetary consideration or other thing of value  
19 for the use of the equine or is permitting a prospective purchaser of the equine to ride, inspect  
20 or evaluate the equine;
- 21 (e) Rides, trips, hunts or other equine activities [of any type] however informal or  
22 impromptu that are sponsored by an equine activity sponsor; and
- 23 (f) Placing or replacing horseshoes on an equine;
- 24 (4) "Equine activity sponsor", an individual, group, club, partnership or corporation,  
25 whether or not operating for profit or nonprofit, **legal entity**, or any employee thereof, which  
26 sponsors, organizes or provides the facilities for, an equine activity, including but not limited to  
27 pony clubs, 4-H clubs, hunt clubs, riding clubs, school- and college-sponsored classes, programs  
28 and activities, therapeutic riding programs and operators, instructors and promoters of equine  
29 facilities, including but not limited to stables, clubhouses, pony ride strings, fairs and arenas at  
30 which the activity is held;
- 31 (5) "Equine professional", a person engaged for compensation, or an employee of such  
32 a person engaged:
- 33 (a) In instructing a participant or renting to a participant an equine for the purpose of  
34 riding, driving or being a passenger upon the equine; or
- 35 (b) In renting equipment or tack to a participant;
- 36 (6) "Inherent risks of equine **or livestock** activities", those dangers or conditions which  
37 are an integral part of equine **or livestock** activities, including but not limited to:

38 (a) The propensity of any equine **or livestock** to behave in ways that may result in injury,  
39 harm or death to persons on or around it;

40 (b) The unpredictability of any equine's **or livestock's** reaction to such things as sounds,  
41 sudden movement and unfamiliar objects, persons or other animals;

42 (c) Certain hazards such as surface and subsurface conditions;

43 (d) Collisions with other equines, **livestock**, or objects;

44 (e) The potential of a participant to act in a negligent manner that may contribute to  
45 injury to the participant or others, such as failing to maintain control over the animal or not  
46 acting within his ability;

47 (7) **"Livestock", the same as used in section 277.020;**

48 **(8) "Livestock activity":**

49 **(a) Grazing, herding, feeding, branding, milking, or other activity that involves the**  
50 **care or maintenance of livestock;**

51 **(b) A livestock show, fair, competition, or auction;**

52 **(c) A livestock training or teaching activity;**

53 **(d) Boarding livestock; and**

54 **(e) Inspecting or evaluating livestock;**

55 **(9) "Livestock activity sponsor", an individual, group, club, partnership, or**  
56 **corporation, whether or not operating for profit or nonprofit, legal entity, or any employee**  
57 **thereof, which sponsors, organizes, or provides the facilities for, a livestock activity;**

58 **(10) "Livestock facility", a property or facility at which a livestock activity is held;**

59 **(11) "Livestock owner", a person who owns livestock that is involved in livestock**  
60 **activity;**

61 **(12) "Participant", any person, whether amateur or professional, who engages in an**  
62 **equine activity or a livestock activity, whether or not a fee is paid to participate in the equine**  
63 **activity or livestock activity.**

64 2. Except as provided in subsection 4 of this section, an equine activity sponsor, an  
65 equine professional, **a livestock activity sponsor, a livestock owner, a livestock facility, a**  
66 **livestock auction market, any employee thereof**, or any other person or corporation shall not  
67 be liable for an injury to or the death of a participant resulting from the inherent risks of equine  
68 **or livestock** activities and, except as provided in subsection 4 of this section, no participant or  
69 a participant's representative shall make any claim against, maintain an action against, or recover  
70 from an equine activity sponsor, an equine professional, **a livestock activity sponsor, a**  
71 **livestock owner, a livestock facility, a livestock auction market, any employee thereof**, or  
72 any other person from injury, loss, damage or death of the participant resulting from any of the  
73 inherent risks of equine **or livestock** activities.

74 3. This section shall not apply to the horse racing industry as regulated in sections  
75 313.050 to 313.720. This section shall not apply to any employer-employee relationship  
76 governed by the provisions of, and for which liability is established pursuant to, chapter 287.

77 4. The provisions of subsection 2 of this section shall not prevent or limit the liability  
78 of an equine activity sponsor, an equine professional, **a livestock activity sponsor, a livestock**  
79 **owner, a livestock facility, a livestock auction market, any employee thereof**, or any other  
80 person if the equine activity sponsor, equine professional, **livestock activity sponsor, livestock**  
81 **owner, livestock facility, livestock auction market, any employee thereof**, or person:

82 (1) Provided the equipment or tack and knew or should have known that the equipment  
83 or tack was faulty and such equipment or tack was faulty to the extent that [it did cause] **the**  
84 **equipment or tack caused** the injury; or

85 (2) Provided the equine **or livestock** and failed to make reasonable and prudent efforts  
86 to determine the ability of the participant to engage safely in the equine activity **or livestock**  
87 **activity** and determine the ability of the participant to safely manage the particular equine **or**  
88 **livestock** based on the participant's age, obvious physical condition or the participant's  
89 representations of his **or her** ability;

90 (3) Owns, leases, rents or otherwise is in lawful possession and control of the land or  
91 facilities upon which the participant sustained injuries because of a dangerous latent condition  
92 which was known to the equine activity sponsor, equine professional, **livestock activity sponsor,**  
93 **livestock owner, livestock facility, livestock auction market, any employee thereof**, or person  
94 and for which warning signs have not been conspicuously posted;

95 (4) Commits an act or omission that constitutes willful or wanton disregard for the safety  
96 of the participant and that act or omission caused the injury;

97 (5) Intentionally injures the participant;

98 (6) Fails to use that degree of care that an ordinarily careful and prudent person would  
99 use under the same or similar circumstances.

100 5. The provisions of subsection 2 of this section shall not prevent or limit the liability  
101 of an equine activity sponsor [or] , an equine professional, **a livestock activity sponsor, a**  
102 **livestock owner, a livestock facility, a livestock auction market, or any employee thereof**  
103 under liability provisions as set forth in any other section of law.

104 6. Every equine activity sponsor **and livestock activity sponsor** shall post and maintain  
105 signs which contain the warning notice specified in this subsection. Such signs shall be placed  
106 in a clearly visible location on or near stables, corrals or arenas where the [equine professional]  
107 **equine activity sponsor or livestock activity sponsor** conducts equine **or livestock** activities  
108 if such stables, corrals or arenas are owned, managed or controlled by the [equine professional]  
109 **equine activity sponsor or livestock activity sponsor**. The warning notice specified in this

110 subsection shall appear on the sign in black letters on a white background with each letter to be  
111 a minimum of one inch in height. Every written contract entered into by an equine professional  
112 [and] , **an equine activity sponsor, a livestock activity sponsor, a livestock owner, a livestock**  
113 **facility, a livestock auction market, or any employee thereof** for the providing of professional  
114 services, instruction or the rental of equipment [or] , tack, or an equine to a participant, whether  
115 or not the contract involves equine **or livestock** activities on or off the location or site of the  
116 equine professional's [or] , equine activity sponsor's, **or livestock activity sponsor's** business,  
117 shall contain in clearly readable print the warning notice specified in this subsection. The signs  
118 and contracts described in this subsection shall contain the following warning notice:

119

## WARNING

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Under Missouri law, an **equine activity sponsor, an equine professional, a livestock activity sponsor, a livestock owner, a livestock facility, a livestock auction market, or any employee thereof** is not liable for an injury to or the death of a participant in equine **or livestock** activities resulting from the inherent risks of equine **or livestock** activities pursuant to the Revised Statutes of Missouri.

✓