

JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, THURSDAY, MAY 5, 2016

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let us draw near with a true heart in full assurance of faith. (Hebrews 10:22)

O Generous God, who sends Your spirit into the hearts of all seeking to bring justice and peace to our State, may we with open minds and receptive hearts receive Your spirit and with You strive to make justice and peace a reality as we debate and vote today.

Give us grace to take to heart the pain involved in our unhappy divisions and our unreasonable differences. Remove from us all that hurts our unity and all that hinders our walking together in peace. Kindle in us the fire of Your endless love, strengthen us by Your almighty power, and draw us closer to one another.

To You and to our good people of this great State, we dedicate the work of this National Day of Prayer.

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: Dylan Taylor, Olivia Taylor, and Davis Taylor.

The Journal of the sixty-fourth day was approved as printed by the following vote:

AYES: 138

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Carpenter	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Davis	Dogan	Dohrman	Dugger	Dunn
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kendrick
Kidd	King	Kirkton	Koenig	Kolkmeyer

3020 *Journal of the House*

Korman	Kratky	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McCreery
McDaniel	McGaugh	McNeil	Meredith	Messenger
Miller	Montecillo	Moon	Morgan	Morris
Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Plocher	Pogue	Rehder
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor 139	Taylor 145	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 000

PRESENT: 003

Colona	Gardner	LaFaver
--------	---------	---------

ABSENT WITH LEAVE: 021

Black	Butler	Curtis	Curtman	Ellington
Green	Hinson	Hummel	Love	McDonald
McGee	Mims	Mitten	Muntzel	Pietzman
Redmon	Reiboldt	Ross	Smith	Spencer
Vescovo				

VACANCIES: 001

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Allen reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 98**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 799**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 2017, to appropriate money for capital improvement and other purposes, was taken up by Representative Flanigan.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 111

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

NOES: 039

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

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Curtis	Dogan	Dunn	Hummel
Mims	Mitten	Pietzman	Redmon	Rehder
Smith	Vescovo			

VACANCIES: 001

On motion of Representative Flanigan, **SCS HCS HB 2017** was adopted by the following vote:

AYES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brown 57	Brown 94	Burlison	Burns	Butler

3022 *Journal of the House*

Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Ellington	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Gardner
Green	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Johnson
Jones	Justus	Kelley	Kendrick	King
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mathews	May	McCaherty
McCann Beatty	McDonald	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Montecillo	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pike	Plocher	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 013

Brattin	Hurst	Kidd	Koenig	Lavender
Marshall	McCreery	McDaniel	Moon	Parkinson
Pierson	Pogue	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 010

Black	Curtis	Dunn	Hummel	Mims
Mitten	Pietzman	Redmon	Smith	Vescovo

VACANCIES: 001

On motion of Representative Flanigan, **SCS HCS HB 2017** was truly agreed to and finally passed by the following vote:

AYES: 134

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Bead	Bernskoetter	Berry	Bondon
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Crawford	Cross	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Franklin	Frederick	Gannon	Gardner	Green
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Johnson	Jones

Justus	Kelley	Kendrick	King	Kirkton
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	May	McCaherty	McCann Beatty
McDonald	McGaugh	McGee	McNeil	Meredith
Messenger	Miller	Montecillo	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Plocher	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 013

Brattin	Curtman	Ellington	Kidd	Koenig
Lavender	Marshall	McCreery	McDaniel	Moon
Parkinson	Pogue	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 015

Black	Colona	Cornejo	Curtis	Dunn
Entlicher	Fraker	Hummel	Hurst	Mims
Mitten	Pietzman	Redmon	Smith	Vescovo

VACANCIES: 001

Speaker Richardson declared the bill passed.

SS SCS HCS HB 2018, to appropriate money for purposes for the several departments and offices of state government, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **SS SCS HCS HB 2018** was adopted by the following vote:

AYES: 142

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Green	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Johnson

3024 *Journal of the House*

Jones	Justus	Kelley	Kendrick	King
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mathews	May
McCaherty	McCann Beatty	McDonald	McGaugh	McGee
McNeil	Meredith	Messenger	Miller	Montecillo
Morgan	Morris	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Plocher
Rehder	Reiboldt	Remole	Rhoads	Rizzo
Roden	Roerber	Rone	Ross	Rowden
Rowland 155	Rowland 29	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 012

Brattin	Ellington	Gardner	Hurst	Kidd
Lavender	Marshall	McCreery	McDaniel	Moon
Parkinson	Pogue			

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Hummel	Mims	Mitten	Pietzman
Redmon	Smith	Vescovo		

VACANCIES: 001

On motion of Representative Flanigan, **SS SCS HCS HB 2018** was truly agreed to and finally passed by the following vote:

AYES: 141

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

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

NOES: 009

Hurst	Kidd	Lavender	Marshall	McCreery
McDaniel	Moon	Parkinson	Pogue	

PRESENT: 000

ABSENT WITH LEAVE: 012

Black	Hummel	Jones	Lauer	May
Mims	Mitten	Redmon	Rowland 29	Smith
Vescovo	Wiemann			

VACANCIES: 001

Speaker Richardson declared the bill passed.

VETOED SENATE BILLS

The Speaker read the following Senate Bill vetoed from the Second Regular Session:
SCS SBs 586 & 651.

Representative Wood moved that **SCS SBs 586 & 651**, relating to elementary and secondary education, be passed, the objections of the Governor thereto notwithstanding.

Representative Lair assumed the Chair.

Representative Allen moved the previous question.

Which motion was adopted by the following vote:

AYES: 112

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Hicks
Higdon	Hill	Hinson	Hoskins	Hough

3026 *Journal of the House*

Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews
McCaherty	McDaniel	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Pogue
Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Hummel	Leara	McGaugh	Mims
Redmon	Smith	Vescovo		

VACANCIES: 001

On motion of Representative Wood, **SCS SBs 586 & 651** passed by the following vote, the objections of the Governor thereto notwithstanding:

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Green	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Koenig	Kolkmeier	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike

Plocher	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 043

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Harris	Hubbard	Kendrick
Kirkton	Kratky	Lavender	Marshall	May
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Rowland 29
Runions	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 006

Black	Hummel	Mims	Redmon	Smith
Vescovo				

VACANCIES: 001

Speaker Richardson resumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HCS HJR 98, relating to the right to life, was taken up by Representative Moon.

Representative Barnes assumed the Chair.

Speaker Richardson resumed the Chair.

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Gannon	Haahr
Haefner	Hansen	Hicks	Higdon	Hill

3028 *Journal of the House*

Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Plocher	Pogue	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Ross	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 040

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

PRESENT: 000

ABSENT WITH LEAVE: 013

Black	Dugger	Frederick	Hubbard	Hubrecht
Hummel	Kirkton	Mims	Redmon	Rone
Rowden	Smith	Vescovo		

VACANCIES: 001

On motion of Representative Moon, **HCS HJR 98** was read the third time and passed by the following vote:

AYES: 110

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Gannon	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Pogue

Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Ross	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 037

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

PRESENT: 002

Green	Runions
-------	---------

ABSENT WITH LEAVE: 013

Black	Dugger	Frederick	Hubbard	Hubrecht
Hummel	Kirkton	Mims	Redmon	Rone
Rowden	Smith	Vescovo		

VACANCIES: 001

Speaker Richardson declared the bill passed.

MOTION

Representative Cierpiot moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 115

Alferman	Allen	Anders	Anderson	Andrews
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Bondon	Brattin	Brown 57	Brown 94
Burlison	Burns	Butler	Chipman	Cierpiot
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Flanigan	Fraker
Franklin	Gannon	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones	Justus	Kendrick	Kidd	King
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
Mathews	McCaherty	McCann Beatty	McGaugh	McGee
McNeil	Messenger	Miller	Montecillo	Morris

3030 *Journal of the House*

Muntzel	Neely	Nichols	Norr	Pfautsch
Phillips	Pietzman	Pike	Plocher	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Ross	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 022

Adams	Arthur	Conway 10	Ellington	Gardner
Green	Kratky	LaFaver	Lavender	May
McCreery	McDaniel	McDonald	Meredith	Morgan
Newman	Pace	Pierson	Pogue	Rowland 29
Runions	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 025

Berry	Black	Carpenter	Colona	Dugger
Fitzwater 49	Frederick	Hubbard	Hubrecht	Hummel
Kelley	Kirkton	Lichtenegger	Mims	Mitten
Moon	Otto	Parkinson	Peters	Redmon
Rehder	Rone	Rowden	Smith	Vescovo

VACANCIES: 001

THIRD READING OF SENATE BILLS

HCS SB 640, relating to vehicles, was taken up by Representative Brattin.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 640, Page 11, Section 304.154, Line 7, by deleting the word, "**twelve**" and inserting in lieu thereof the word, "**eight**"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 640, Page 2, Section 301.125, Line 26, by inserting immediately after all of said line the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this

state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the National Guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant

to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of [eighteen] **twenty-four** thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for [eighteen] **twenty-four** thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030. **On and after August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or hereafter statutorily created special personalized license plates.**

9. No later than January 1, [2009] **2019**, the director of revenue shall commence the reissuance of new license plates of such design as [directed by the director] **approved by the advisory committee under section 301.125** consistent with the terms, conditions, and provisions of [this] section **301.125** and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection."; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 640, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

"379.1700. As used in sections 379.1700 to 379.1708, the following terms shall mean:

(1) **"Digital network", any online-enabled application, software, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;**

- (2) "Personal vehicle", a vehicle that is used by a transportation network company driver and is:
 - (a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and
 - (b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;
- (3) "Prearranged ride", the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;
- (4) "Transportation network company", a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;
- (5) "Transportation network company driver" or "driver", an individual who:
 - (a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and
 - (b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;
- (6) "Transportation network company rider" or "rider", an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

379.1702. 1. Beginning April 1, 2017, a transportation network company driver or transportation network company on the driver's behalf shall maintain primary automobile insurance that:

- (1) Recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport riders for compensation; and
- (2) Covers the driver while the driver is logged on to the transportation network company's digital network or while the driver is engaged in a prearranged ride.

2. The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company's digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

- (1) Primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, one hundred thousand dollars for death and bodily injury per incident, and twenty-five thousand dollars for property damage;
- (2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;
- (3) The coverage requirements of this subsection may be satisfied by any of the following:
 - (a) Automobile insurance maintained by the transportation network company driver;
 - (b) Automobile insurance maintained by the transportation network company; or
 - (c) Any combination of paragraphs (a) and (b) of this subdivision.

3. The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

- (1) Primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage;
- (2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;
- (3) The coverage requirements of this subsection may be satisfied by any of the following:
 - (a) Automobile insurance maintained by the transportation network company driver;
 - (b) Automobile insurance maintained by the transportation network company; or
 - (c) Any combination of paragraphs (a) and (b) of this subdivision.

4. If insurance maintained by a driver in subsection 2 or 3 of this section has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend such claim. If the insurance maintained by the driver does not otherwise exclude coverage for loss or injury

while the driver is logged on to a transportation network's digital network or while the driver provides a prearranged ride, but does not provide insurance coverage at the minimum limits required by subsection 2 or 3 of this section, the transportation network company shall maintain insurance coverage that provides excess coverage beyond the driver's policy limits up to the limits required by subsection 2 or 3 of this section, as applicable.

5. Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

6. Insurance required by this section may be placed with an insurer authorized to issue policies of automobile insurance in the state of Missouri or with an eligible surplus lines insurer under chapter 384.

7. Insurance satisfying the requirements of this section shall be deemed to satisfy the motor vehicle financial responsibility requirements for a motor vehicle under chapter 303.

8. A transportation network company driver shall carry proof of coverage satisfying subsections 2 and 3 of this section with him or her at all times during his or her use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers, upon request under section 303.024. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers whether the driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.

379.1704. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(1) The insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(2) That the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride depending on the policy's terms.

379.1706. A transportation network company shall make the following disclosure to a prospective driver in the prospective driver's terms of service:

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

The disclosure set forth in this subsection shall be placed prominently in the prospective driver's written terms of service, and the prospective driver shall acknowledge the terms of service electronically or by signature.

379.1708. 1. Insurers that write automobile insurance in Missouri may exclude or limit any and all coverage afforded under an automobile insurance policy, including a motor vehicle liability policy, issued to an owner or operator of a vehicle for any loss or injury that occurs while:

- (1) A driver is logged on to a transportation network company's digital network;
- (2) A driver provides a prearranged ride; or
- (3) A motor vehicle is being used to transport or carry persons or property for any compensation or suggested donation;

2. The right to exclude all coverage under subsection 1 of this section may apply to any coverage included in an automobile insurance policy including, but not limited to:

- (1) Liability coverage for bodily injury and property damage;
- (2) Uninsured and underinsured motorist coverage;
- (3) Medical payments coverage;
- (4) Comprehensive physical damage coverage; and
- (5) Collision physical damage coverage.

Such exclusions shall apply notwithstanding any financial responsibility requirement or uninsured motorist coverage requirement under the motor vehicle financial responsibility law, chapter 303, or section 379.203, respectively. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a vehicle to transport passengers or property for compensation.

3. Nothing shall be deemed to preclude an insurer from providing coverage for the transportation network company driver's vehicle, if it chooses to do so by contract or endorsement.

4. Automobile insurers that exclude the coverage described under section 379.1702 shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in Missouri prior to the enactment of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

5. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 379.1702 at the time of loss.

6. In a claims coverage investigation, transportation network companies and any insurer providing coverage under section 379.1702 shall cooperate to facilitate the exchange of relevant information with each other and any insurer of the transportation network company driver if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under section 379.1702.

387.600. As used in sections 387.600 to 387.630, the following terms shall mean:

- (1) "Digital network", any online-enabled application, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;
- (2) "Personal vehicle", a vehicle that is used by a transportation network company driver and is:
 - (a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and
 - (b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;
- (3) "Prearranged ride", the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;
- (4) "Transportation network company", a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;
- (5) "Transportation network company driver" or "driver", an individual who:
 - (a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) "Transportation network company rider" or "rider", an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

387.602. Notwithstanding any other provision of law, transportation network companies shall not be considered common carriers, contract carriers, or motor carriers, as defined under section 390.020, or for-hire vehicle service. A transportation network company driver shall not be required to register any vehicle the driver uses to provide prearranged rides as a commercial vehicle or as a for-hire vehicle.

387.604. Beginning August 28, 2016, any person operating a transportation network company in the state shall be required to obtain a permit from the department of revenue. The department shall issue permits to applicants who meet the requirements for a transportation network company as provided under sections 387.600 to 387.630 and who pay an annual, nonrefundable permit fee of five thousand dollars to the department. While operating as a transportation network company, such company shall maintain an agent for service of process within the state of Missouri.

387.608. On behalf of a transportation network company driver, a transportation network company may charge a fare for the services provided to riders; provided that, if a fare is collected from a rider, the transportation network company shall disclose to the rider the fare calculation method in the vehicle on its website or within the software application service. The transportation network company shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the transportation network company driver's vehicle.

387.610. The transportation network company shall meet the requirements of either subsection of this section at its option:

(1) Display in its software application or website a picture of the transportation network driver and the license plate number of the motor vehicle utilized for providing the prearranged ride before the passenger enters the transportation network company driver's vehicle; or

(2) Have clearly visible external markings on the front and back or both sides of the transportation network motor vehicles to easily identify the vehicle as a transportation network vehicle. Vehicle markings shall be no less than six inches tall and six inches wide. The transportation network driver shall display photo identification within the vehicle at all times.

387.612. After the completion of a prearranged ride secured on a digital network, within a reasonable period of time following the completion of a trip, a transportation network company shall transmit an electronic receipt to the transportation network company rider on behalf of the transportation network company driver that lists:

- (1) The origin and destination of the trip;
- (2) The total time and distance of the trip; and
- (3) An itemization of the total fare paid, if any.

387.620. Drivers shall be independent contractors and not employees of the transportation network company if all of the following conditions are met:

(1) The transportation network company does not prescribe specific hours during which a transportation network company driver must be logged into the transportation network company's digital network;

(2) The transportation network company imposes no restrictions on the transportation network company driver's ability to utilize digital networks from other transportation network companies;

(3) The transportation network company does not assign a transportation network company driver a particular territory in which prearranged rides can be provided;

(4) The transportation network company does not restrict a transportation network company driver from engaging in any other occupation or business; and

(5) The transportation network company and transportation network company driver agree in writing that the driver is an independent contractor of the transportation network company.

387.622. 1. The transportation network company shall implement a zero tolerance policy regarding a transportation network company driver's activities while accessing the transportation network company's digital network. The zero tolerance policy shall address the use of drugs or alcohol while a transportation network company driver is providing prearranged rides or is logged into the transportation network company's digital network but is not providing prearranged rides, and the transportation network company shall provide notice of this policy on its website, as well as procedures to report a complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

2. Upon receipt of a rider complaint alleging a violation of the zero tolerance policy, the transportation network company shall immediately suspend such transportation network company driver's access to the transportation network company's digital network, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

3. The transportation network company shall maintain records relevant to the enforcement of this requirement for a period of at least two years from the date that a rider complaint is received by the transportation network company.

387.624. 1. Before allowing an individual to accept trip requests through a transportation network company's digital network:

(1) The individual shall submit an application to the transportation network company, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the transportation network company;

(2) The transportation network company shall conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:

(a) Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation; and

(b) National Sex Offender Registry database;

(3) The transportation network company shall obtain and review a driving history research report for such individual.

2. The transportation network company shall not permit an individual to act as a transportation network company driver on its digital network who:

(1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;

(2) Has been convicted within the past seven years of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage or theft, acts of violence, or acts of terror;

(3) Is a match in the National Sex Offender Registry database;

(4) Does not possess a valid driver's license;

(5) Does not possess proof of registration for the motor vehicle or vehicles used to provide prearranged rides;

(6) Does not possess proof of automobile liability insurance for the motor vehicle or vehicles used to provide prearranged rides; or

(7) Is not at least nineteen years of age.

3. A transportation network company driver who is qualified to accept trip requests through a transportation network company's digital network under this section shall not be required to obtain any other state or local license or permit to provide prearranged rides.

387.626. The transportation network company shall not allow a transportation network company driver to accept trip requests through the transportation network company's digital network unless any motor vehicle or vehicles that a transportation network company driver will use to provide prearranged rides meets the inspection requirements of section 307.350.

387.627. 1. The transportation network company shall adopt a policy of nondiscrimination with respect to riders and potential riders and notify transportation network company drivers of such policy.

2. Transportation network company drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders.

3. Transportation network company drivers shall comply with all applicable laws relating to accommodation of service animals.

4. A transportation network company shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

387.628. A transportation network company shall maintain the following customer records:

(1) For prearranged rides secured through a digital network, individual trip records of rider customers for at least one year from the date each trip was provided; and

(2) Individual records of transportation network company driver customers at least until the one year anniversary of the date on which a transportation network company driver's customer relationship with the transportation network company has ended.

387.630. 1. Notwithstanding any other provision of law, transportation network companies and transportation network company drivers are governed exclusively by sections 387.600 to 387.630 and any rules promulgated by the State of Missouri consistent with such sections. No municipality or other local or state entity may impose a tax on or require a license for a transportation network company, a transportation network company driver, or a vehicle used by a transportation network company driver where such tax or licenses relates to providing prearranged rides, or subject a transportation network company to the municipality or other local or state entity's rate, entry, operational requirements, or other requirements. Nothing in this section shall apply to an earnings tax.

2. The department of revenue may promulgate all necessary rules and regulations for the administration 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, 2016, shall be invalid and void.

387.632. 1. Beginning August 28, 2016, and annually thereafter, a taxicab, a taxicab driver, a taxicab company as those terms are defined in section 67.1800, shall make an election filed with the department of revenue to comply with either:

(1) The provisions of 387.600 through 387.630 herein; or

(2) Applicable municipal regulation duly enacted or authorized by 67.1800 through 67.1822.

2. A taxicab company or taxicab driver, solely for purposes of satisfying 387.624 herein, may maintain primary commercial automobile liability coverage with a combined single limit of no less than four hundred thousand dollars for death, bodily injury or property damage provided such policy be issued by an insurer with a credit rating of no less than A- by A.M. Best.

387.634. 1. Transportation network companies shall not be considered employers of transportation network company drivers for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. Transportation network company drivers shall not be considered employees for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. If the parties agree to the application of one or more of these laws in a written contract, the transportation network company shall notify the appropriate agency of the election to cover the driver. If the parties subsequently change this election, the transportation network company shall notify the appropriate agency of the change.

2. Except when agreed to by written contract, a transportation network company driver is not an agent of a transportation network company."; and

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

Representative Haahr 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 Bill No. 640, Page 6, Line 36, by deleting all of said line and inserting in lieu thereof the following:

"(b) National Sex Offender Registry database;

On or after August 28, 2019, the department of revenue may require a transportation network company to conduct or have a third party conduct a fingerprint background check for any applicant."; and

Further amend said amendment, Page 8, Line 11, by inserting immediately after the word "**contract.**" the following:

"A transportation network company shall be required to have a written contract stating whether its drivers are considered independent contractors or employees."; and

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

On motion of Representative Haahr, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote, the ayes and noes having been demanded by Representative May:

AYES: 090

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Crawford	Cross	Davis
Dogan	Eggleston	Engler	Entlicher	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Hansen	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Johnson	Jones	Justus	Kelley	Kidd
Koenig	Kolkmeyer	Lair	Lant	Lauer
Lynch	Mathews	McCaherty	Miller	Morris
Muntzel	Neely	Nichols	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Roeber	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 046

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Corlew	Curtis
Dohrman	Dunn	Ellington	English	Fitzpatrick
Gardner	Green	Harris	Hurst	Kendrick
King	Korman	Kratky	LaFaver	Lavender

3040 *Journal of the House*

Leara	Love	Marshall	May	McCann Beatty
McCreery	McDaniel	McGee	McNeil	Meredith
Messenger	Morgan	Newman	Norr	Otto
Pace	Peters	Pierson	Pogue	Rowland 29
Runions				

PRESENT: 000

ABSENT WITH LEAVE: 026

Beard	Bernskoetter	Berry	Black	Cornejo
Curtman	Dugger	Haefner	Hubbard	Hubrecht
Hummel	Kirkton	Lichtenegger	McDonald	McGaugh
Mims	Mitten	Montecillo	Moon	Redmon
Rizzo	Roden	Rone	Smith	Vescovo
Walton Gray				

VACANCIES: 001

Representative Wood assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bondon	Brattin	Brown 94
Burlison	Cierpiot	Conway 104	Cookson	Corlew
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Hansen	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Pogue
Rehder	Reiboldt	Remole	Roden	Roerber
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 030

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Dunn	Ellington	Gardner
Green	Harris	Kendrick	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McNeil
Meredith	Morgan	Newman	Nichols	Norr
Pace	Peters	Rizzo	Runions	Webber

PRESENT: 000

ABSENT WITH LEAVE: 037

Allen	Beard	Bernskoetter	Berry	Black
Brown 57	Chipman	Conway 10	Cornejo	Curtis
Dugger	Engler	Haefner	Hubbard	Hubrecht
Hummel	Jones	Kirkton	Lauer	Lichtenegger
McDonald	McGaugh	McGee	Mims	Mitten
Montecillo	Moon	Otto	Pierson	Plocher
Redmon	Rhoads	Rone	Rowland 29	Smith
Vescovo	Walton Gray			

VACANCIES: 001

Speaker Richardson resumed the Chair.

On motion of Representative Mathews, **House Amendment No. 3, as amended**, was adopted.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 640, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

- "306.100. 1. For the purpose of this section, vessels shall be divided into four classes as follows:
- (1) Class A, less than sixteen feet in length;
 - (2) Class 1, at least sixteen and less than twenty-six feet in length;
 - (3) Class 2, at least twenty-six and less than forty feet in length;
 - (4) Class 3, forty feet and over.
2. All vessels shall display from sunset to sunrise the following lights when under way, and during such time no other lights, continuous spotlights or docking lights, or other nonprescribed lights shall be exhibited:
- (1) Vessels of classes A and 1:
 - (a) A bright white light aft to show all around the horizon;
 - (b) A combined light in the forepart of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on their respective sides;
 - (2) Vessels of classes 2 and 3:
 - (a) A bright white light in the forepart of the vessel as near the stem as practicable, so constructed as to show the unbroken light over an arc of the horizon of twenty points (225 degrees) of the compass, so fixed as to throw the light ten points (112 1/2 degrees) on each side of the vessel; namely, from right ahead to two points (22 1/2 degrees) abaft the beam on either side;
 - (b) A bright white light aft to show all around the horizon and higher than the white light forward;
 - (c) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points (112 1/2 degrees) of the compass, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on the starboard side; on the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points (112 1/2 degrees) of the compass, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on the portside. The side lights shall be fitted with inboard screens so set as to prevent these lights from being seen across the bow;

(3) Vessels of classes A and 1 when propelled by sail alone shall exhibit the combined light prescribed by this section and a twelve point (135 degree) white light aft. Vessels of classes 2 and 3, when so propelled, shall exhibit the colored side lights, suitably screened, prescribed by this section and a twelve point (135 degree) white light aft;

(4) All vessels between the hours of sunset and sunrise that are not under way, moored at permanent dockage or attached to an immovable object on shore so that they do not extend more than fifty feet from the shore shall display one three-hundred-sixty-degree white light visible three hundred sixty degrees around the horizon;

(5) Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one mile. The word "visible" in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere;

(6) When propelled by sail and machinery every vessel shall carry the lights required by this section for a motorboat propelled by machinery only.

3. Any watercraft not defined as a vessel shall, from sunset to sunrise, carry, ready at hand, a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

4. Any vessel may carry and exhibit the lights required by the federal regulations for preventing collisions at sea, in lieu of the lights required by subsection 2 of this section.

5. All other watercraft over sixty-five feet in length and those propelled solely by wind effect on the sail shall display lights prescribed by federal regulations.

6. Any watercraft used by a person engaged in the act of sport fishing is not required to display any lights required by this section if no other vessel is within the immediate vicinity of the first vessel, the vessel is using an electric trolling motor and the vessel is within fifty feet of the shore.

7. Every vessel, except those in class A, shall have on board at least one wearable personal flotation device of type I, II or III for each person on board and each person being towed who is not wearing one. Every such vessel shall also have on board at least one type IV throwable personal flotation device.

8. All class A motorboats and all watercraft traveling on the waters of this state shall have on board at least one type I, II, III or IV personal flotation device for each person on board and each person being towed who is not wearing one.

9. All lifesaving devices required by subsections 7 and 8 of this section shall be United States Coast Guard approved, in serviceable condition and so placed as to be readily accessible. **The operator of any watercraft in violation of this subsection is guilty of an infraction and shall be fined not more than twenty-five dollars.**

10. Every vessel which is carrying or using flammable or toxic fluid in any enclosure for any purpose, and which is not an entirely open vessel, shall have an efficient natural or mechanical ventilation system which must be capable of removing resulting gases prior to and during the time the vessel is occupied by any person.

11. Motorboats shall carry on board at least the following United States Coast Guard approved fire extinguishers:

(1) Every class A and every class 1 motorboat carrying or using gasoline or any other flammable or toxic fluid, one B1 type fire extinguisher;

(2) Every class 2 motorboat:

(a) Two B1 type fire extinguishers; or

(b) One B2 type fire extinguisher; or

(c) A fixed fire extinguishing system and one B1 type fire extinguisher; and

(3) Every class 3 motorboat:

(a) Three B1 type fire extinguishers; or

(b) One B2 type and one B1 type fire extinguisher; or

(c) A fixed fire extinguishing system and one B2 type fire extinguisher; or

(d) A fixed fire extinguishing system and two B1 type fire extinguishers.

12. All class 1 and 2 motorboats and vessels shall have a sounding device. All class 3 motorboats and vessels shall have at least a sounding device and one bell.

13. No person shall operate any watercraft which is not equipped as required by this section.

14. A water patrol division officer may direct the operator of any watercraft being operated without sufficient personal flotation devices, fire-fighting devices or in an overloaded or other unsafe condition or manner to

take whatever immediate and reasonable steps are necessary for the safety of those aboard when, in the judgment of the officer, such operation creates a hazardous condition. The officer may direct the operator to return the watercraft to the nearest safe mooring and to remain there until the situation creating the hazardous condition is corrected.

15. A water patrol division officer may remove any unmanned or unattended watercraft from the water when, in the judgment of the officer, the watercraft creates a hazardous condition.

16. Nothing in this section shall prohibit the use of additional specialized lighting used in the act of sport fishing."; and

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

Representative Ross offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 640, Page 3, Line 26, by deleting all of said line and inserting in lieu thereof the following:

"the act of sport fishing.

306.126. 1. The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term "adequate guards or railing" means guards or railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail, **outboard jet motors, or vessels not originally manufactured with adequate guards or railing.**

2. Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for three hundred sixty degrees around the horizon when displayed and shall be displayed only when an occupant of the watercraft has left the confines of the watercraft and entered the water. The flag required by this subsection shall not be displayed when the watercraft is engaged in towing any person, but shall be displayed when such person has ceased being towed and has reentered the water.

3. No operator shall knowingly operate any watercraft within fifty yards of a flag required by subsection 2 of this section at a speed in excess of a slow-no wake speed."; and"; and

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

On motion of Representative Ross, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Wood offered **House Amendment No. 2 to House Amendment No. 4.**

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 640, Page 3, Line 26, by deleting all of said line and inserting in lieu thereof the following:

"the act of sport fishing.

306.125. 1. Every person shall operate a motorboat, vessel or watercraft in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

2. No person shall operate a motorboat, vessel or watercraft at any time from a half-hour after sunset until an hour before sunrise the following day at a speed exceeding thirty miles per hour.

3. Vessels shall not be operated within one hundred feet of any dock, pier, occupied anchored boat or buoyed restricted area on any lake at a speed in excess of slow-no wake speed. **The operator of any vessel in violation of this subsection is guilty of an infraction and shall be fined not more than twenty-five dollars. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section.**

4. Subsection 1 of this section shall not apply to a motorboat or other boat race authorized under section 306.130.

Section B. Because immediate action is necessary to preserve the safety of the citizens of Missouri on the waters of Missouri, the repeal and reenactment of sections 306.100 and 306.125 of section A 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 sections 306.100 and 306.125 of section A of this act shall be in full force and effect upon its passage and approval."; and"; and

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

On motion of Representative Wood, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Franklin, **House Amendment No. 4, as amended**, was adopted.

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 640, Page 1, In the Title, Line 3, by inserting immediately after the word "vehicles" the phrase "and watercrafts"; and

Further amend said bill, Section 301.564, Page 9, Line 22, by inserting after all of said section and line the following:

"302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving

privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.** These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns an entity that owns an employer-owned vehicle, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring."; and

302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. Until January 1, 2002, the presiding judge of the circuit court may assign a traffic judge, pursuant to section 479.500, RSMo 1994, a circuit judge or an associate circuit judge to hear such petition. After January 1, 2002, pursuant to local court rule pursuant to article V, section 15 of the Missouri Constitution, the case may be assigned to a circuit judge or an associate circuit judge, or to a traffic judge pursuant to section 479.500.

2. The filing of a petition for trial de novo shall [not] result in a stay of the suspension or revocation order **and, beginning June 1, 2017, the department shall issue a temporary driving permit which shall be valid until a final order is issued following the date of the disposition of the petition for a trial de novo.** [A restricted driving privilege as defined in section 302.010 shall be issued in accordance with subsection 2 of section 302.525, if the person's driving record shows no prior alcohol-related enforcement contact during the immediately preceding five years. Such restricted driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the restricted driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege as defined in section 302.010. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license.]; and

Further amend said bill, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any 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. **The commercial zone described in this subdivision shall be extended east from the intersection of State Route 7 and U.S. Highway 50 to include the city limits of a city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and from the eastern limits of said city east along U.S. Highway 50 up to and including the intersection of U.S. Highway 50 and State Route AA, then south along State Route AA up to and including the intersection of State Route AA and State Route 58, then west along State Route 58 to include the city limits of a city of the fourth classification with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, and from the western limits of said city along State Route 58 to where State Route 58 intersects with State Route 7;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants and located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants shall extend north from the city limits along U.S. Highway 63, a state highway, to the intersection of State Route NN, and shall continue west and south along State Route NN to the intersection of State Route 124, and shall extend east from the intersection along State Route 124 to U.S. Highway 63. The commercial zone described in this subdivision shall also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.

Section 1. 1. This section shall be known and may be cited as the "Alexandra and Brayden Anderson Electric Shock Drowning Prevention Act".

2. Beginning September 15, 2016, and every five years thereafter, the permit issuing entity shall mail to every dock permit holder a notice of the following:

(1) All dock permit holders who have electricity on their docks shall have, at a minimum, a proper electrical grounding and bonding system pursuant to the National Electrical Code NFPA 70 Art. 250, and a functioning shoreline to dock ground fault circuit interrupter; and

(2) Dock permit holders shall be liable for injury or death caused as a result of electrical current originating from their dock.

3. Nothing in this section shall give rise to any liability on the part of the dock permitting entity.

4. The provisions of this section shall apply to any lake having at least one thousand miles of shoreline and owned and maintained by an electrical corporation.

Section B. The repeal and reenactment of section 302.535 of this act shall become effective on March 1, 2017."; and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Anderson	Andrews	Austin	Bahr	Barnes
Basye	Brattin	Brown 57	Brown 94	Burlison
Cierpiot	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Dogan	Dohrman	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Haahr
Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Mathews	McCaherty
McDaniel	Messenger	Miller	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman

3048 *Journal of the House*

Pike	Plocher	Pogue	Reiboldt	Remole
Roden	Roeber	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 029

Adams	Anders	Burns	Carpenter	Colona
Conway 10	Dunn	Ellington	Gardner	Green
Harris	Kendrick	Kratky	LaFaver	Lavender
May	McCann Beatty	McCreery	McNeil	Meredith
Morgan	Nichols	Norr	Pace	Peters
Rizzo	Rowland 29	Runions	Webber	

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 040

Alferman	Allen	Arthur	Beard	Bernskoetter
Berry	Black	Bondon	Butler	Chipman
Conway 104	Davis	Dugger	Engler	Flanigan
Haefner	Hubbard	Hubrecht	Hummel	Kirkton
Koenig	Lichtenegger	Marshall	McDonald	McGaugh
McGee	Mims	Mitten	Montecillo	Moon
Newman	Otto	Pierson	Redmon	Rehder
Rhoads	Rone	Smith	Vescovo	Walton Gray

VACANCIES: 001

On motion of Representative Brattin, **HCS SB 640, as amended**, was adopted.

On motion of Representative Brattin, **HCS SB 640, as amended**, was read the third time and passed by the following vote:

AYES: 087

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bernskoetter	Brattin	Brown 57
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Eggleston	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Haahr	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Johnson	Jones	Justus	Kelley	Kendrick
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Love	Mathews	May	McCaherty
McGaugh	Miller	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Plocher	Rehder
Reiboldt	Remole	Roden	Roeber	Ross
Rowden	Rowland 155	Ruth	Shaul	Shumake
Solon	Sommer	Taylor 139	Taylor 145	Walker
Webber	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 049

Adams	Anders	Arthur	Bondon	Brown 94
Burns	Carpenter	Colona	Conway 10	Corlew
Curtis	Dohrman	Dunn	Ellington	English
Flanigan	Green	Hurst	Kidd	King
Korman	Kratky	LaFaver	Lavender	Lynch
Marshall	McCann Beatty	McCreery	McDaniel	McNeil
Meredith	Messenger	Mitten	Morgan	Morris
Newman	Nichols	Norr	Pace	Peters
Pietzman	Pogue	Rizzo	Rowland 29	Runions
Shull	Spencer	Swan	Walton Gray	

PRESENT: 001

Gardner

ABSENT WITH LEAVE: 025

Allen	Beard	Berry	Black	Butler
Dugger	Engler	Haefner	Hubbard	Hubrecht
Hummel	Kirkton	Lichtenegger	McDonald	McGee
Mims	Montecillo	Moon	Otto	Pierson
Redmon	Rhoads	Rone	Smith	Vescovo

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 083

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bernskoetter	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Entlicher	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Hansen	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Johnson	Jones	Justus	Kelley	King
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Love	Lynch
Mathews	McCaherty	McGaugh	Miller	Muntzel
Neely	Pfautsch	Pike	Plocher	Rehder
Reiboldt	Remole	Roden	Roeber	Ross
Rowden	Rowland 155	Ruth	Shaul	Shumake
Solon	Sommer	Taylor 139	Taylor 145	Walker
Wood	Zerr	Mr. Speaker		

NOES: 043

Adams	Anders	Arthur	Burns	Carpenter
Colona	Corlew	Curtis	Dunn	Eggleston
English	Fitzpatrick	Green	Harris	Hurst
Kendrick	Kidd	LaFaver	Lavender	Marshall

3050 *Journal of the House*

McCann Beatty	McCreery	McGee	McNeil	Meredith
Messenger	Mitten	Morgan	Morris	Newman
Nichols	Norr	Parkinson	Peters	Pietzman
Pogue	Rowland 29	Runions	Shull	Spencer
Swan	Webber	White		

PRESENT: 000

ABSENT WITH LEAVE: 036

Allen	Beard	Berry	Black	Butler
Dugger	Ellington	Engler	Flanigan	Gardner
Haahr	Haefner	Hubbard	Hubrecht	Hummel
Kirkton	Lichtenegger	May	McDaniel	McDonald
Mims	Montecillo	Moon	Otto	Pace
Phillips	Pierson	Redmon	Rhoads	Rizzo
Rone	Smith	Vescovo	Walton Gray	Wiemann
Wilson				

VACANCIES: 001

Representative Taylor (145) assumed the Chair.

HCS SB 656, relating to firearms, was taken up by Representative Burlison.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 656, Pages 5 to 10, Section 571.030, Lines 1 to 184, by deleting all of said section and lines and inserting in lieu thereof the following:

"571.030. 1. A person commits the crime of unlawful use of weapons, **except as otherwise provided by sections 571.101 to 571.121**, if he or she knowingly:

- (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use **into any area where firearms are restricted under section 571.107**; or
- (2) Sets a spring gun; or
- (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or
- (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
- (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or
- (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or
- (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
- (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or
- (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 195.202; or

(12) Carries a firearm or any other weapon readily capable of lethal use into any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly.

2. Subdivisions (1), (8), [and] (10), **and (12)** of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant circuit attorney, or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111;

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any fire department or fire protection district [chief] **member** who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit

of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. [Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5.] Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

[6.] **5.** Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

[7.] **6.** Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. A person who commits the crime of unlawful use of weapons under:

(1) Subdivision (2), (3) or (4) of subsection 1 of this section shall be guilty of a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017;

(2) Subdivision (1), (6), (7), (8), (11) or (12) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and, if the firearm is loaded, a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017;

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. [Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

9.] Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

[10.] **9.** Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

[11.] **10.** Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

[12.] **11.** As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

[13.] **12.** The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

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

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

Representative Taylor (139) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 656, Page 1, In the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"provisions, an emergency clause for certain sections, and a delayed effective date."

Further amend said bill, Page 21, Section 571.104, Line 164, by inserting after said section and line the following:

"571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, [or] statewide elected officials and their employees, **or other persons** holding a valid concealed carry permit or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) **The following locations within a public higher education institution without the consent of the governing body of the public higher education institution:**

(a) **Any polling place on election day;**

(b) **Any classroom location where a preschool or an elementary or secondary school-sponsored activity is occurring, excluding the location of a tour or similar transient presence, or any location of programs or camps for children eighteen years of age and under that are sponsored, facilitated, or coordinated by the public higher education institution;**

(c) **Any courtroom or associated offices when such offices are being used by a federal, state, or local judge for official business;**

(d) **Any patient care area, hospital, or patient care office, including those in which mental health services are provided;**

(e) **Any National Collegiate Athletic Association sporting event, any other event with more than five thousand seats, or any event that is a ticketed event. Such ticket shall be used as notice to the attendee with the words "Firearms Prohibited" written on the ticket;**

(f) **Any board meeting or meeting in which disciplinary, grievance, tenure, or academic promotion proceedings are taking place;**

(g) **Animal-research facilities and other animal-care and animal-use locations in which protocols regulating ingress and egress create a risk that a concealed firearm will accidentally discharge, be contaminated, or be separated from a concealed carry license holder.**

Possession of a firearm in a vehicle on the premises of any public higher education institution shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any **private** higher education institution or elementary or secondary school facility without the consent of the governing body of the **private** higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any **private** higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(11)] (12) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

[(12)] (13) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(13)] (14) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(14)] (15) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(15)] (16) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may

prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

[(16)] (17) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(17)] (18) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to [(17)] (18) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

3. No private or public higher education institution shall compile or distribute to an entity, including itself, identifying information of concealed carry permit or endorsement holders.

4. All signage posted on a public higher education institution prohibiting the carrying of concealed firearms in prohibited places shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in this section as a prohibited area, unless the building or premises is a private residence. Signage shall be of a uniform design as established and shall be four inches by six inches in size. Such signage shall be window cling or other material to be placed on external doors with the following:

- (1) A white background;
- (2) No text or marking within the one-inch area surrounding the graphic design;
- (3) A depiction of a handgun in black ink with a circle around and diagonal slash across the firearm in red ink; and
- (4) The image shall be four inches in diameter.

5. Except as provided by subsection 6 of this section, no public higher education institution shall be authorized or enabled to impose by rule, policy, ordinance, contractual requirement, or agreement of any type any prohibition on the lawful possession or carry of concealed firearms by full-time university employees as a condition of employment or other affiliation with such public higher education institution.

6. (1) Notwithstanding any other provision of law, a public higher education institution shall be allowed to adopt rules and policies regarding the possession of concealed firearms on its premises, subject to the limits set forth in this subsection. Such rules and policies may restrict the possession of concealed firearms on campus as expressly provided in subdivisions (2) to (4) of this subsection; any additional restrictions shall not conflict with subdivisions (5) and (6) of this subsection and shall be based on specific, enhanced safety considerations demonstrated by the public higher education institution, subject to de novo judicial review under

section 536.050, appertaining to the conduct being regulated. Adopted rules and policies shall be published on the public higher education institution’s website where other collected rules and regulations are posted.

(2) A public higher education institution may establish a rule that all counselors, staff, and volunteers who work in a campus program for minors, as defined by the public higher education institution rules regarding programs for minors, be required as a condition of their participation to agree not to carry a concealed firearm on the grounds or premises where the actual program is conducted.

(3) A public higher education institution may establish a rule that prohibits possession of a concealed firearm on campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of concealed firearms on the premises.

(4) Other than those locations described in subdivision (10) of this section or subdivision (3) of this subsection, rules and policies adopted under this subsection shall not prohibit or limit, or have the effect of prohibiting or limiting:

- (a) The possession or storage of a concealed firearm; or
- (b) The firearm condition or readiness of a firearm when carried concealed.

(5) Rules and policies adopted under this subsection shall not prohibit and shall not have the effect of prohibiting, lawful possession or storage of a firearm in a vehicle on the premises of a public higher education institution.

(6) Rules and policies adopted under this subsection shall not restrict the type of firearm that may be carried concealed at such institution.

(7) Rules and policies adopted under this subsection shall not limit or interpret the rights afforded employees under subsection 6 of section 571.030.

7. A public higher education institution shall not impose any taxes, fees, or other monetary charges as a condition for the lawful possession or carry of concealed firearms. If a private person seeks the return of a firearm in the possession of a public higher education institution that such person is entitled to possess, the public higher education institution shall make it available for return within two days following written demand for such firearm.

8. Any person aggrieved by a deprivation of, or a threatened deprivation of, a concealed firearm or ammunition at a public higher education institution in violation of this section, or aggrieved by a denial of, or a threatened denial of, access to any portion of a public higher education in violation of this section, may, in addition to any other remedy available, maintain a claim in small claims court. The court shall have the authority to award equitable relief to such aggrieved person in addition to any other remedy available in such court. Entitlement to a remedy shall not depend on the extent to which the person responsible for the deprivation or denial was aware that the deprivation or denial was a violation."; and

Further amend said bill, Page 41, Section B, Line 6, by inserting after said section and line the following:

"Section C. The repeal and reenactment of section 571.107 of this act shall become effective on January 1, 2017"; 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: 088

Anderson	Andrews	Austin	Bahr	Barnes
Basye	Bernskoetter	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Franklin	Frederick	Hansen	Hicks	Higdon
Hill	Hoskins	Houghton	Hurst	Johnson

Justus	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Lynch
Marshall	Mathews	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pietzman	Pike	Pogue	Rehder
Reiboldt	Remole	Roden	Roeber	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	White	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 028

Adams	Anders	Arthur	Burns	Butler
Dunn	Ellington	Gardner	Green	Harris
Kendrick	Kratky	LaFaver	Lavender	McCann Beatty
McCreery	McGee	Meredith	Mitten	Morgan
Newman	Norr	Pace	Peters	Rizzo
Rowland 29	Runions	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 046

Alferman	Allen	Beard	Berry	Black
Carpenter	Colona	Conway 10	Corlew	Curtis
Dugger	Engler	Fraker	Gannon	Haahr
Haefner	Hinson	Hough	Hubbard	Hubrecht
Hummel	Jones	Kelley	Kirkton	Leara
Lichtenegger	Love	May	McDaniel	McDonald
McNeil	Mims	Montecillo	Moon	Nichols
Otto	Phillips	Pierson	Plocher	Redmon
Rhoads	Rone	Smith	Vescovo	Walton Gray
Wiemann				

VACANCIES: 001

On motion of Representative Taylor (139), **House Amendment No. 2** was adopted.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 656, Page , Section 571.230, Line 7, by inserting after all of said section and line the following:

"571.525. 1. Notwithstanding any provision of this chapter, chapter 577, or chapter 578 to the contrary, a person carrying a firearm concealed on or about his or her person who is lawfully in possession of a valid concealed carry permit or endorsement shall not be prohibited or impeded from accessing or using any publicly funded transportation system, including systems providing bus or train service, nor shall such person be harassed or detained for carrying a concealed firearm on the property of such systems.

2. Subsection 1 of this section shall not apply to:

(1) Any bus operated by or under contract with a public or private elementary, secondary, or vocational school or higher education institution unless the governing body of the higher education institution, school official, or the district school board has consented to the carrying of concealed firearms on the bus; or

(2) The property of any corporation that provides intercity passenger train service on railroads throughout the United States or any private partnership that the corporation engages in.

3. A person carrying a concealed firearm on a transportation system in accordance with this section shall not be prohibited from acting in self defense or defense of others, as authorized under chapter 563, while on the property of the transportation system.

577.703. 1. A person commits the offense of bus hijacking if he or she seizes or exercises control, by force or violence or threat of force or violence, of any bus. The offense of bus hijacking is a class B felony.

2. The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking is a class D felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. **Except as otherwise provided under section 571.525**, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his or her person or effects is guilty of the felony of "possession and concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; [nor shall the provisions of this subsection apply to]

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such bus; **or**

(3) **Persons carrying concealed firearms who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.525.**

577.712. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself or herself and state his or her business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. **Except as otherwise provided under section 571.525**, it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class D felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers.

578.305. 1. The offense of "bus hijacking" is defined as the seizure or exercise of control, by force or violence or threat of force or violence, of any bus within the jurisdiction of this state. Bus hijacking shall be a class B felony.

2. The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking shall be a class C felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. **Except as otherwise provided under section 571.525**, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his person or effects is guilty of the felony of "possession and concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus shall be a class C felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; [nor shall the provisions of this subsection apply to]

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, or his agent, or the lessee or bailee of such bus; **or**

(3) **Persons carrying concealed firearms who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.525.**

578.320. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself and state his business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. **Except as otherwise provided under section 571.525,** it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class C felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers."; and

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

Representative LaFaver 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 Bill No. 656, Page 1, Line 19, by inserting immediately after said line the following:

"4. The provisions of this section shall not apply to any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, 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, or county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants."; and

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

Representative LaFaver moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated.

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

Speaker Richardson resumed the Chair.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 656, Page 3, Section 57.281, Line 33, by inserting after all of said section and line the following:

"105.241. Any peace officer licensed under chapter 590 and employed by any city, county, or political subdivision of the state shall have the right to carry a firearm at all times."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 656, Page 41, Section 571.230, Line 7, by inserting after all of said section and line the following:

"571.500. **1.** No state agency or department, or contractor or agent working for the state, shall construct, enable by providing or sharing records to, maintain, participate in, or develop, or cooperate with or enable the state or federal government in developing a database or record of the number or type of firearms, ammunition, [or] firearms accessories that an individual possesses, **gun owners, or concealed carry permit holders or applicants.**

2. Any person whose name is placed into a database described in this section shall have a cause of action against the state agency and any persons involved in the creation or maintenance of such database. For any such cause of action, sovereign immunity is waived up to ten million dollars and official immunity is waived without limitation.

3. In addition to actual and compensatory damages, any person bringing such cause of action may recover punitive damages and shall, at a minimum, recover damages of one thousand dollars per person."; and

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

Representative McGaugh offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 656, Page 1, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"per person.

4. Any person who is found to have violated the provisions of this section during the course of a cause of action tried under subsections 2 or 3 of this section shall have his or her employment terminated and his or her pension shall be forfeited."; and"; and

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

On motion of Representative McGaugh, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote, the ayes and noes having been demanded by Representative Mitten:

3062 *Journal of the House*

AYES: 092

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Bernskoetter	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Eggleston	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Hansen	Harris	Hicks	Hill
Hoskins	Houghton	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Love	Lynch	Marshall	Mathews	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Parkinson	Pfautsch	Pietzman	Pike
Plocher	Pogue	Rehder	Reiboldt	Remole
Roden	Roeber	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	Webber	White	Wiemann	Wood
Zerr	Mr. Speaker			

NOES: 034

Adams	Anders	Arthur	Barnes	Butler
Carpenter	Colona	Conway 104	Curtis	Dunn
Ellington	Flanigan	Gardner	Green	Higdon
Hinson	Kendrick	Kirkton	Kratky	Lavender
Leara	McCann Beatty	McCreery	McGee	Mitten
Morgan	Newman	Nichols	Norr	Pace
Peters	Rizzo	Runions	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 036

Allen	Beard	Berry	Black	Bondon
Burns	Conway 10	Corlew	Dugger	Engler
Haahr	Haefner	Hough	Hubbard	Hubrecht
Hummel	LaFaver	Lichtenegger	May	McDaniel
McDonald	McNeil	Meredith	Mims	Montecillo
Moon	Otto	Phillips	Pierson	Redmon
Rhoads	Rone	Rowland 29	Smith	Vescovo
Walton Gray				

VACANCIES: 001

On motion of Representative Ross, **House Amendment No. 5, as amended**, was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bernskoetter	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Eggleston

English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Hansen	Hicks	Higdon	Hill	Hoskins
Houghton	Hurst	Johnson	Justus	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	Mathews	McCaherty	McGaugh
Messenger	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pike	Plocher	Pogue	Rehder
Reiboldt	Remole	Roden	Roeber	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 026

Adams	Anders	Arthur	Butler	Colona
Dunn	Ellington	Gardner	Green	Harris
Kendrick	Kirkton	Kratky	LaFaver	Lavender
McCann Beatty	McCreery	Mitten	Newman	Nichols
Norr	Pace	Peters	Rizzo	Runions
Webber				

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 041

Allen	Beard	Berry	Black	Burns
Carpenter	Conway 10	Corlew	Dugger	Engler
Haahr	Haefner	Hinson	Hough	Hubbard
Hubrecht	Hummel	Jones	Lichtenegger	May
McDaniel	McDonald	McGee	McNeil	Meredith
Miller	Mims	Montecillo	Moon	Morgan
Otto	Phillips	Pierson	Pietzman	Redmon
Rhoads	Rone	Rowland 29	Smith	Vescovo
Walton Gray				

VACANCIES: 001

On motion of Representative Burlison, **HCS SB 656, as amended**, was adopted.

On motion of Representative Burlison, **HCS SB 656, as amended**, was read the third time and passed by the following vote:

AYES: 101

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bernskoetter	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Haahr
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hurst

3064 *Journal of the House*

Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	Mathews	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pietzman	Pike	Plocher	Pogue
Rehder	Reiboldt	Remole	Roden	Roeber
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Walker	Webber
White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 028

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	Gardner
Green	Kendrick	Kirkton	Kratky	LaFaver
Lavender	McCann Beatty	McCreery	McGee	Mitten
Morgan	Newman	Nichols	Norr	Pace
Peters	Rizzo	Runions		

PRESENT: 000

ABSENT WITH LEAVE: 033

Allen	Beard	Berry	Black	Burns
Conway 10	Corlew	Dugger	Engler	Flanigan
Haefner	Hubbard	Hubrecht	Hummel	Lichtenegger
May	McDaniel	McDonald	McNeil	Meredith
Mims	Montecillo	Moon	Otto	Phillips
Pierson	Redmon	Rhoads	Rone	Rowland 29
Smith	Vescovo	Walton Gray		

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 104

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Bernskoetter	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Eggleston	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	Mathews
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Pfautsch	Pietzman
Pike	Plocher	Pogue	Rehder	Reiboldt
Remole	Roden	Roeber	Ross	Rowden

Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 024

Adams	Anders	Arthur	Butler	Carpenter
Colona	Dunn	Ellington	Gardner	Kirkton
LaFaver	Lavender	McCann Beatty	McCreery	McGee
Mitten	Morgan	Newman	Nichols	Norr
Pace	Peters	Rizzo	Runions	

PRESENT: 001

Green

ABSENT WITH LEAVE: 033

Allen	Beard	Berry	Black	Burns
Conway 10	Corlew	Dugger	Engler	Haahr
Haefner	Hubbard	Hubrecht	Hummel	Lichtenegger
May	McDaniel	McDonald	McNeil	Meredith
Mims	Montecillo	Moon	Otto	Phillips
Pierson	Redmon	Rhoads	Rone	Rowland 29
Smith	Vescovo	Walton Gray		

VACANCIES: 001

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#2 SCS HCS HB 1432** entitled:

An act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1582** entitled:

An act to repeal sections 143.221 and 143.591, RSMo, and to enact in lieu thereof two new sections relating to withholding tax returns.

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 refuses to concur in **HCS SCS SB 823, 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 625, 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 864, 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 **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, and House Amendment No. 10 to SCS SB 638** 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 SCS SB 973, 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 conferees are allowed to exceed the differences on **HCS SB 635, as amended**, in Section 167.950.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS for SB 665, as amended**, and has taken up and passed **HCS SB 665, as amended**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

SS#2 SCS HCS HB 1432 - Fiscal Review

SCS HB 1582 - Fiscal Review

BILLS CARRYING REQUEST MESSAGES

SCS SB 638, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, and House Amendment No. 10, relating to civics education, was taken up by Representative Swan.

Representative Swan moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, and House Amendment No. 10 to SCS SB 638**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 973, as amended, relating to dispensing maintenance medication, was taken up by Representative Jones.

Representative Jones moved that the House refuse to recede from its position on **HCS SCS SB 973, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 864, as amended, relating to the dispensing of medication, was taken up by Representative Morris.

Representative Morris moved that the House refuse to recede from its position on **HCS SB 864, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 823, as amended, relating to sales tax, was taken up by Representative Zerr.

Representative Zerr moved that the House refuse to recede from its position on **HCS SCS SB 823, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 578, as amended, relating to insolvency, was taken up by Representative Jones.

Representative Jones moved that the House refuse to recede from its position on **HCS SCS SB 578, as amended**, and grant the Senate a conference, and the conferees be allowed to exceed the differences.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 578: Representatives Jones, Mathews, Miller, Mitten, and Colona

SCS SB 638: Representatives Swan, Rowland (155), Haahr, LaFaver, and Montecillo

HCS SCS SB 823: Representatives Zerr, Burlison, McGaugh, Butler, and Carpenter

HCS SB 864: Representatives Morris, Engler, White, Rizzo, and Kirkton

HCS SCS SB 973: Representatives Jones, Cornejo, Rone, LaFaver, and Lavender

BILLS IN CONFERENCE

HCS SB 635, as amended, relating to health care, was taken up by Representative Cornejo.

Representative Cornejo moved that the House conferees be allowed to exceed the differences on Section 167.950 in **HCS SB 635, as amended**.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Civil and Criminal Proceedings, Chairman McGaugh reporting:

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **SCS SBs 588, 603 & 942**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1 to House Committee Amendment No. 1 and House Committee Amendment No. 1, as amended**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

House Committee Amendment No. 1
to
House Committee Amendment No. 1

AMEND House Committee Amendment No. 1 to Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 1, Line 5, by inserting the following:

"Further amend said bill, section, page and line, by inserting immediately after the number "**389.653**," on said line the following:

"**455.085, 455.538**,"; and "; and

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

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 3, Section 610.140, Line 50, by inserting immediately after the number "**221.111**," the following:

"**375.991**,"; and

Further amend said bill, page and section, Line 52, by inserting immediately after the number "**569.050**," the following:

"**569.055, 569.060, 569.065, 569.067**,"; and

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

"6. A petition to expunge records related to a finding of guilt for an eligible offense listed, or previously listed, in section 569.100, subsection 2, 3, or 4 of section 570.030, section 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310, 574.105, or 575.040 may be made to the court where the petitioner was found guilty no earlier than ten years from the date the petitioner completed any authorized disposition

imposed under section 557.011 for each offense listed in the petition, provided that during such time the petitioner has not been found guilty of any other misdemeanor or felony offense. A person is not eligible to have his or her records expunged unless all obligations related to any such disposition have been satisfied, including the payment of any fines or restitution, and the person does not have any charges pending."; and

Further amend said bill, Pages 3-7, by renumbering remaining subsections accordingly; and

Further amend said bill and section, Pages 6-7, Lines 182-194, by deleting all of said lines and inserting in lieu thereof the following:

"subsequent offense that the person is found guilty of committing.]" and

Further amend said bill and section, Page 7, Line 218, by inserting after all of said line the following:

"14. A person who has been granted an expungement of records pertaining to an infraction, ordinance violation, or misdemeanor or felony offense may answer "no" to an employer's inquiry into whether the person has ever been convicted of a crime if, after the granting of the expungement, the person has no public record of an infraction, ordinance violation, misdemeanor or felony. The person, however, shall answer such an inquiry affirmatively and disclose his or her criminal convictions, including any offense or violation expunged under this section or similar law if the employer is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

15. Nothing in this section shall be construed to limit or impair in any way the subsequent use of any expunged record of any arrests or findings of guilt by a law enforcement agency, criminal justice agency, or prosecuting or circuit attorney, including its use as a prior offense." and

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

Mr. Speaker: Your Committee on Civil and Criminal Proceedings, to which was referred **SS SCS SB 663**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1, House Committee Amendment No. 2, House Committee Amendment No. 3, House Committee Amendment No. 4, House Committee Amendment No. 1 to House Committee Amendment No. 5, House Committee Amendment No. 5, as amended, House Committee Amendment No. 6, House Committee Amendment No. 7, House Committee Amendment No. 8, House Committee Amendment No. 9, House Committee Amendment No. 10, House Committee Amendment No. 11, and House Committee Amendment No. 12**, and pursuant to Rule 27(9) be referred to the Select Committee on Judiciary.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Sections 217.722, 537.570, 541.033, 542.296, 544.250, 545.400, 545.490, 562.014, 563.031, 569.140, 570.010, 570.030 in the first occurrence, 570.030 in the second occurrence, 577.685, 589.800, and 650.055, by deleting all of said sections from the bill; and

Further amend said bill, Page 140, Section B, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

"571.072, and 632.520, and the repeal and reenactment of the first occurrence of section 563.046 of this act shall become effective on January 1, 2017."; and

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

House Committee Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 69, Section 565.032, Line 73, by deleting the semicolon ";" on said line and inserting in lieu thereof a period "."; and

Further amend said bill, section and page, Lines 74-77, by deleting all of said lines; and

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

House Committee Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 31, Section 301.559, Line 66, by inserting after all of said section and line the following:

*"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, except as provided under subdivision (8) of this subsection. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol- or drug-treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator,

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of subdivision (6) of this subsection if such person has a license denial under paragraph (a) or (b) of subdivision (8) of this subsection or on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license revocation under subdivision (2) of subsection 2 of section 302.525, or section 302.574 or 577.041, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving

privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have a photo identification technology feature, and a court may require a global positioning system feature for such device.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege whose license at the time of application has been suspended or revoked for the following reasons:

(a) A conviction of any felony in the commission of which a motor vehicle was used and such conviction occurred within the five-year period prior to the date of application. However, any felony conviction for leaving the scene of an accident under section 577.060 shall not render the applicant ineligible for a limited driving privilege under this section;

(b) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), or (10) of subsection 1 of section 302.060; or

(c) Due to a suspension pursuant to subdivision (8) or (10) of subsection 1 of section 302.302 or subsection 2 of section 302.525.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of acting with criminal negligence while driving while intoxicated to cause the death of another person, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified

ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007, or a **veterans treatment court established under section 478.008**, may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out 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, 2001, shall be invalid and void.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, except as provided under subdivision (8) of this subsection. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator,

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8)

of this subsection, or a license revocation under paragraph (g) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege whose license at the time of application has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of subsection 1 of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, unless such person has completed the first ninety days of such revocation and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;

(f) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007, **or a veterans treatment court established under section 478.008**, may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court, **or veterans treatment court**, shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out 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, 2001, shall be invalid and void."; and

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

House Committee Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 135, Section 610.100, Line 173, by inserting after all of said section and line the following:

"610.205. 1. Crime scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene that depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person's genitalia are exposed, may be designated closed by a law enforcement agency, provided, however, that this section shall not prohibit disclosure of such material to the deceased's next of kin or to an individual who has secured a written release from the next of kin. It shall be the responsibility of the next of kin to show proof of the familial relationship. For purposes of such access, the deceased's next of kin shall be:

- (1) **The spouse of the deceased if living;**
- (2) **If there is no living spouse of the deceased, an adult child of the deceased; or**
- (3) **If there is no living spouse or adult child, a parent of the deceased.**

2. Subject to the provisions of subsection 3 of this section, a circuit court judge may order the disclosure of such photographs or video recordings upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation

of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's next of kin at least two weeks' notice. No court shall order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement.

4. The provisions of this section shall apply to all undisclosed material, as described in subsection 1 of this section, which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a convicted defendant in a habeas corpus action, on a motion for new trial, or in a federal habeas corpus action under 28 U.S.C. Section 2254 or 2255 for the purpose of preparing to file or litigating such proceedings. Counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection.

6. The director of the department of public safety shall promulgate rules and regulations governing the viewing of materials described in subsection 1 of this section."; and

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

*House Committee Amendment No. 1
to
House Committee Amendment No. 5*

AMEND House Committee Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 2, Line 5, by deleting the word "**three**" and inserting in lieu thereof the word "**five**"; and

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

House Committee Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 51, Section 478.252, Line 65, by inserting after all of said section and line the following:

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

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

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

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

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof,

is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

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

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

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

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

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

House Committee Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 51, Section 478.252, Line 65, by inserting after all of said section and line the following:

"478.330. 1. When an annual judicial performance report submitted pursuant to section 477.405 indicates for three consecutive calendar years the need for two or more full-time judicial positions in any judicial circuit there shall be one additional circuit judge position authorized in such circuit, subject to appropriations made for that purpose.

2. Except in circuits where circuit judges are selected under the provisions of article V of sections 25(a) to 25(g) of the Missouri Constitution, the election of circuit judges authorized by this section shall be conducted in accordance with chapter 115.

478.705. 1. There shall be [two] **three** circuit judges in the twenty-sixth judicial circuit consisting of the counties of Camden, Laclede, Miller, Moniteau and Morgan. These judges shall sit in divisions numbered one [and], two, **and three**.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division one shall be elected in 1982. **The governor shall appoint a judge for division three and notwithstanding the provisions of section 105.030, that judge shall serve until January 1, 2021. A judge for division three shall be elected in 2020."**; and

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

House Committee Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 36, Section 327.272, Lines 55-59, by deleting all of said lines and inserting in lieu thereof the following:

"5. Nothing in this section shall be construed to preclude the practice of title insurance business or the business of title insurance as provided in chapter 381, or to preclude the practice of law or law business as governed by the Missouri supreme court and as provided in chapter 484."; and

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

House Committee Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Pages 21-22, Section 217.151, Lines 1-51, by deleting all of said section and lines and inserting in lieu thereof the following:

"217.151. 1. This section shall be known and may be cited as the Pregnant Offender Transportation, Evaluation, and Correctional Treatment Act, or the ProTECT Act.

2. For purposes of this section, "extraordinary circumstances" exist when a chief administrative officer or their designee makes a determination that restraints are necessary to prevent a pregnant or postpartum offender from escaping or seriously injuring herself, her unborn or newborn child, medical or correctional personnel, or others. For purposes of this section, "postpartum" is the period of recovery immediately following childbirth, which is six weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by a physician or nurse.

3. The department shall establish by rule under section 217.040, policies and procedures for the transportation, evaluation, and treatment of pregnant and postpartum offenders consistent with the statutes of this state. The department shall consult with physicians, nursing, correctional, and other professional organizations in establishing such rules. Such rules shall include, but need not be limited to:

(1) Any time restraints are used on a pregnant offender during the second or third trimester or on a postpartum offender for forty-eight hours post-delivery, the restraints shall be the least restrictive available and the most reasonable under the circumstances. If wrist restraints are used on a pregnant offender, they shall be applied in the front so she is able to protect herself and her unborn child in the event of a forward fall. In no case shall leg, ankle, or waist restraints be used during examination and tests for symptoms of preterm labor, during labor and delivery, or during immediate post-delivery recuperation;

(2) Except in extraordinary circumstances, no restraints of any kind shall be used on offenders during the second or third trimester of pregnancy or for forty-eight hours post-delivery, whether during transportation to and from visits to health care providers outside of the correctional center, court proceedings, or other places, or during labor and delivery;

(3) Pregnant and postpartum offenders shall be transported to and from visits to health care providers outside of the correctional center, court proceedings, or other places in vehicles with seatbelts;

(4) If a doctor, nurse, or other health care provider treating a pregnant or postpartum offender requests that restraints not be used, the corrections officer accompanying the pregnant or postpartum offender shall immediately remove all restraints, unless there are extraordinary circumstances;

(5) Upon intake, a pregnant or postpartum offender shall be evaluated and treated for:

(a) Overall maternal health, and if necessary, provided dietary supplements for pregnant and breastfeeding offenders. Readily available and regularly scheduled obstetric care, beginning in early pregnancy and continuing through the postpartum period, shall be provided. The department shall, with the assistance of the department of social services and consent of the pregnant offender, consider enrolling an unborn child in the show-me healthy babies program under section 208.662;

(b) Substance abuse, and provided treatment, including, if necessary, provided opioid-assisted therapy for offenders who are opioid-dependent;

(c) Infection with human immunodeficiency virus (HIV), and if HIV positive, provided treatment for maternal health and to prevent perinatal HIV transmission; and

(d) Depression or mental stress during pregnancy and for postpartum depression after delivery, and provided treatment as needed; and

(6) Required activities with a high risk of falling shall be avoided. Pregnant and postpartum offenders shall be given a bottom bunk during pregnancy and the postpartum period.

4. In the event a chief administrative officer or their designee determines that extraordinary circumstances exist and restraints are used, the chief administrative officer or their designee shall fully document in writing within seven days of the incident the reasons he or she determined such extraordinary circumstances existed, the kind of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances.

5. The sentencing and corrections oversight commission established under section 217.147, and the advisory committee established under section 217.015, shall conduct biannual reviews of every report written on the use of restraints on a pregnant or postpartum offender in accordance with subsection 4 of this section

to determine compliance with this section. The written reports shall be kept on file by the department for five years.

6. The chief administrative officer of each correctional center that houses pregnant and postpartum offenders shall:

(1) Ensure the employees of the correctional center who come in contact with pregnant or postpartum offenders are provided with training, which may include online training, on the provisions of this section; and

(2) Inform female offenders of the policies and procedures developed in accordance with this section upon admission to the correctional center, including the policies and procedures in the offender handbook, and post the policies and procedures in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities."; and

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

House Committee Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 4, Section A, Line 60, by inserting after all of said section and line the following:

"43.545. The state highway patrol shall include [in its voluntary system of reporting for compilation in the "Crime in Missouri"] all reported incidents of domestic violence as defined in section 455.010, whether or not an arrest is made, **in its system of reporting for compilation in the annual crime report published under section 43.505.** All incidents shall be reported on forms provided by the highway patrol and in a manner prescribed by the patrol."; and

Further amend said bill and page, Section 57.111, Line 10, by inserting after all of said section and line the following:

"173.2050. 1. The governing board of each public institution of higher education in this state shall engage in discussions with law enforcement agencies with jurisdiction over the premises of an institution to develop and enter into a memorandum of understanding concerning sexual assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

2. The memorandum of understanding shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional practices. At a minimum, the memorandum shall set out procedural requirements for the reporting of an offense, protocol for establishing who has jurisdiction over an offense, and criteria for determining when an offense is to be reported to law enforcement.

3. The department of public safety in cooperation with the department of higher education shall promulgate rules and regulations to facilitate the implementation 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, 2016, shall be invalid and void."; and

Further amend said bill, Page 45, Section 455.095, Line 112, by inserting after all of said section and line the following:

"455.543. 1. In any incident investigated by a law enforcement agency involving a homicide or suicide, the law enforcement agency shall make a determination as to whether the homicide or suicide is related to domestic violence.

2. In making such determination, the local law enforcement agency may consider a number of factors including, but not limited to, the following:

- (1) If the relationship between the perpetrator and the victim is or was that of a family or household member;
- (2) Whether the victim or perpetrator had previously filed for an order of protection;
- (3) Whether any of the subjects involved in the incident had previously been investigated for incidents of domestic violence; and
- (4) Any other evidence regarding the homicide or suicide that assists the agency in making its determination.

3. After making a determination as to whether the homicide or suicide is related to domestic violence, the law enforcement agency shall forward the information required [within fifteen days] to the Missouri state highway patrol on a form or format approved by the patrol. The required information shall include the gender and age of the victim, the type of incident investigated, the disposition of the incident and the relationship of the victim to the perpetrator. The state highway patrol shall develop a form for this purpose which shall be distributed by the department of public safety to all law enforcement agencies by October 1, 2000. [Completed forms shall be forwarded to the highway patrol without undue delay as required by section 43.500; except that all such reports shall be forwarded no later than seven days after an incident is determined or identified as a homicide or suicide involving domestic violence.]

455.545. The highway patrol shall compile an annual report of homicides and suicides related to domestic violence. Such report shall be presented by [February] **March** first of the subsequent year to the governor, speaker of the house of representatives, and president pro tempore of the senate."; and

Further amend said bill, Page 124, Section 589.800, Line 66, by inserting after all of said section and line the following:

"595.209. 1. The following rights shall automatically be afforded to victims of dangerous felonies, as defined in section 556.061, victims of murder in the first degree, as defined in section 565.020, victims of voluntary manslaughter, as defined in section 565.023, [and] **victims of any offense under chapter 566**, victims of an attempt to commit one of the preceding crimes, as defined in section 564.011, **and victims of domestic assault, as defined in sections 565.072 to 565.074**; and, upon written request, the following rights shall be afforded to victims of all other crimes and witnesses of crimes:

- (1) For victims, the right to be present at all criminal justice proceedings at which the defendant has such right, including juvenile proceedings where the offense would have been a felony if committed by an adult, even if the victim is called to testify or may be called to testify as a witness in the case;
- (2) For victims, the right to information about the crime, as provided for in subdivision (5) of this subsection;
- (3) For victims and witnesses, to be informed, in a timely manner, by the prosecutor's office of the filing of charges, preliminary hearing dates, trial dates, continuances and the final disposition of the case. Final disposition information shall be provided within five days;
- (4) For victims, the right to confer with and to be informed by the prosecutor regarding bail hearings, guilty pleas, pleas under chapter 552 or its successors, hearings, sentencing and probation revocation hearings and the right to be heard at such hearings, including juvenile proceedings, unless in the determination of the court the interests of justice require otherwise;
- (5) The right to be informed by local law enforcement agencies, the appropriate juvenile authorities or the custodial authority of the following:
 - (a) The status of any case concerning a crime against the victim, including juvenile offenses;
 - (b) The right to be informed by local law enforcement agencies or the appropriate juvenile authorities of the availability of victim compensation assistance, assistance in obtaining documentation of the victim's losses, including, but not limited to and subject to existing law concerning protected information or closed records, access to copies of complete, unaltered, unedited investigation reports of motor vehicle, pedestrian, and other similar accidents upon request to the appropriate law enforcement agency by the victim or the victim's representative, and emergency crisis intervention services available in the community;
 - (c) Any release of such person on bond or for any other reason;
 - (d) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;
- (6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement,

video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings, the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, and the right to have, upon written request of the victim, a partition set up in the probation or parole hearing room in such a way that the victim is shielded from the view of the probationer or parolee, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of personal appearance;

(7) For victims and witnesses, upon their written request, the right to be informed by the appropriate custodial authority, including any municipal detention facility, juvenile detention facility, county jail, correctional facility operated by the department of corrections, mental health facility, division of youth services or agency thereof if the offense would have been a felony if committed by an adult, postconviction or commitment pursuant to the provisions of chapter 552 of the following:

- (a) The projected date of such person's release from confinement;
- (b) Any release of such person on bond;
- (c) Any release of such person on furlough, work release, trial release, electronic monitoring program, or to a community correctional facility or program or release for any other reason, in advance of such release;
- (d) Any scheduled parole or release hearings, including hearings under section 217.362, regarding such person and any changes in the scheduling of such hearings. No such hearing shall be conducted without thirty days' advance notice;
- (e) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;
- (f) Any decision by a parole board, by a juvenile releasing authority or by a circuit court presiding over releases pursuant to the provisions of chapter 552, or by a circuit court presiding over releases under section 217.362, to release such person or any decision by the governor to commute the sentence of such person or pardon such person;

(g) Notification within thirty days of the death of such person;

(8) For witnesses who have been summoned by the prosecuting attorney and for victims, to be notified by the prosecuting attorney in a timely manner when a court proceeding will not go on as scheduled;

(9) For victims and witnesses, the right to reasonable protection from the defendant or any person acting on behalf of the defendant from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(10) For victims and witnesses, on charged cases or submitted cases where no charge decision has yet been made, to be informed by the prosecuting attorney of the status of the case and of the availability of victim compensation assistance and of financial assistance and emergency and crisis intervention services available within the community and information relative to applying for such assistance or services, and of any final decision by the prosecuting attorney not to file charges;

(11) For victims, to be informed by the prosecuting attorney of the right to restitution which shall be enforceable in the same manner as any other cause of action as otherwise provided by law;

(12) For victims and witnesses, to be informed by the court and the prosecuting attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(13) When a victim's property is no longer needed for evidentiary reasons or needs to be retained pending an appeal, the prosecuting attorney or any law enforcement agency having possession of the property shall, upon request of the victim, return such property to the victim within five working days unless the property is contraband or subject to forfeiture proceedings, or provide written explanation of the reason why such property shall not be returned;

(14) An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or for participating in the preparation of a criminal proceeding, or require any witness, victim, or member of a victim's immediate family to use vacation time, personal time, or sick leave for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or participating in the preparation of a criminal proceeding;

(15) For victims, to be provided with creditor intercession services by the prosecuting attorney if the victim is unable, as a result of the crime, temporarily to meet financial obligations;

(16) For victims and witnesses, the right to speedy disposition of their cases, and for victims, the right to speedy appellate review of their cases, provided that nothing in this subdivision shall prevent the defendant from having sufficient time to prepare such defendant's defense. The attorney general shall provide victims, upon their written request, case status information throughout the appellate process of their cases. The provisions of this subdivision shall apply only to proceedings involving the particular case to which the person is a victim or witness;

(17) For victims and witnesses, to be provided by the court, a secure waiting area during court proceedings and to receive notification of the date, time and location of any hearing conducted by the court for reconsideration of any sentence imposed, modification of such sentence or recall and release of any defendant from incarceration;

(18) For victims, the right to receive upon request from the department of corrections a photograph taken of the defendant prior to release from incarceration.

2. The provisions of subsection 1 of this section shall not be construed to imply any victim who is incarcerated by the department of corrections or any local law enforcement agency has a right to be released to attend any hearing or that the department of corrections or the local law enforcement agency has any duty to transport such incarcerated victim to any hearing.

3. Those persons entitled to notice of events pursuant to the provisions of subsection 1 of this section shall provide the appropriate person or agency with their current addresses and telephone numbers or the addresses or telephone numbers at which they wish notification to be given.

4. Notification by the appropriate person or agency utilizing the statewide automated crime victim notification system as established in section 650.310 shall constitute compliance with the victim notification requirement of this section. If notification utilizing the statewide automated crime victim notification system cannot be used, then written notification shall be sent by certified mail to the most current address provided by the victim.

5. Victims' rights as established in Section 32 of Article I of the Missouri Constitution or the laws of this state pertaining to the rights of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer."; and

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

House Committee Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 31, Section 301.559, Line 66, by inserting after all of said section and line the following:

"302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.** These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns an

entity that owns an employer-owned vehicle, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.

302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. Until January 1, 2002, the presiding judge of the circuit court may assign a traffic judge, pursuant to section 479.500, RSMo 1994, a circuit judge or an associate circuit judge to hear such petition. After January 1, 2002, pursuant to local court rule pursuant to article V, section 15 of the Missouri Constitution, the case may be assigned to a circuit judge or an associate circuit judge, or to a traffic judge pursuant to section 479.500.

2. The filing of a petition for trial de novo shall [not] result in a stay of the suspension or revocation order **and the department shall issue a temporary driving permit which shall be valid until a final order is issued following the date of the disposition of the petition for a trial de novo.** [A restricted driving privilege as defined in section 302.010 shall be issued in accordance with subsection 2 of section 302.525, if the person's driving record shows no prior alcohol-related enforcement contact during the immediately preceding five years. Such restricted driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the restricted driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege as defined in section 302.010. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license.]; and

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

House Committee Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Pages 62-63, Section 563.031, Lines 1-46, by deleting all of said section and lines and inserting in lieu thereof the following:

"563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual, **or is occupied by an individual who has been given specific authority by the property owner to occupy the property**, claiming a justification of using protective force under this section.

3. A person does not have a duty to retreat from a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual.

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force."; and

Further amend said bill, Section 571.030, Pages 90-96, Lines 1-196, by deleting all of said section and lines and inserting in lieu thereof the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 195.202.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any **municipal or county** prosecuting attorney or assistant prosecuting attorney[.]; circuit attorney or assistant circuit attorney[.]; **municipal, associate circuit, or circuit judge**; or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111;

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district chief who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope

of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

7. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

8. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

12. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

13. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or

otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

Further amend said bill, Page 98, Section 571.072, Line 33, by inserting after all of said section and line the following:

"571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry permit:

- (1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or
- (2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or
- (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or
- (4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or
- (5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or
- (6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her, that includes instruction on the justifiable use of force as prescribed in chapter 563; or
- (7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

- (1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;
- (2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload either a revolver or a semiautomatic pistol and demonstrated his or her marksmanship with either firearm;
- (3) The basic principles of marksmanship;
- (4) Care and cleaning of concealable firearms;
- (5) Safe storage of firearms at home;
- (6) The requirements of this state for obtaining a concealed carry permit from the sheriff of the individual's county of residence;
- (7) The laws relating to firearms as prescribed in this chapter;
- (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
- (9) A live firing exercise of sufficient duration for each applicant to fire either a revolver or a semiautomatic pistol, from a standing position or its equivalent, a minimum of twenty rounds from the handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;
- (10) A live-fire test administered to the applicant while the instructor was present of twenty rounds from either a revolver or a semiautomatic pistol from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A certificate of firearms safety training course completion may also be issued to an applicant who presents proof to a qualified firearms safety instructor that the applicant has passed a regular or online course on firearm safety conducted by an instructor certified by the National Rifle Association that is at least one hour in length and who also passes the requirements of subdivisions (1), (2), (6), (7), (8), (9), and (10) of subsection 2 of this section in a course, not restricted by a period of hours, that is taught by a qualified firearms safety instructor.

4. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry permit who:

- (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or
- (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live-fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds.

[4.] 5. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry permit shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students per certified instructor in the classroom portion of the course or more than five students per range officer engaged in range firing.

[5.] 6. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a notarized certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a notarized certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

[6.] 7. Any firearms safety instructor qualified under subsection [5] 6 of this section may submit a copy of a training instructor certificate, course outline bearing the notarized signature of the instructor, and a recent photograph of the instructor to the sheriff of the county in which the instructor resides. The sheriff shall review the training instructor certificate along with the course outline and verify the firearms safety instructor is qualified and the course meets the requirements provided under this section. If the sheriff verifies the firearms safety instructor is qualified and the course meets the requirements provided under this section, the sheriff shall collect an annual registration fee of ten dollars from each qualified instructor who chooses to submit such information and submit the registration to the Missouri sheriff methamphetamine relief taskforce. The Missouri sheriff methamphetamine relief taskforce, or its designated agent, shall create and maintain a statewide database of qualified instructors. This information shall be a closed record except for access by any sheriff. Firearms safety instructors may register annually and the registration is only effective for the calendar year in which the instructor registered. Any sheriff may access the statewide database maintained by the Missouri sheriff methamphetamine relief taskforce to verify the firearms safety instructor is qualified and the course offered by the instructor meets the requirements provided under this section. Unless a sheriff has reason to believe otherwise, a sheriff shall presume a firearms safety instructor is qualified to provide firearms safety instruction in counties throughout the state under this section if the instructor is registered on the statewide database of qualified instructors.

[7.] 8. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor. A violation of the provisions of this section shall result in the person being prohibited from instructing concealed carry permit classes and issuing certificates."; and

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

House Committee Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 49, Section 478.252, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"478.252. 1. The sixth, seventh, sixteenth, and seventeenth judicial circuits may establish the"; and

Further amend said bill, section and page, Line 10, by deleting the phrase "**sections 571.030, 571.045,**" on said line and inserting in lieu thereof the following:

"section 571.030, except for subdivision (1) of subsection 1 of section 571.030; sections 571.045"; and

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

Committee on Emerging Issues, Chairman Haahr reporting:

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SS SB 612**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 612, Page 1, Section 577.685, Lines 3-10, by deleting all of said lines and inserting in lieu thereof the following:

"reasons listed under 8 U.S.C. Section 1326(b) and thereafter enters, attempts to enter, or is at any time found in this state unless such alien is otherwise permitted to enter the United States under federal law.
2. The offense of illegal reentry is a class E felony."; and

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

Mr. Speaker: Your Committee on Emerging Issues, to which was referred **SCS SBs 661, 726 & 741**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 27(7) be referred to the Select Committee on General Laws.

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill Nos. 661, 726 & 741, Pages 1 and 2, Section 537.570, Lines 1-14, by deleting all of said section and lines; and

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

Select Committee on Education, Chairman Lair reporting:

Mr. Speaker: Your Select Committee on Education, to which was referred **SB 873**, with **House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Education, to which was referred **SCS SB 904**, with **House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Financial Institutions and Taxation, Chairman Dugger reporting:

Mr. Speaker: Your Select Committee on Financial Institutions and Taxation, to which was referred **SCS SB 794**, with **House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Financial Institutions and Taxation, to which was referred **SB 1025**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Select Committee on General Laws, Chairman Jones reporting:

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SB 676**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SB 738**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SB 835, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SCS SB 836**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SS SB 937, with House Committee Amendment No. 1** and **House Committee Amendment No. 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Select Committee on Judiciary, Chairman Cornejo reporting:

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SB 577, with House Committee Amendment No. 1, House Committee Amendment No. 2** and **House Committee Amendment No. 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SS SCS SB 986**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

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

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SB 869, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

HB 2795 - Select Committee on Budget

REFERRAL OF SENATE BILLS

The following Senate Bill was referred to the Committee indicated:

SB 1025 - Fiscal Review

MESSAGE FROM THE GOVERNOR

May 5, 2016

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
98th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

On May 5, 2016 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010**.

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 865 & 866**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment Nos. 6, 7, 8, and 9, 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 House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Mike Cunningham
/s/ Mike Parson
/s/ Scott Sifton
/s/ Jill Schupp

FOR THE HOUSE:

/s/ Kevin Engler
/s/ Lynn Morris
/s/ John Wiemann
/s/ Margo McNeil
/s/ Kip Kendrick

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Report was referred to the Committee indicated:

CCR HCS SS SCS SBs 865 & 866 - Fiscal Review

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 9:00 a.m., Friday, May 6, 2016.

COMMITTEE HEARINGS

FISCAL REVIEW

Monday, May 9, 2016, 1:00 PM, House Hearing Room 4.

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

CORRECTED

FISCAL REVIEW

Wednesday, May 11, 2016, 9:15 AM, South Gallery.

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

FISCAL REVIEW

Thursday, May 12, 2016, 9:15 AM, South Gallery.

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

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Monday, May 9, 2016, 2:00 PM, House Hearing Room 5.

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

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

CANCELLED

SELECT COMMITTEE ON GENERAL LAWS

Monday, May 9, 2016, Upon Adjournment, South Gallery.

Executive session will be held: SS SB 612, SCS SBs 661, 726 & 741

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

SELECT COMMITTEE ON SOCIAL SERVICES

Monday, May 9, 2016, 1:15 PM, House Hearing Room 4.

Executive session will be held: SS SB 619, SS SCS SB 801

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

CORRECTED

SELECT COMMITTEE ON STATE AND LOCAL GOVERNMENTS

Monday, May 9, 2016, 12:00 PM, House Hearing Room 1.

Executive session will be held: SS SB 623, SS SB 659, SB 899, SB 1139

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

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, May 9, 2016, 12:00 PM, House Hearing Room 3.

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

Discussion of diversity inclusion in Capitol improvement projects as well as a discussion of the report that has been compiled by the Attorney General's office on racial profiling during traffic stops.

CORRECTED

WAYS AND MEANS

Monday, May 30, 2016, 2:30 PM, House Hearing Room 2.

Executive session will be held: SB 1025

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

CANCELLED

HOUSE CALENDAR

SIXTY-SIXTH DAY, FRIDAY, MAY 6, 2016

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 56 - Burlison

HJR 59 - Lauer

HJR 88 - Kidd

HJR 60 - Kelley

HOUSE BILLS FOR PERFECTION

HCS HB 1995 - Cornejo

HB 1396 - McCreery

HB 1389 - King

HB 2322 - Rowden

HB 1965 - Zerr

HB 2243 - Cornejo

HCS HB 2388, with HA 1, pending - Fitzwater (144)

HCS HBs 2565 & 2564 - Montecillo

HB 2575 - Montecillo

HCS HB 2399 - Colona

HCS HB 1578 - Higdon

HB 2448 - Conway (010)

HCS HB 1866 - Hubrecht

HB 1831 - McGaugh

HCS HB 2367 - McGaugh

HB 2271 - Entlicher

HCS HB 2472 - Franklin

HB 2042 - Curtman

HB 1755 - Bahr

HB 1685 - Fitzwater (49)

HB 1792 - Lauer

HB 1731 - Reiboldt

HCS HB 2344 - Wilson

HCS HB 2269 - Frederick

HCS HB 2078 - Fraker

HCS HB 1566 - Davis

HCS HB 1617 - McCaherty

HCS HB 1732 - Davis
HCS HB 1927 - Redmon
HB 2043 - Swan
HB 2464 - Davis
HCS HB 2515 - Engler
HB 2461 - Ross
HB 2671 - Fitzwater (49)
HCS HB 2416 - Leara
HCS HB 2632 - Reiboldt
HCS HB 2757 - Kolkmeier
HCS HB 2638 - Wiemann
HB 2422 - LaFaver
HCS HB 2502 - McGaugh
HB 1667 - Swan
HB 2087 - Lynch
HB 2283 - McCaherty
HB 1994 - Cornejo
HB 1914 - Hinson
HB 1436 - Kelley
HB 1615 - Swan
HB 2358 - Fitzpatrick
HCS HB 2320 - McGaugh
HCS HBs 2298 & 2109 - Miller
HB 2066 - Hill
HCS HB 2456 - Andrews
HCS HB 2349 - Koenig
HCS HB 2252 - Curtman
HCS HB 1628 - Cookson
HB 2159 - Rhoads
HCS HB 1614 - Swan
HB 2328 - Davis
HB 2304 - Frederick
HB 1697 - Rowland (155)
HB 1861 - Cross
HB 2251 - Curtman
HCS HB 2107 - McGaugh
HB 1741 - Brattin
HCS HB 2488 - Hill
HCS HB 1640 - Hicks
HCS HB 1608 - Swan
HB 2105 - Cornejo
HB 1959 - Dugger
HB 2458 - Mathews
HB 2651 - Fitzwater (49)
HCS HB 2742 - Fitzwater (144)
HB 2228, with HCA 1 - Barnes

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 94 - Hummel
HCS HCR 60 - Love
HCR 99 - Hinson
HCS HCR 91 - Walton Gray
HCR 72 - Fitzwater (49)

HOUSE BILL FOR THIRD READING

HCS HB 1945, (Fiscal Review 4/21/16) - Spencer

HOUSE BILL FOR THIRD READING - CONSENT

HB 2348 - Richardson

SENATE BILLS FOR THIRD READING

SCS SB 818 - Alferman
SB 887 - Pierson
SCS SB 646 - Frederick
SB 627 - English
HCS SB 735 - Cornejo
SB 947 - Haahr
HCS SB 827 - Swan
HCS SCS SB 996, E.C. - Swan
HCS SB 997, E.C. - Cookson
HCS SCS SB 861 - McCaherty
HCS SB 932 - Dugger
HCS SCS SB 800 - Rowden
HCS SB 909 - Fitzpatrick
HCS SCS SB 618, (Fiscal Review 5/4/16) - Hicks
HCS SS SCS SB 698 - Cornejo
HCS SB 711, E.C. - Hicks
HCS SB 833 - Fitzwater (49)
SB 897 - Crawford
HCS SS SB 799 - McCaherty
HCS SCS SB 804 - Cornejo
SB 1002 - Pfautsch
SB 1025, (Fiscal Review 5/5/16) - Koenig
HCS SCS SB 794 - Koenig
HCS SS SCS SB 986, E.C. - Wiemann
HCS SB 577 - Cornejo
HCS SS SB 937 - Eggleston
HCS SB 869 - Solon
HCS SCS SB 836 - Burlison

HCS SB 738 - Love
HCS SB 835 - Haahr
HCS SB 676 - Jones
HCS SCS SB 904 - Swan
HCS SB 873 - Cookson

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCS SCR 43 - Richardson
SCR 45 - Engler

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 1562, with SA 1, SA 2, SA 3, SA 4, SA 5, and SA 6 - Haahr
SCS HB 1698 - Rowden
SCS HB 2125 - Fitzwater (49)
SCS HB 1414, as amended - Houghton
SS#2 SCS HCS HB 1550, as amended, E.C. - Neely
SCS HB 1936, as amended - Wilson
SCS HCS HB 2030 - Hoskins
SCS HB 1682, as amended - Frederick
SS HB 2355 - Lant
HB 1568, with SA 1 - Lynch
SS HCS HB 1877, as amended - Wood
SS HCS HB 1477, E.C. - Dugger
SCS HCS HB 1976, as amended - Hoskins
SCS HCS HBs 1646, 2132 & 1621 - Swan
SS HB 1733, as amended - Davis
SCS HB 1582, (Fiscal Review 5/5/16) - Kelley
SS#2 SCS HCS HB 1432, (Fiscal Review 5/5/16) - Vescovo

BILLS CARRYING REQUEST MESSAGES

HB 1870, with SA 1, SA 3, SA 4, and SA 5 (request Senate recede/grant conference) - Hoskins
SCS HCS HB 1584, as amended (request Senate recede/grant conference) - Hill
HCS SB 625, as amended (request House recede/grant conference) - Pierson

BILLS IN CONFERENCE

CCR HCS SS SB 621, as amended (Fiscal Review 5/3/16), E.C. - Barnes
CCR HCS SB 677, as amended (Fiscal Review 5/3/16) - Franklin
CCR HCS SB 607, as amended (Fiscal Review 5/3/16) - Haefner
HCS SB 639, as amended, E.C. - Walker
HCS SS SB 608, as amended - Allen
CCR HCS SS SB 732, as amended, (Fiscal Review 5/4/16), E.C. - Rhoads
CCR SB 700, with HA 1, as amended, and HA 2, (Fiscal Review 5/4/16) - Dohrman

SCS SB 921, HA 1, aa, HA 2, HA 3, HA 4, HA 5 and HA 6, as amended - Franklin
SCS SB 650, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 8, as amended, & HA 9,
E.C. - Cookson
HCS SS SCS SB 572, as amended - Cornejo
HCS SCS SB 765, as amended - Cornejo
CCR HCS SS SCS SBs 865 & 866, as amended (Fiscal Review 5/5/16) - Engler
HCS SB 635, as amended (exceed differences in Section 167.950), E.C. - Cornejo
HCS SB 867, as amended - Fitzpatrick
SCS SB 638, with HA 1, HA 2, HA 3, HA 4, HA 5, as amended, HA 6, HA 7, HA 8, HA 9 &
HA 10 - Swan
HCS SCS SB 973, as amended - Jones
HCS SB 864, as amended - Morris
HCS SCS SB 823, as amended - Zerr
HCS SCS SB 578, as amended - Jones

HOUSE RESOLUTION

HR 1103 - Richardson

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

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

(This page intentionally left blank)