

# JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, MONDAY, MAY 9, 2016

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Representative Kenneth Wilson.

Almighty God, Creator of all things, Giver of every good and perfect gift, hear our prayer, as we humbly bow before You and seek Your blessing upon our day, upon each member of this honorable body, and upon each person within the walls of this beautiful building.

Father, as we begin the work of this last week of session, with all the activity and demands that wait before us, may we not forget why we serve and whom we serve. Let us not forget the members of this body and their loved ones who need healing, who are hurting, and to those who sorrow.

Father, in your loving kindness, be near to those whose names we whisper in our hearts and minister to them according to their needs.

Father, may You grant mercy upon each of us, give us peace of mind, and supply our needs of tired bodies, jaded spirits, and frayed nerves.

Father, we pray for courage, for strength and guidance as we serve in this position of great responsibility. May we also remember that while our service here is important, we all return to our respective homes and continue our daily lives and responsibilities just like everyone else. That just like everyone else, we return home and cut the grass and take out the trash. May we always remember that our service to this great state is a gift. It is a stewardship. It is temporary, and we are always, always accountable.

Father, I pray that each of us who serve in this seat of power can be true to ourselves, true to the citizens of this great state, and true to our service to You. Father, keep us humble...keep us humble...keep us humble...I pray.

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: Jackson Hill, Maxwell Reed Jones, and Rebekah Bommel.

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

AYES: 130

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brown 94	Burlison	Carpenter	Cierpiot

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Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Engler
English	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Franklin	Frederick	Gannon	Gardner	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kendrick
Kidd	King	Kirkton	Kolkmeier	Kratky
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Mathews
McCaherty	McCann Beatty	McDaniel	McGee	McNeil
Messenger	Miller	Mims	Montecillo	Moon
Morgan	Muntzel	Neely	Newman	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Plocher	Pogue
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Rowland 29	Runions	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Swan	Taylor 139
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 000

PRESENT: 002

Colona                      Curtis

ABSENT WITH LEAVE: 030

Brattin	Brown 57	Burns	Butler	Chipman
Ellington	Entlicher	Fraker	Green	Haahr
Hinson	Hubbard	Kelley	Koenig	Korman
Marshall	May	McCreery	McDonald	McGaugh
Meredith	Mitten	Morris	Nichols	Pietzman
Redmon	Rehder	Smith	Spencer	Taylor 145

VACANCIES: 001

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

### HOUSE RESOLUTION

Representative Leara offered House Resolution No. 3511.

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 618**, 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 **CCR HCS SS SB 621, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SB 677, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR SB 700, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1584, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1584, as amended**.

Senators: Schmitt, Schaefer, Dixon, Keaveny, and Sifton

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1593**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1684**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1713** entitled:

An act to repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof six new sections relating to water systems, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 3, and Senate Amendment No. 5.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 1, Title, Line 3 of the title, by inserting immediately after “relating to” the following: “the regulation of”; and

Further amend said bill, Page 4, Section 256.447, Line 12, by inserting after all of said line the following:

"644.021. 1. There is hereby created a water contaminant control agency to be known as the "Clean Water Commission of the State of Missouri", whose domicile for the purposes of sections 644.006 to 644.141 shall be deemed to be that of the department of natural resources. The commission shall consist of seven members appointed by the governor with the advice and consent of the senate. No more than four of the members shall belong to the same political party. All members shall be representative of the general interest of the public and shall have an interest in and knowledge of conservation and the effects and control of water contaminants. **At least two** [such] members[, but no more than two,] shall be knowledgeable concerning the needs of agriculture, industry or mining and interested in protecting these needs in a manner consistent with the purposes of sections 644.006 to 644.141. One [such] member shall be knowledgeable concerning the needs of publicly owned wastewater treatment works.

**No more than** four members shall represent the public. No member shall receive, or have received during the previous two years, a significant portion of his or her income directly or indirectly from permit holders or applicants for a permit pursuant to any federal water pollution control act as amended and as applicable to this state. All members appointed on or after August 28, 2002, shall have demonstrated an interest and knowledge about water quality. All members appointed on or after August 28, 2002, shall be qualified by interest, education, training or experience to provide, assess and evaluate scientific and technical information concerning water quality, financial requirements and the effects of the promulgation of standards, rules and regulations. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

2. The members' terms of office shall be four years and until their successors are selected and qualified. Provided, however, that the first three members appointed shall serve a term of two years, the next three members appointed shall serve a term of four years, thereafter all members appointed shall serve a term of four years. There is no limitation on the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

3. The commission shall hold at least four regular meetings each year and such additional meetings as the chairman deems desirable at a place and time to be fixed by the chairman. Special meetings may be called by three members of the commission upon delivery of written notice to each member of the commission. Reasonable written notice of all meetings shall be given by the director to all members of the commission. Four members of the commission shall constitute a quorum. All powers and duties conferred specifically upon members of the commission shall be exercised personally by the members and not by alternates or representatives. All actions of the commission shall be taken at meetings open to the public. Any member absent from six consecutive regular commission meetings for any cause whatsoever shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with subsection 1 of this section."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 1, Section A, Line 4, by inserting immediately after said line the following:

**"67.5070. 1. As used in this section, "design-build contract" shall mean any contract that furnishes architecture or engineering services and construction services either directly or through subcontracts.**

**2. Any political subdivision may enter into a design-build contract for engineering, design, and construction of a waste water or water treatment project.**

**3. In disbursing community development block grants under 42 U.S.C. Sections 5301 to 5321, the department of economic development shall not reject waste water or water treatment projects solely for utilizing design-build.**

**4. The department of natural resources shall not preclude design-build contracts from consideration of funding provided by the water and wastewater loan fund established in section 644.122.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 5*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 256.447, Line 12, by inserting after all of said line the following:

**"640.136. 1. Any public water system, as defined in section 640.102, or public water supply district, as defined in chapter 247, which intends to make modifications to fluoridation of its water supply shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or**

any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section.

2. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

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 recede from its position on **Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5 to HB 1870** and requests the House take up and pass **HB 1870, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2335** entitled:

An act to amend chapter 227, RSMo, by adding thereto two new sections relating to the designation of certain memorial transportation infrastructure.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2453** entitled:

An act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Emergency clause adopted.

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 2591, HB 1958 and HB 2369** entitled:

An act to amend chapter 227, RSMo, by adding thereto twelve new sections relating to the designation of certain transportation infrastructure.

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 adopted the Conference Committee Report on **HCS SS SCS SB 572, as amended**, and has taken up and passed **CCS HCS SS SCS SB 572**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 578, as amended**, and has taken up and passed **CCS HCS SCS SB 578**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 638, as amended**.

Senators: Riddle, Onder, Emery, Holsman, and Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 640, 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 656, 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 has taken up and adopted the Conference Committee Report on **SB 700, as amended**, and has taken up and passed **CCS SB 700**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 703, 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 has taken up and adopted the Conference Committee Report on **HCS SS SB 732, as amended**, and has taken up and passed **CCS HCS SS SB 732**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 786, 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 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 has taken up and adopted the Conference Committee Report on **HCS SS SCS SBs 865 & 866, as amended**, and has taken up and passed **CCS HCS SS SCS SBs 865 & 866**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 973, as amended**.

Senators: Wasson, Cunningham, Sater, Schupp, and Sifton

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 994, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**SCS HCS HB 1713, as amended** - Fiscal Review  
**SCS HB 2335** - Fiscal Review  
**SCS HCS HB 2453** - Fiscal Review  
**SCS HB 2591, HB 1958 and HB 2369** - Fiscal Review

### MOTION

Representative Cierpiot moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 130

Adams	Alferman	Allen	Anders	Anderson
Andrews	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brown 94	Burlison	Cierpiot	Colona	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Engler	English
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gardner	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hoskins	Hough	Houghton	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McCann Beatty	McDaniel	McGee
McNeil	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pietzman	Pike
Plocher	Redmon	Reiboldt	Rhoads	Rizzo
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Runions	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 008

Arthur	Conway 10	Kratky	LaFaver	Lavender
Newman	Rowland 29	Walton Gray		

PRESENT: 001

Pogue

ABSENT WITH LEAVE: 023

Brattin	Brown 57	Burns	Butler	Carpenter
Chipman	Ellington	Entlicher	Green	Hinson
Hubbard	Korman	May	McCreery	McDonald
McGaugh	Meredith	Mitten	Nichols	Rehder
Remole	Smith	Spencer		

VACANCIES: 001

### THIRD READING OF SENATE BILLS

**HCS SB 932**, relating to regulation of bonded entities, was taken up by Representative Dugger.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 932, Page 2, Section 370.230, Line 23, by inserting after all of said section and line the following:

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

**(1) "Federal home loan bank", a federal home loan bank established under the federal Home Loan Bank Act, 12 U.S.C. Section 1421, et seq.;**

**(2) "Insurer-member", an insurer who is a member of a federal home loan bank.**

**2. Notwithstanding any other provision to the contrary, no federal home loan bank shall be stayed or prohibited from exercising its rights regarding collateral pledged by an insurer-member.**

**3. If a federal home loan bank exercises its rights regarding collateral pledged by an insurer-member who is subject to a delinquency proceeding, the federal home loan bank shall repurchase any outstanding capital stock that is in excess of that amount of federal home loan bank stock that the insurer-member is required to hold as a minimum investment, to the extent the federal home loan bank in good faith determines the repurchase to be permissible under applicable laws, regulations, regulatory obligations, and the federal home loan bank's capital plan, and consistent with the federal home loan bank's current capital stock practices applicable to its entire membership.**

**4. Following the appointment of a receiver for an insurer-member, the federal home loan bank shall, within ten business days after a request from the receiver, provide a process and establish a timeline for the following:**

**(1) The release of collateral that exceeds the amount required to support secured obligations remaining after any repayment of loans as determined in accordance with the applicable agreements between the federal home loan bank and the insurer-member;**

**(2) The release of any of the insurer-member's collateral remaining in the federal home loan bank's possession following repayment of all outstanding secured obligations of the insurer-member in full;**

**(3) The payment of fees owed by the insurer-member and the operation of deposits and other accounts of the insurer-member with the federal home loan bank; and**

**(4) The possible redemption or repurchase of federal home loan bank stock or excess stock of any class that an insurer-member is required to own.**

**5. Upon request from a receiver, the federal home loan bank shall provide any available options for an insurer-member subject to a delinquency proceeding to renew or restructure a loan to defer associated prepayment fees, subject to market conditions, the terms of any loans outstanding to the insurer-member, the applicable policies of the federal home loan bank, and the federal home loan bank's compliance with federal laws and regulations.**



**6. Notwithstanding any other provision of law to the contrary, the receiver for an insurer-member shall not void any transfer of, or any obligation to transfer, money or any other property arising under or in connection with any federal home loan bank security agreement, or any pledge, security, collateral, or guarantee agreement, or any other similar arrangement or credit enhancement relating to a federal home loan bank security agreement made in the ordinary course of business and in compliance with the applicable federal home loan bank agreement. However, a transfer may be avoided under this subsection if the transfer was made with intent to hinder, delay, or defraud the insurer-member, the receiver for the insurer-member, or existing or future creditors. This subsection shall not affect a receiver's rights regarding advances to an insurer-member in delinquency proceedings under 12 CFR Part 1266.4.";** and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 932, Page 4, Section 486.375, Line 3, by deleting the opening bracket "[" before the word "misdemeanor"; and

Further amend said bill, page and section, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"by imprisonment for not more than six months or both, **unless such act results in a fraudulent act involving property, such person shall be guilty of a class E felony.**"; and

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

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

On motion of Representative Dugger, **HCS SB 932, as amended**, was adopted.

On motion of Representative Dugger, **HCS SB 932, as amended**, was read the third time and passed by the following vote:

AYES: 129

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brown 94	Burlison	Carpenter	Chipman
Cierpiot	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Dunn
Eggleston	Engler	English	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hummel	Johnson	Justus	Kelley
Kendrick	Kidd	King	Koenig	Kolkmeier
Kratky	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Mathews

McCaherty	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Roden	Roeber	Rone	Ross
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 010

Colona	Gardner	Hurst	Kirkton	Marshall
McDaniel	Moon	Pogue	Rowland 29	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Brown 57	Burns	Butler	Ellington
Entlicher	Fitzpatrick	Green	Haefner	Hubbard
Jones	Korman	LaFaver	May	McCann Beatty
McCreery	McDonald	McGaughey	McGee	Rowden
Runions	Smith	Webber		

VACANCIES: 001

Speaker Richardson declared the bill passed.

**HCS SS SB 799**, relating to business fees, was taken up by Representative McCaherty.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, Section 136.005, Line 8, by inserting after all of said section and line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic [telephone] transmission [reception]--two dollars[.];

**(6) Each electronic look-up--two dollars;**

**(7) Notary fee--two dollars.**

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. 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 subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the phrase "business fees" and inserting in lieu thereof the phrase "political subdivisions"; and

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

"50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county

shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment 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 section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 2, Section 144.087, Line 32, by inserting after all of said section and line the following:

"192.300. **1.** The county commissions [and] **with the concurrence of** the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions [and] **with the concurrence of** the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or county health board], such commission [or county health board] shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or county health board] of any such county has full power and authority to initiate the prosecution of any action under this section.

**2. Notwithstanding the provisions of subsection 1 of this section, in the event of an emergency, a county commission or the county health center board may make and promulgate any orders, ordinances, rules, or regulations in order to protect public health, safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198."**; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the words "business fees" and inserting in lieu thereof the words "the collection of public money"; and

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

"99.848. **1.** Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

**2. In cities of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section.**"; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, Section 136.005, Lines 1 to 8, by deleting all of said section and lines and inserting in lieu thereof the following:

**"136.005. Taxing jurisdictions in this state shall not initiate or participate in any legal proceeding against any taxpayer to levy, collect, or enforce any business license tax without first notifying the taxpayer of the business license tax in dispute and providing the taxpayer an opportunity within ninety days of such notice to pay or dispute their business license tax. As used in this section, "taxing jurisdiction" means any county or city authorized by statute or charter to levy, collect, or enforce any business license tax. This section shall not apply to legal proceedings commenced prior to January 1, 2016.**"; and

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

Representative Rhoads assumed the Chair.

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

Representative Adams requested a division of the question on the adoption of **HCS SS SB 799, as amended**.

Representative McCaherty moved that **Part I of HCS SS SB 799, as amended**, be adopted.

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

AYES: 054

Alferman	Anderson	Bahr	Basye	Berry
Bondon	Brown 57	Brown 94	Burlison	Chipman
Cierpiot	Cookson	Corlew	Curtman	Davis
Dogan	Dohrman	Eggleston	Fitzwater 49	Flanigan
Haahr	Hicks	Hill	Hoskins	Hubrecht
Jones	Justus	Kelley	Koenig	Lant
Mathews	McGaugh	Miller	Pfautsch	Phillips
Pietzman	Pike	Plocher	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Shaul	Spencer	Taylor 139
Taylor 145	Vescovo	Wiemann	Mr. Speaker	

NOES: 089

Adams	Anders	Andrews	Austin	Barnes
Beard	Bernskoetter	Black	Butler	Colona
Conway 10	Conway 104	Crawford	Cross	Curtis
Dugger	Dunn	Ellington	Engler	Fitzwater 144
Fraker	Franklin	Frederick	Gannon	Gardner
Green	Hansen	Harris	Higdon	Houghton
Hubbard	Hummel	Hurst	Johnson	Kendrick
Kidd	King	Kirkton	Kratky	Lair
Lauer	Lavender	Lichtenegger	Love	Lynch
Marshall	McCaherty	McCann Beatty	McCreery	McDaniel
McGee	McNeil	Meredith	Messenger	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pierson
Pogue	Redmon	Rizzo	Rowden	Rowland 29
Runions	Ruth	Shull	Shumake	Solon
Sommer	Swan	Walker	Walton Gray	Webber
White	Wilson	Wood	Zerr	

PRESENT: 002

English	Kolkmeyer
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ABSENT WITH LEAVE: 017

Allen	Arthur	Brattin	Burns	Carpenter
Cornejo	Entlicher	Fitzpatrick	Haefner	Hinson
Hough	Korman	LaFaver	Leara	May
McDonald	Smith			

VACANCIES: 001

Representative Webber offered **House Amendment No. 6 to Part II.**

*House Amendment No. 6*

AMEND Part II of House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the words "business fees" and inserting in lieu thereof the words "the collection of public money"; and

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

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

2. (1) The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of ..... (county's name) impose a countywide sales tax of ..... (insert rate) percent?

YES  NO

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

**(2) In any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, the ballot of submission shall contain, but need not be limited to the following language:**

**Shall the county of ..... (county's name) renew a countywide sales tax of ..... (insert rate) percent?**

YES  NO

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

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

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

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census.

6. In any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales tax authorized by this section shall be

distributed so that an amount equal to three-fourths of the proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be distributed equally among the incorporated cities, towns, and villages of the county. Upon request from any city, town, or village within the county, the county shall make available for inspection the distribution report provided to the county by the department of revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

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

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

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

On motion of Representative Webber, **House Amendment No. 6 to Part II** was adopted.

Representative Hicks offered **House Amendment No. 7 to Part II**.

*House Amendment No. 7*

AMEND Part II of House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, Section A, Line 6, by inserting immediately after said line the following:

**"92.096. 1. Sections 92.096 to 92.102 shall be known and may be cited as the "Prepaid Wireless Telecommunications Business License Tax Act".**

**2. As used in sections 92.096 to 92.102, unless the context clearly requires otherwise, the following terms mean:**

**(1) "Business license tax", any tax, including any fee, charge, or assessment in the nature of a tax, assessed by a municipality on a telecommunications company for the privilege of doing business within the borders of such municipality, and specifically includes any tax assessed on a telecommunications company by a municipality under sections 66.300 and 80.090; under section 92.045, 92.073, 94.110, 94.270, or 94.360; or under authority granted in its charter, as well as an occupation license tax, gross receipts tax, franchise tax, or similar tax, but shall not include:**

**(a) Any state or municipal sales or use tax imposed under sections 32.085 and 32.087 or under sections 144.010 to 144.525;**

**(b) Any municipal right-of-way usage fee imposed under the authority of a municipality's police powers under section 253(c) of the federal Telecommunications Act of 1996 (47 U.S.C. Section 253(c)), as amended, or under sections 67.1830 to 67.1846;**

**(c) Any tax or fee levied for emergency services under section 190.292, 190.305, 190.325, 190.335, or 190.430, or any tax authorized by the general assembly on or after the effective date of this section for emergency services; or**

**(d) Any flat tax duly imposed;**

**(2) "Gross receipts", receipts from the sale of prepaid wireless telecommunications service;**

**(3) "Municipal", of or relating to a municipality;**



(4) "Municipality", any city, county, town, or village in Missouri entitled by authority of section 66.300, 80.090, 92.045, 92.073, 94.110, 94.270, or 94.360, or under authority granted in its charter to assess a business license tax on telecommunications companies;

(5) "Prepaid wireless telecommunications service", a wireless telecommunications service that is paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount or expiration of time;

(6) "Retail sale", the sale of wireless telecommunications service by a telecommunications company for use or consumption and not for resale;

(7) "Telecommunications company", any company doing business in this state that provides wireless telecommunications service, whether a facilities-based carrier or reseller. For purposes only of sections 92.096 to 92.102, the term "telecommunications company" shall include a third-party retailer of a provider's wireless telecommunications service. To the extent a company that would otherwise qualify as a telecommunications company makes a sale of prepaid wireless telecommunications services that is for resale, the company is not considered a telecommunications company for purposes of sections 92.096 to 92.102 and is not responsible for the business license tax on those sales for resale;

(8) "Telecommunications service", the same meaning as such term is defined under subdivision (14) of subsection 1 of section 144.010;

(9) "Wireless telecommunications service", telecommunications service that is commercial mobile radio service, as such term is defined in 47 CFR 20.3, as amended. The term "exchange telephone service", as used in section 66.300, shall include wireless telecommunications service. The terms "telecommunications service", "telephone service", or "exchange telephone service", or similar terms, in any section or ordinance relating to a business license tax shall include wireless telecommunications service.

92.098. Notwithstanding any provisions of this chapter or chapter 66, 80, or 94, or the provisions of any municipal charter, after the effective date of this section, no municipality shall impose any business license tax on the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service, except as specified under sections 92.096 to 92.102. Sections 92.096 to 92.102 shall not apply to business license taxes on gross receipts other than gross receipts derived from prepaid wireless telecommunications service.

92.099. 1. As used in this section, the term "authorized depository" means an entity which is a wholly owned instrumentality of member municipalities, such as the Missouri Municipal League.

2. Notwithstanding any other provision of the law, a payment in lieu of any business license tax described under sections 92.096 to 92.102 may, at the option of the telecommunications company remitting the business license tax, be remitted directly to the requisite municipality, or to the authorized depository. Such payment in lieu of a tax shall consist of ten percent of gross receipts derived from the business of providing prepaid wireless telecommunications service as determined under section 92.102 during each calendar year commencing with the effective date of sections 92.096 to 92.102. A sworn statement showing such gross receipts shall be filed within thirty days after the close of the preceding calendar year, and such payment in lieu of a tax shall be remitted at the time of filing. If a telecommunications company elects to remit such payment in lieu of a tax directly to less than all requisite municipalities, it shall list in such sworn statement the municipalities it remitted such payment in lieu of a tax to directly.

3. All such payments in lieu of a tax collected by the authorized depository, less one percent for the cost of collection, shall be deposited in a special trust fund in a banking institution acting as a legal depository of public funds under the statutes of Missouri and shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer. The moneys in the special trust fund shall not be deemed funds of the authorized depository and shall not be commingled with any funds of the authorized depository. The authorized depository shall not be responsible for any loss of the funds through the negligence or failure of any banking institution acting as a legal depository of public funds.

4. The authorized depository shall keep accurate records of the amount of money in the special trust fund, and the records shall be open to the inspection of officers of municipalities and the public. Not later than the tenth day of each month the authorized depository shall distribute all moneys deposited in the special trust fund during the preceding month, to the municipal treasurer, or such other officer as may be designated by municipal ordinance, of each municipality imposing such business license tax, with such

distribution based upon the sum due the municipality. All interest, if any, on the moneys deposited in the special trust fund shall go to the authorized depository for the cost of collection.

5. The authorized depository may make refunds from the amounts in the special trust fund and credited to any municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such municipalities. If any municipality abolishes such business license tax, the municipality shall notify the authorized depository of the action as soon as practicable but not more than thirty days after the effective date of the repeal.

6. The executive director of the authorized depository and any assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into their hands under the provisions of sections 92.096 to 92.102 shall enter into a surety bond or bonds with a surety company in the aggregate amount of not less than five hundred thousand dollars payable to any and all taxing municipalities in whose behalf the funds have been collected, conditioned on the faithful performance of their duties under this section and the satisfactory accounting of all moneys received by them. The authorized depository may enter into a blanket bond in such amount covering the executive director and all such assistants and employees. The cost of any premium for such bonds shall be paid by the authorized depository from the share of the collections under sections 92.096 to 92.102 retained by the authorized depository for its collection cost.

7. If the authorized depository is unable or unwilling to perform its duties or responsibilities under this section, it shall notify the director of revenue at least ninety days prior to ceasing to serve as the authorized depository and the director of revenue shall collect and distribute in the same manner such payment in lieu of any business license tax that is not remitted directly to the requisite municipality.

92.100. 1. Nothing in this section shall have the effect of repealing any existing ordinance imposing a business license tax on a telecommunications company; provided that, a city with an ordinance in effect prior to the effective date of this section complies with the provisions of sections 92.096 to 92.102.

2. Any business license tax imposed on the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service after the effective date of this section shall be imposed only on the gross receipts from retail sales.

92.102. 1. The gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service shall be deemed derived from engaging in business in a municipality and subject to the municipality's business license tax as follows:

(1) If the retail sale is effected in person by the customer at the business location of the telecommunications company, by the municipality within whose limits the business location lies; or

(2) If the retail sale is not effected in person at the telecommunications company's business location, by the municipality within whose limits the customer's residence or, for nonresidential customers, the principal place of operations lies, as obtained during the consummation of the sale, and as may be indicated by the address of the customer's payment instrument; or

(3) If the retail sale is not effected in person by the customer at the business location of the telecommunications company and an address cannot be obtained during the consummation of the sale or is otherwise not available, then the sale shall be subject to such tax by attributing the sale to a location determined in a reasonable manner that is supported by the telecommunications company's books and records. A method that attributes the total of all such sales with respect to each area code to municipalities in proportion to the telecommunications company's total sales of prepaid wireless telecommunications service within the area code shall be deemed reasonable. If a telecommunications company attributes the sale as described under this subdivision, it shall provide a description of such attribution to impacted municipalities at the time that such taxes are paid.

2. A telecommunications company deriving gross receipts from selling prepaid wireless telecommunications service to a retail customer shall be responsible for obtaining and maintaining information to determine the taxing municipality and remitting the business license tax thereon to the municipality.

3. If the telecommunications company's reliance on the information provided is in good faith, a municipality shall not hold the telecommunications company liable for any additional taxes, charges, or fees based on a different determination.

**4. Any telecommunications company may recover from its customers through a line item charge, or otherwise, all or part of the business license tax, including an additional convenience fee of up to three percent of the business license tax applicable to the transaction.";** and

Further amend said bill, Page 23, Section 417.220, Line 19, by inserting immediately after said line the following:

"Section B. Sections 92.096, 92.098, 92.099, 92.100, and 92.102 of this act shall become effective January 1, 2017.";

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. 7 to Part II.**

*House Amendment No. 1  
to  
House Amendment No. 7*

AMEND House Amendment No. 7 to Part II of House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 4, Line 10, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 144.087, Line 32, by inserting after all of said line and section the following:

"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.";

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. 7 to Part II** was adopted.

Representative Hicks moved that **House Amendment No. 7, as amended, to Part II** be adopted.

Which motion was defeated.

Representative Fraker offered **House Amendment No. 8 to Part II**.

*House Amendment No. 8*

AMEND Part II of House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 23, Section 417.220, Line 19, by inserting after all of said section and line the following:

**"Section 1. No person or entity, including but not limited to gas corporations under section 386.020, or contractors or installers, shall convert, or cause to be converted, any vent-free appliance covered by the ANSI standard Z21.11.2b-2013 or subsequent editions from the original fuel source to any other when such conversion is specifically prohibited by the manufacturer.";** and

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

On motion of Representative Fraker, **House Amendment No. 8 to Part II** was adopted.

Representative Swan offered **House Amendment No. 9 to Part II**.

*House Amendment No. 9*

AMEND Part II of House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, Section 136.005, Line 8, by inserting after all of said section and line the following:

"144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or

any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.

**6. Beginning January 1, 2017, a statement from the department of revenue stating no tax is due as required in this section shall be submitted by any person or entity that submits any bid to perform any work on any project upon which public funds are expended. All bids submitted shall also include a copy of the bidder's city and county business licenses, if applicable. No bid shall be awarded to any person or entity that submits any bid but fails to submit the statement that no tax is due and a copy of all the bidder's applicable business licenses as required in this subsection.";** and

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

On motion of Representative Swan, **House Amendment No. 9 to Part II** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Higdon	Hill	Hoskins	Houghton
Hubrecht	Hurst	Johnson	Justus	Kelley
Kidd	King	Koenig	Kolkmeier	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	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 039

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

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PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Burns	Cornejo	Entlicher	Fitzpatrick
Gardner	Hicks	Hinson	Hough	Jones
Kendrick	Korman	May	Morgan	Smith

VACANCIES: 001

On motion of Representative McCaherty, **Part II of HCS SS SB 799, as amended**, was adopted.

On motion of Representative McCaherty, **HCS SS SB 799, as amended**, was read the third time and passed by the following vote:

AYES: 094

Alferman	Allen	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Black	Bondon
Brown 57	Brown 94	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	English	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hoskins	Houghton	Hubrecht
Justus	Kelley	Kendrick	King	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Peters	Pfausch	Phillips	Pike	Plocher
Redmon	Reiboldt	Remole	Rhoads	Rizzo
Roden	Roeber	Rone	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Vescovo	Walker	Webber
Wiemann	Wood	Zerr	Mr. Speaker	

NOES: 057

Adams	Anders	Anderson	Arthur	Bahr
Berry	Burlison	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	Green
Hubbard	Hummel	Hurst	Johnson	Kidd
Kirkton	Kratky	LaFaver	Lavender	Marshall
McCann Beatty	McCreery	McDaniel	McDonald	McGee
McNeil	Meredith	Mims	Mitten	Montecillo
Moon	Morgan	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pierson
Pietzman	Pogue	Rehder	Ross	Rowland 29
Runions	Spencer	Taylor 139	Taylor 145	Walton Gray
White	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Burns	Entlicher	Fitzpatrick	Gardner
Hinson	Hough	Jones	Korman	May
Smith				

VACANCIES: 001

Representative Rhoads declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 086

Allen	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Black	Brown 57
Brown 94	Burlison	Cierpiot	Cookson	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Hicks	Hill	Hoskins	Houghton	Hubrecht
Kelley	Kendrick	Koenig	Kolkmeier	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Roden	Rone	Ross	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Swan	Taylor 145	Vescovo
Walker	Webber	Wiemann	Wood	Zerr
Mr. Speaker				

NOES: 065

Adams	Alferman	Anders	Anderson	Arthur
Berry	Bondon	Butler	Carpenter	Chipman
Colona	Conway 10	Conway 104	Corlew	Cornejo
Curtis	Dunn	Ellington	Green	Harris
Higdon	Hubbard	Hummel	Hurst	Johnson
Justus	Kidd	King	Kirkton	Kratky
LaFaver	Lavender	Marshall	McCann Beatty	McCreery
McDaniel	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pierson	Pietzman
Plocher	Pogue	Roeber	Rowland 29	Runions
Spencer	Taylor 139	Walton Gray	White	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Burns	Entlicher	Gardner	Hinson
Hough	Jones	Korman	Mathews	May
Smith				

VACANCIES: 001

Speaker Richardson resumed the Chair.

### **BILLS CARRYING REQUEST MESSAGES**

**SB 852, with House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3**, relating to the Trooper Gary Snodgrass Memorial Bridge, was taken up by Representative Chipman.

Representative Chipman moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, and House Amendment No. 3** to **SB 852** and grant the Senate a conference.

Which motion was adopted.

**SB 988, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, as amended, and House Amendment No. 5**, relating to medical helicopters, was taken up by Representative Frederick.

Representative Frederick 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, as amended, and House Amendment No. 5** to **SB 988** and grant the Senate a conference.

Which motion was adopted.

**HCS SS SB 786, as amended**, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SS SB 786, as amended**, and grant the Senate a conference.

Which motion was adopted.

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

Representative Burlison moved that the House refuse to recede from its position on **HCS SB 656, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SCS SB 703, as amended**, relating to agriculture, was taken up by Representative Reiboldt.

Representative Reiboldt moved that the House refuse to recede from its position on **HCS SCS SB 703, as amended**, and grant the Senate a conference.

Which motion was adopted.



**HCS SB 994, as amended**, relating to alcohol, was taken up by Representative Alferman.

Representative Alferman moved that the House refuse to recede from its position on **HCS SB 994, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 625, as amended**, relating to the designation of highways, was taken up by Representative Pierson.

Representative Pierson moved that the House refuse to recede from its position on **HCS SB 625, as amended**, and grant the Senate a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 800**, relating to political subdivisions, was taken up by Representative Rowden.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 2, Section 1.100, Line 22, by inserting after all of said section and line the following:

"67.746. 1. The governing body of 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 fourth classification with more than seven hundred but fewer than eight hundred inhabitants as the county seat may impose, by order or ordinance, a surcharge on the rental of rafts, tubes, or other flotation devices and on the daily rental of rooms or accommodations by transient guests of hotels, motels, cabins, campsites, or campgrounds within the county. The surcharge authorized under this section shall be equal to five percent of the costs of such rentals. The surcharge authorized under this section shall be in addition to all other sales taxes and charges imposed by law and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body to impose a surcharge under this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the surcharge shall become effective on the first day of the second calendar quarter after the adoption of the surcharge. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the surcharge shall not become effective unless and until the question is again submitted to the voters and the voters approve such proposal. No proposal under this subsection shall be submitted to voters within one year of a previous proposal submitted to voters under this subsection.

3. All revenue collected under this section shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Emergency and Public Safety Services Surcharge Fund", and shall be used solely to offset the costs of providing emergency medical and public safety services within the county, including the costs associated with the construction and maintenance of a county jail. The moneys in the fund shall be distributed, as close as reasonably possible, in the following percentages:

(1) Ten percent to a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants located in the county;

(2) Ten percent to a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants located in the county;

(3) Ten percent to a city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and that is the county seat of the county;

(4) Five percent to the prosecutor offices in the county; and

(5) Sixty-five percent to the sheriff's offices in the county.

4. Every retailer, vendor, operator, and other person who sells goods and services subject to the surcharge authorized under this section shall be liable and responsible for the payment of surcharges due and shall make a return and remit such surcharges to the county at such times and in such manner as the governing body of the county shall prescribe. The collection of the surcharges imposed by this section shall be computed in accordance with schedules or systems approved by the governing body of the county. No surcharge shall be charged on any sale of one dollar or less.

5. The governing body of any county that has adopted the surcharge authorized under this section may submit the question of repeal of the surcharge to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the surcharge authorized in this section shall remain effective until the question is again submitted to the qualified voters under this subsection, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any county that has adopted the surcharge authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the surcharge imposed under this section, the governing body shall submit to the voters a proposal to repeal the surcharge. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the surcharge authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. If the surcharge is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the surcharge and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the surcharge, the county treasurer or equivalent official shall remit the balance in the account to the general fund of the county and close the special trust fund."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 12, Section 184.815, Line 25, by inserting after all of said section and line the following:

"347.048. 1. (1) Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city's clerk an affidavit listing the name and

street address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

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

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

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

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 19, Section 447.708, Line 231, by inserting after the phrase "**economic development**." the following:

**"The amount of allowable costs eligible for tax credits shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development, provided that no tax credit shall be issued under this subsection until July 1, 2017.";** and

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

Representative Barnes assumed the Chair.

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 12, Section 184.815, Line 25, by inserting after all of said line the following:

"192.300. **1.** The county commissions [and] **with the concurrence of** the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions [and] **with the concurrence of** the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After

the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or county health board], such commission [or county health board] shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or county health board] of any such county has full power and authority to initiate the prosecution of any action under this section.

**2. Notwithstanding the provisions of subsection 1 of this section, in the event of an emergency, a county commission or the county health center board may make and promulgate any orders, ordinances, rules, or regulations in order to protect public health, safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198.**"; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 11, Section 99.845, Line 349, by inserting after all of said section and line the following:

"181.100. 1. As used in sections 181.100 to [181.130] **181.110** the following terms shall mean, unless the context requires otherwise:

(1) "Agency", each department, office, commission, board, or other administrative office or unit of state government;

(2) "Electronic repository", a collection of electronic publications kept in a secure environment with adequate backup to protect the collection;

(3) "Format", any media used in the publication of state information including electronic, print, audio, visual, and microform;

(4) ["Participating libraries", a library selected by the secretary of state to assist the public in locating and using state publications in any format; and designated to house and make available to the public publications which agencies have produced in print;

(5) "Publications", the information published by agencies intended for distribution to the legislature, agencies, political subdivisions, nonprofit organizations or broad distribution to the public, including publications issued electronically or in other formats;

[(6)] **(5)** "State publications access program", a program to provide access to state publications for all citizens of Missouri through a secure repository of electronic publications available to the public through electronic networks [and print collections located in libraries throughout Missouri].

2. [Other provisions of law to the contrary notwithstanding, all state agencies required to issue and distribute multiple-produced annual, biannual, or periodic reports shall distribute such reports without charge only to those persons and offices listed in subsection 4 of this section.] For the purposes of sections 181.100 to [181.130] **181.110**, the word "report" means a state publication which is either a [printed] statement by a state agency, issued at specific intervals, which describes its operations and progress, and possibly contains a statement of its future plans; or a formal, written account of an investigation given by a person or group delegated to make the investigation. Such reports shall not be distributed to any other person, including members of the general assembly, state officeholders, other state agencies, divisions or departments, or to members of the public, except upon request.

3. [No report described in subsection 2 of this section shall be distributed free of charge to any person or office, except as provided in subsection 4 of this section. Each recipient of any such report shall pay the cost of printing and postage, which cost shall be determined by the issuing agency prior to distribution of the document.

4.] Each agency of state government which distributes annual, biannual, or periodic reports printed in paper shall provide such copies of each such document free of charge to the state library as the state library shall specify[, along with a statement of the cost and address where additional copies of such report may be requested]. Two copies of all reports shall be provided to the legislative library, one copy to the chief clerk of the house of representatives, one copy to the secretary of the senate, one copy to the supreme court library and one copy to the governor.

181.110. 1. For the purpose of providing the services described in this section, each agency shall have the following responsibilities and powers:

- (1) To submit to the state library electronically each publication created by the agency in a manner consistent with the state's enterprise architecture;
- (2) To determine the format used to publish;
- (3) For those publications which the agency determines shall be printed and published in paper, to supply the number of copies [for participating libraries] as determined by the secretary of state;
- (4) To assign a designee as a contact for the state publications access program and forward this information to the secretary of state [annually].

2. For the purpose of providing the services described in this section, the secretary of state shall have the following responsibilities:

- (1) Through the state library, to provide a secure electronic repository of state publications. Access to the state publications in the repository shall be provided through [multiple methods of access, including the statewide online library catalog and] a publicly accessible electronic network;
- (2) [To create, in administrative rule, the criteria for selection of participating libraries and the responsibilities incumbent upon those libraries in serving the citizens of Missouri;
- (3)] To set by administrative rule the electronic formats acceptable for submission of publications to the electronic repository;
- [(4)] **(3)** May issue and promulgate rules to enforce, implement and effectuate the powers and duties established in sections 181.100 to [181.130] **181.110**.

3. For the purpose of providing the services described in this section, the state library shall [have the following responsibilities, all to be performed], in a manner consistent with e-government[:

- (1) To], administer the electronic repository of state publications for access by the citizens of Missouri[, and receive and distribute publications in other formats, which will be housed and made available to the public by the participating libraries;
- (2) To ensure the organization and classification of state publications regardless of formats and the distribution of materials in additional formats to participating libraries;
- (3) To publish regularly a list of all publications of the agencies, regardless of format.

4. For the purpose of providing the services described in this section, the participating libraries shall have the following responsibilities:

- (1) To ensure citizens who come to the library will be able to access publications electronically;
- (2) To maintain paper copies of those state publications that agencies publish in paper that are designated by the secretary of state to be included in the Missouri state publications access program;
- (3) To maintain a collection of older state publications published by the agencies in paper and designated by the secretary of state to be included in the Missouri state publications access program;
- (4) To provide training for staff of other libraries to assist the public in the use of state publications;
- (5) To assist agencies in the distribution of paper copies of state publications to the public].

[5.] **4.** All responsibilities and powers set out in this section shall be carried out consistent with the provisions of section 161.935.

[6.] **5.** 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 chapter 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, 2004, shall be invalid and void."; and

Further amend said bill, Page 22, Section 620.1620, Line 128, by inserting after all of said section and line the following:

"[181.130. The state library may enter into agreements with participating libraries which meet standards for eligibility to be established by the state library.] "; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 2, Section 1.100, Line 22, by inserting after all of said line the following:

"50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment 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 section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 2, Section 1.100, Line 22, by inserting after all of said section and line the following:

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

2. (1) The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of ..... (county's name) impose a countywide sales tax of ..... (insert rate) percent?

YES  NO

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

(2) In any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, the ballot of submission shall contain, but need not be limited to the following language:

Shall the county of ..... (county's name) renew a countywide sales tax of ..... (insert rate) percent?

YES  NO

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

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

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

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census.

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

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

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

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 22, Section 620.1620, Line 128, by inserting after all of said section and line the following:

**"Section 1. No person or entity, including but not limited to gas corporations under section 386.020, or contractors or installers, shall convert, or cause to be converted, any vent-free appliance covered by the ANSI standard Z21.11.2b-2013 or subsequent editions from the original fuel source to any other when such conversion is specifically prohibited by the manufacturer.";** and

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

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

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

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 12, Section 184.815, Line 25, by inserting after all of said section and line the following:

"256.437. As used in sections 256.435 to 256.445, the following terms mean:

- (1) "Director", the director of the department of natural resources;
- (2) "Flood control storage", storage space in reservoirs to hold flood waters;
- (3) "Plan", a preliminary engineering report describing the water resource project;
- (4) "Public water supply", a water supply for agricultural, municipal, industrial or domestic use;
- (5) "Sponsor", any political subdivision of the state or any public wholesale water supply district;
- (6) "Water resource project", a project containing **planning, design, construction, or renovation of:**
  - (a) Public water supply [storage and treatment and water source erosion]; [and]
  - (b) Flood control storage[.]; **or**
  - (c) **Treatment or transmission facilities for public water supply.**



256.438. 1. There is hereby established in the state treasury a fund to be known as the "Multipurpose Water Resource Program [Renewable Water Program] Fund", which shall consist of all money deposited in such fund from whatever source, whether public or private. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and other moneys earned on such investments shall be credited to the fund. Any unexpended balance in such fund at the end of any appropriation period shall not be transferred to the general revenue fund and, accordingly, shall be exempt from the provisions of section 33.080 relating to the transfer of funds to the general revenue funds of the state by the state treasurer.

2. **The department of natural resources is hereby granted authority to establish rules by which project sponsors can remit contributions to the fund created under this section. Such contributions shall only be collected from water resource project sponsors who are awarded financial assistance from the fund for water resource projects, as described in sections 256.435 to 256.445. The contributions shall be used for the cost of administering the fund and the provision of financial assistance from the fund as described in sections 256.435 to 256.445.**

3. Upon appropriation, the department of natural resources shall use money in the fund created by this section for the purposes of carrying out the provisions of sections 256.435 to 256.445, including, but not limited to, the provision of grants or other financial assistance, and, if such limitations or conditions are imposed, only upon such other limitations or conditions specified in the instrument that appropriates, grants, bequeaths, or otherwise authorizes the transmission of money to the fund.

4. **The department of natural resources shall have the authority to promulgate rules to implement 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 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.**

256.440. In order to ensure adequate, long-term, reliable public water supply [storage], **treatment, and transmission facilities**, there is hereby established a "Multipurpose Water Resource Program". The program shall be administered by the department of natural resources. The state may participate with a sponsor in the development, construction or renovation of a water resource project if the sponsor has a plan which has been submitted to and approved by the director. **Prior to approval, such plan shall include a schedule, proposed by the sponsor, to remit contributions back to the fund created under section 256.438. Any money received by the department of natural resources as a result of its participation with any such sponsor shall be deposited in the multipurpose water resource program fund created under section 256.438.**

256.443. 1. The plan shall include a description of the project, the need for the project, land use and treatment measures to be implemented to protect the project from erosion, siltation and pollution, procedures for water allocation, criteria to be implemented in the event of drought or emergency, and such other information as the director may require to adequately protect the water resource.

2. The director shall only approve a plan upon a determination that long-term reliable public water supply [storage], **treatment, or transmission facility** is needed in that area of the state, **and that such plan will provide a long-term solution to water supply needs**. Implementation of approved plans will be eligible for cost-sharing expenses as approved by the state soil and water districts commission incurred for required land treatment practices to implement soil conservation plans.

3. [Water] **Approved water resource plans and projects** shall be eligible to receive any gifts, contributions, grants or bequests from federal, state, private or other sources for engineering, construction or renovation costs associated with such projects, except that no proceeds from the sales and use tax levied pursuant to Sections 47(a) to 47(c) of Article IV of the State Constitution shall be used for such purposes.

4. **Approved water resource projects may be granted funds from, and remit contributions to, the multipurpose water resource program fund pursuant to section 256.438.**

**256.447. The department of natural resources may adopt rules and regulations necessary to implement the provisions of sections 256.437 to 256.445. 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 22, Section 620.1620, Line 128, by inserting after all of said section and line the following:

"[256.439. In order to provide public water supply storage treatment and water-related facilities in both urban and rural areas of the state, there is hereby established a "Multipurpose Water Resources Program". The program shall be administered by the state department of natural resources. The state department of natural resources may adopt rules and regulations necessary to implement the provisions of sections 256.437 to 256.445.]"; and

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

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

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

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 800, Page 12, Section 184.815, Line 25, by inserting after all of said section and line the following:

"233.295. 1. Whenever a petition, signed by the owners of a majority of the acres of land, within a road district organized under the provisions of sections 233.170 to 233.315 shall be filed with the county commission of any county in which such district is situated, setting forth the name of the district and the number of acres owned by each signer of such petition and the whole number of acres in such district, the county commission shall have power, if in its opinion the public good will be thereby advanced, to disincorporate such road district. No such road district shall be disincorporated until notice is published in at least one newspaper of general circulation in the county where the district is situated for four weeks successively prior to the hearing of such petition.

2. In any county with a population of at least thirty-two thousand inhabitants which adjoins a county of the first classification which contains a city with a population of one hundred thousand or more inhabitants that adjoins no other county of the first classification, whenever a petition signed by at least fifty registered voters residing within the district organized under the provisions of sections 233.170 to 233.315 is filed with the county clerk of the county in which the district is situated, setting forth the name of the district and requesting the disincorporation of such district, the county clerk shall certify for election the following question to be voted upon by the eligible voters of the district:

Shall the ..... incorporated road district organized under the provisions of sections 233.170 to 233.315, RSMo, be dissolved?

YES                       NO

If a majority of the persons voting on the question are in favor of the proposition, then the county commission shall disincorporate the road district.

3. The petition filed pursuant to subsection 2 of this section shall be submitted to the clerk of the county no later than eight weeks prior to the next countywide election at which the question will be voted upon.

4. Notwithstanding other provisions of this section to the contrary, in any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the

county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

5. Notwithstanding other provisions of this section to the contrary, in any county of the third classification without a township form of government and with more than thirty-four thousand but fewer than thirty-four thousand one hundred inhabitants, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

6. Notwithstanding other provisions of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

7. Notwithstanding other provisions of this section to the contrary, in any county, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

8. Notwithstanding other provisions of this section to the contrary, in any county, a petition to disincorporate a road district located in two counties organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority in each county in which the road district is located. Each petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district and county, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission in each county in which the road district is located that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission in each county in which the road district is located shall disincorporate the road district. A road district located in two counties shall not be disincorporated until it is disincorporated in each county in which it is located.

**9. The county commission or similar authority shall have the power to combine two or more road districts organized under sections 233.170 to 233.315 upon request by a petition signed by a majority of the commissioners in each of the road districts seeking to be combined.**

**10. The petition presented to the county commission or similar authority shall set forth the request that the road districts desire to be consolidated and shall set forth the proposed name of the new road district. If a petition is submitted as authorized in this section, then the county commission or similar authority shall hold a public hearing at a place and time it designates after it has published notice of the hearing for four consecutive weeks in a newspaper of general circulation in the county.**

**11. After such hearing, if it is the opinion of the county commission that the public good will be advanced by the consolidation of the districts, then the county commission or similar authority shall issue its order consolidating the districts and in its order set the effective date of the consolidation.**

**12. Upon consolidation, the county commission or similar authority shall appoint the three initial commissioners of the consolidated district, one for a term of one year, one for a term of two years, and one for a term of three years.**

**13. Upon consolidation, all assets and liabilities of the combined districts shall vest in the new consolidated district. In the event the tax levies of the combined districts are different, then the initial tax levy for the consolidated district shall be the lower of the districts which were combined until changed as provided by statute.**

**14. The county commission or similar authority shall have the power to make deeds, bills of sale, or other instruments transferring the assets of the districts combined to the new consolidated district and shall have all other powers necessary to effectuate the consolidation and transfer of all assets and liabilities to the consolidated road district.**

**15. The provision of subsections 9 to 15 of this section shall not apply to any road district located in two counties.";** and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

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

NOES: 036

Adams	Anders	Arthur	Butler	Colona
Conway 10	Dunn	Harris	Hough	Hubbard
Hummel	Kendrick	Kirkton	Kratky	LaFaver
Lavender	McCann Beatty	McCreery	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Rowland 29	Runions	Walton Gray
Webber				

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 018

Berry	Burns	Carpenter	Cookson	Cornejo
Ellington	Entlicher	Gardner	Green	Hinson
Jones	Korman	May	McGee	Parkinson
Pierson	Smith	Mr. Speaker		

VACANCIES: 001

On motion of Representative Rowden, **HCS SCS SB 800, as amended**, was adopted.

Representative Rowden moved that **HCS SCS SB 800, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 065

Alferman	Allen	Austin	Basye	Beard
Bernskoetter	Berry	Black	Brown 57	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtis	Dogan
Dohrman	Engler	Fitzwater 144	Flanigan	Fraker
Haahr	Haefner	Hansen	Hicks	Higdon
Hoskins	Houghton	Hubbard	Jones	Justus
Kelley	King	Kolkmeier	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McGaugh	Miller	Muntzel
Nichols	Phillips	Pierson	Pike	Redmon
Reiboldt	Rowden	Rowland 155	Ruth	Shull
Shumake	Solon	Walker	Zerr	Mr. Speaker

NOES: 090

Adams	Anders	Anderson	Andrews	Arthur
Bahr	Barnes	Bondon	Brattin	Brown 94
Burlison	Chipman	Colona	Crawford	Curtman
Davis	Dugger	Dunn	Eggleston	Ellington
English	Fitzpatrick	Fitzwater 49	Franklin	Frederick
Gannon	Green	Harris	Hill	Hinson
Hough	Hubrecht	Hummel	Hurst	Johnson
Kendrick	Kidd	Kirkton	Koenig	Lavender
Lichtenegger	Marshall	Mathews	McCann Beatty	McCreery
McDaniel	McDonald	McGee	McNeil	Meredith
Messenger	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Neely	Newman	Norr
Otto	Pace	Peters	Pfautsch	Pietzman
Plocher	Pogue	Rehder	Remole	Rhoads
Rizzo	Roden	Roeber	Rone	Ross
Rowland 29	Runions	Shaul	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walton Gray
Webber	White	Wiemann	Wilson	Wood

PRESENT: 000

ABSENT WITH LEAVE: 007

Burns	Entlicher	Gardner	Korman	May
Parkinson	Smith			

VACANCIES: 001

**HCS SB 735**, relating to judicial proceedings, was taken up by Representative Cornejo.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 735, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) "Custody" means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;

(2) **"In vitro human embryo", any human embryo at any stage of development which is not conceived within a female;**

(3) "Joint legal custody" means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

~~[(3)]~~ (4) "Joint physical custody" means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

~~[(4)]~~ (5) **"Surrogate", a woman who is not an ovum donor, but in whose womb an in vitro human embryo is implanted;**

(6) "Third-party custody" means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child's parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child's best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child's adjustment to the child's home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child's custodian.

The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

- (a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;
- (b) A violation of section 568.020;
- (c) A violation of subdivision (2) of subsection 1 of section 568.060;
- (d) A violation of section 568.065;
- (e) A violation of section 568.080;
- (f) A violation of section 568.090; or
- (g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection [7] 8 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by

the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

**14. If a dispute is brought before a court of this state involving the custody of in vitro human embryos, the court shall render a decision according to the following standards:**

**(1) The court shall determine custody in accordance with the best interest of the in vitro human embryo. It is presumed that it is in the best interest of the in vitro human embryo to place him or her in the custody of the ovum donor or spermatozoon donor who intends to develop the in vitro human embryo to birth, subject to rebuttal evidence;**

**(2) The court shall resolve the dispute between the parties in the manner that provides the best chance for the in vitro human embryo to develop and grow. The court shall not approve either the termination of the in vitro human embryo or an outcome that leaves the in vitro human embryo indefinitely in an environment in which it does not develop and grow;**

**(3) The following persons have standing to petition the court or to intervene in a case: the ovum donor, spermatozoon donor, the surrogate in which the in vitro human embryo at issue has been placed, or any other party involved in the negotiations for the creation of the in vitro human embryo at issue;**

**(4) The court may uphold an agreement between the parties to an action establishing or terminating parental rights as not against public policy. Notwithstanding the provisions of chapters 211 and 435, the noncustodial party may terminate his or her parental rights by filing an affidavit with the court. Upon receipt of such an affidavit, the court shall enter an order terminating such noncustodial party's parental rights. If parental rights have been terminated under this subdivision, then a claim for child support by the custodial party shall not be maintained against the noncustodial party; and**

**(5) All agreements brought before the court concerning the disposition of in vitro human embryos shall be subject to the provisions of this section.";** and

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

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

On motion of Representative Cornejo, **HCS SB 735, as amended**, was adopted.



On motion of Representative Cornejo, **HCS SB 735, as amended**, was read the third time and passed by the following vote:

AYES: 113

Alferman	Allen	Anders	Anderson	Andrews
Austin	Bahr	Barnes	Basye	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Green	Haahr	Haefner	Hansen
Harris	Hicks	Hill	Hinson	Hoskins
Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeyer	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Redmon
Rehder	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 038

Adams	Arthur	Beard	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	Hubbard
Hummel	Kendrick	Kirkton	Kratky	Lavender
Marshall	McCann Beatty	McCreery	McDonald	McGee
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo
Walton Gray	Webber	White		

PRESENT: 000

ABSENT WITH LEAVE: 011

Burns	Entlicher	Flanigan	Gardner	Higdon
Hough	Korman	Leara	May	Reiboldt
Smith				

VACANCIES: 001

Representative Barnes declared the bill passed.

Speaker Richardson resumed the Chair.

### **BILLS CARRYING REQUEST MESSAGES**

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

Representative Brattin moved that the House refuse to recede from its position on **HCS SB 640, as amended**, and grant the Senate a conference.

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:

**SCS HCS HB 1584**: Representatives Hill, Rhoads, Lauer, Mitten, and Gardner

**HCS SB 625**: Representatives Pierson, Kolkmeier, Korman, Mathews, and Colona

**HCS SB 640**: Representatives Brattin, Haahr, Mathews, Colona, and LaFaver

**HCS SB 656**: Representatives Burlison, Ross, Taylor (139), Morgan, and Newman

**HCS SCS SB 703**: Representatives Reiboldt, Houghton, Redmon, McCreery, and Lavender

**HCS SS SB 786**: Representatives Dugger, Entlicher, McGaugh, Conway (10), and Newman

**SB 852**: Representatives Chipman, Fitzwater (49), Davis, Walton Gray, and Adams

**SB 988**: Representatives Frederick, Neely, White, Kirkton, and Arthur

**HCS SB 994**: Representatives Alferman, Reiboldt, Cornejo, Hummel, and McCreery

### **THIRD READING OF SENATE BILLS**

**HCS SB 833**, relating to financial transactions, was taken up by Representative Fitzwater (49).

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 833, Page 7, Section 327.272, Lines 49-54, 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.

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

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person "engages in business in this state" or "maintains a place of business in this state" under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

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

(6) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for

quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets[, cash admissions,] **and charges and fees for admission to [or in places of amusement, entertainment and recreation, games and athletic events] spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts, and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;  
(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

- (1) Subject to a tax in this or any other state;
- (2) For resale;
- (3) Excluded from tax under this chapter;
- (4) Subject to tax but exempt under this chapter; or
- (5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, shall remit tax on the amount paid for admissions or seating accommodations[, or fees paid] to[, or in] such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale. **Such sales under subdivision (2) of subsection 1 of section 144.020 shall include sales of admission tickets and charges and fees for admission to spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030.**

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.

144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission **tickets** and [seating accommodations, or] **charges and fees** [paid] to], or in any place of amusement, entertainment or recreation, games and athletic events] **spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030;**

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of sale at retail or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered

a sale, charge, or fee to, for, or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.""; 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: 099

Allen	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Black	Bondon
Brattin	Brown 94	Burlison	Chipman	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Curtman
Dogan	Dohrman	Dugger	Eggleston	Engler
English	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Hansen
Hicks	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Justus
Kelley	Kidd	Koenig	Kolkmeyer	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Roeber	Rone	Ross	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 035

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

PRESENT: 000

ABSENT WITH LEAVE: 028

Alferman	Barnes	Berry	Brown 57	Burns
Butler	Colona	Corlew	Cross	Davis
Ellington	Entlicher	Gardner	Haahr	Haefner
Higdon	Jones	King	Korman	Leara
May	Newman	Otto	Peters	Plocher
Rhoads	Roden	Smith		

VACANCIES: 001

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 833, Page 7, Section 327.272, Line 54, by inserting after all of said section and line the following:

- "376.998 1. 1. As used in this section:**
- (1) "Excepted benefit plan" shall mean a policy or certificate of insurance extending the following coverages or any combination thereof:**
- (a) Coverage under short-term major medical policies;**
  - (b) Coverage only for accident (including accidental death and dismemberment) insurance;**
  - (c) Coverage only for disability income insurance;**
  - (d) Credit-only insurance;**
  - (e) Other similar insurance coverage under which benefits for medical care are supplemental to other insurance benefits;**
  - (f) Coverage only for a specified disease or illness; or**
  - (g) Hospital indemnity or other fixed indemnity insurance;**
- (2) "Health benefit plan" and "health care services", "health carrier" and "health care provider" shall have the same meaning as under section 376.1350.**
- (3) "Health insurance mandate" shall mean a requirement under state law for a health carrier to offer or provide coverage for:**
- (a) A treatment by a particular type of health care provider;**
  - (b) A certain treatment or service including procedures, medical equipment or drugs that are used in connection with a treatment or service; or**
  - (c) Screening, diagnosis, or treatment of a particular disease or condition.**
- (4) "Notice" shall mean a requirement under Missouri law to disclose information regarding the availability of certain benefits or services under a health benefit plan.**
- 2. Excepted benefit plans shall be exempt from any health insurance mandate enacted on or after August 28, 2016, unless the statute enacting such mandate expressly declares that it is applicable to excepted benefit plans as defined in this section.**
- 3. Notwithstanding the provisions of any other law to the contrary, the director may, by bulletin, exempt a type of excepted benefit plan from notice or disclosure requirements required by statute for specific services that by custom, are not covered by the particular type of excepted benefit plans being exempted.**
- 4. This section shall apply to an excepted benefit plan to the extent the excepted benefit plan does not materially change coverage to provide for the reimbursement of health care services which extend beyond the types of health care services customarily provided by the specific type of excepted benefit plan or where the combination of coverages and benefits would otherwise meet the definition of a health benefit plan.";** and

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



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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting immediately after said line the following:

**"313.303. 1. The lottery commission, the state lottery or any employee of the state lottery, or any organization with whom the state has contracted to operate the state lottery or any of that organization's employees shall not publish the name, address, or any other identifying information of any person who wins the state lottery unless such person has provided written consent to have such information published.**

**2. For purposes of this section, "publish" means to issue information or material in printed or electronic form for distribution or sale to the public."; and**

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 833, Page 10, Section 381.058, Line 32, by inserting after all of said section and line the following:

**"407.1390. 1. As used in this section, the following terms shall mean:**

- (1) "Consumer", the purchaser of an event ticket;**
- (2) "Credit card", the same as defined in section 407.432;**
- (3) "Credit card entry", allowed entry to a live event or sporting event based solely upon the presentation of the purchasing consumer's credit card and valid identification;**
- (4) "Event ticket", a printed, electronic, or other type of evidence of the right, option, or opportunity for a consumer to occupy a space at, or to enter, or to attend a place of entertainment. Event tickets do not include tickets issued for a private event;**
- (5) "Event ticket vendor", primary ticket sales platforms, secondary ticket exchanges, and ticket issuers;**
- (6) "Primary ticket sales platform", a marketplace operated by or on behalf of a ticket issuer for the use of consumers for the initial purchase of event tickets from the ticket issuer;**
- (7) "Secondary ticket exchange", an electronic marketplace that enables a consumer to buy, sell, and resell event tickets;**
- (8) "Ticket issuer", any person that makes event tickets available, directly or indirectly, or an agent of any such person.**

**2. An event ticket vendor shall:**

- (1) Not sell an event ticket having a credit card entry restriction to a consumer unless the following notice is provided by such vendor prior to purchase: "RESTRICTIONS APPLY; PROOF OF CREDIT CARD USED FOR PURCHASE AND VALID ID MAY BE REQUIRED FOR ENTRY. TICKETS ARE NON-TRANSFERABLE. YOUR ENTIRE GROUP MUST ENTER AT THE SAME TIME."**
- (2) Maintain a toll-free telephone number for consumer complaints and inquiries;**
- (3) Implement a standard refund policy that provides a consumer a full refund or comparable replacement event tickets to consumers who purchased events tickets through that event ticket vendor if:**
  - (a) The event is cancelled and not rescheduled;**
  - (b) The event ticket received by the consumer is counterfeit;**

- (c) The event ticket has been cancelled by the ticket issuer for non-payment by the original purchaser, or for any reason other than an act or omission of the original purchaser;
- (d) The event ticket fails to conform to the description provided by the event ticket vendor;
- (e) The event ticket was not delivered to the consumer prior to the occurrence of the event, unless such delivery failure was due to an act or omission by the consumer;
- (f) The event ticket does not provide the consumer admission to the event for which the event ticket was purchased.

Any standard refund policy implemented under this subdivision shall include the full price paid by the consumer for the event ticket, in addition to all fees charged in connection with the purchase, including but not limited to download, delivery, and shipping fees.

3. Nothing in this section shall prohibit an event ticket vendor from taking reasonable steps to remediate incidents of fraud, or from implementing consumer protection policies that exceed the minimum requirements set forth in this section.

4. It shall be considered an unlawful practice subject to the penalties in section 407.020 for:

- (1) Any person to knowingly use or sell software to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on an event ticket vendor platform, website, or online marketplace;
- (2) Any person or event ticket vendor to violate the provisions of this section."; and

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

Representative McCreery offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 833, Page 10, Section 381.058, Line 32, by inserting after all of said section and line the following:

"407.1850. 1. As used in this section, the following terms shall mean:

- (1) "Event", any concert, theatrical performance, sporting event, exhibition, show, or similar scheduled activity taking place in this state that is open to the general public and for or which an admission fee is charged;
- (2) "Primary ticket sales platform", a marketplace operated by or on behalf of a ticket issuer for the use of consumers for the initial purchase of event tickets from the ticket issuer;
- (3) "Resale", any form of transfer or alienation, or offering for transfer or alienation, or possession or entitlement to possession of an event ticket from one ticket seller to a person, with or without consideration, whether in person or by means of a telephone or mail, delivery service, facsimile, internet, electronic mail, or other electronic means. "Resale" shall not include the initial sale of an event ticket by the ticket issuer;
- (4) "Secondary ticket exchange", an electronic marketplace that enables a consumer to sell and purchase event tickets, including, but not limited to, at resale;
- (5) "Ticket", any physical, electronic, or other form of a certificate, document, voucher, token, or other evidence indicating that the bearer, possessor, or person entitled to possession through purchase or otherwise has a revocable or irrevocable right, privilege, or license to enter an event venue or occupy a particular seat or area in an event venue with respect to one or more events, or an entitlement to purchase such right, privilege, or license with respect to one or more future events;
- (6) "Ticket issuer", any person that makes tickets available, directly or indirectly, to an event, and may include the operator of a venue; the sponsor or promoter of an event; a sports team participating in an event or a league whose teams are participating in an event; a theater company, musical group, or similar participant in an event; or an agent of any such person;
- (7) "Ticket seller", any natural person, partnership, corporation, association, or other legal entity engaged in the sale or resale of tickets;

(8) "Venue", a theater, stadium, field, hall, or other facility or area where an entertainment event takes place.

2. A ticket issuer, primary ticket sales platform, or secondary ticket exchange shall not:

(1) Penalize or discriminate against a ticket holder who transfers, resells, or offers to resell his or her ticket;

(2) Penalize, discriminate against, or deny access to a ticket holder solely on the grounds that, or the channel through which, the ticket was resold;

(3) Prohibit or restrict the resale or transfer of any tickets; or

(4) Use any delivery techniques or technological means including, but not limited to, electronic delivery delays, that have the effect of precluding or hindering consumers from reselling or transferring tickets on a platform or exchange of their choice.

3. A person shall not knowingly use or sell software to circumvent, thwart, interfere with, or evade a security measure, access control system, or other control or measure on a primary ticket sales platform or a secondary ticket exchange."; and

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

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

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 5*

AMEND House Substitute Amendment No.1 for House Amendment No. 5 to House Committee Substitute for Senate Bill No. 833, Page 2, Line 4, by deleting the word "or" on said line; and

Further amend said amendment, Line 7, by deleting all of said line and inserting in lieu thereof the following:

**"or transferring tickets on a platform or exchange of their choice; or  
(5) Prohibit the ingress or egress of a ticket holder during the event.";** 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: 112

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

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Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeier	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	Redmon
Rehder	Reiboldt	Remole	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 040

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 57	Burns	Entlicher	Gardner	Higdon
Korman	May	McDonald	Rhoads	Smith

VACANCIES: 001

On motion of Representative McGaugh, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

**House Substitute Amendment No. 1 for House Amendment No. 5, as amended**, was withdrawn.

Representative Rowden moved that **House Amendment No. 5** be adopted.

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

AYES: 022

Arthur	Basye	Bondon	Carpenter	Corlew
Curtis	Engler	Fitzwater 144	Fitzwater 49	Gannon
Justus	Kendrick	King	Kratky	LaFaver
Leara	McCreery	Muntzel	Otto	Rowden
Shull	Webber			

NOES: 128

Adams	Alferman	Allen	Anders	Anderson
Andrews	Austin	Bahr	Barnes	Beard
Bernskoetter	Berry	Black	Brattin	Brown 57
Brown 94	Burlison	Butler	Chipman	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	Ellington	English
Fitzpatrick	Flanigan	Fraker	Franklin	Frederick
Green	Haahr	Haefner	Hansen	Harris
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hummel	Hurst
Johnson	Jones	Kelley	Kidd	Kirkton
Koenig	Kolkmeier	Lair	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McCann Beatty	McDaniel	McGee
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Neely	Newman	Nichols	Norr	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Plocher	Pogue	Redmon
Rehder	Reiboldt	Remole	Rizzo	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Walton Gray	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

PRESENT: 001

Roden

ABSENT WITH LEAVE: 011

Burns	Dugger	Entlicher	Gardner	Hicks
Korman	May	McDonald	McGaugh	Rhoads
Smith				

VACANCIES: 001

### Representative Love offered **House Amendment No. 6.**

#### *House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"110.010. 1. The public funds of every county, township, city, town, village, school district of every character, road district, sewer district, fire protection district, **ambulance district**, water supply district, drainage or levee district, state hospital, state schools for the mentally deficient, Missouri School for the Deaf, Missouri School for the Blind, Missouri Training School for Boys, training school for girls, Missouri Veterans' Home, Missouri State Chest Hospital, state university, Missouri state teachers' colleges, Lincoln University, which are deposited in any banking institution acting as a legal depository of the funds under the statutes of Missouri requiring the letting and deposit of the same and the furnishing of security therefor, shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer.

2. The securities shall, at the option of the depository banking institution, be delivered either to the fiscal officer or the governing body of the municipal corporation or other depositor of the funds, or by depositing the securities with another banking institution or safe depository as trustee satisfactory to both parties to the depository agreement. The trustee may be a bank owned or controlled by the same bank holding company as the depository banking institution.

3. The rights and duties of the several parties to the depository contract shall be the same as those of the state and the depository banking institution respectively under section 30.270. If a depository banking institution deposits the bonds or securities with a trustee as above provided, and the municipal corporation or other depositor of funds gives notice in writing to the trustee that there has been a breach of the depository contract and makes demand in writing on the trustee for the securities, or any part thereof, then the trustee shall forthwith surrender to the municipal corporation or other depositor of funds a sufficient amount of the securities to fully protect the depositor from loss and the trustee shall thereby be discharged of all further responsibility in respect to the securities so surrendered."; and

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

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

On motion of Representative Fitzwater (49), **HCS SB 833, as amended**, was adopted.

On motion of Representative Fitzwater (49), **HCS SB 833, as amended**, was read the third time and passed by the following vote:

AYES: 139

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Engler	English
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	Jones	Justus
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Kratky	LaFaver	Lair
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	McCaherty	McCann Beatty	McCreery
McGaugh	McGee	Meredith	Messenger	Miller
Mims	Mitten	Morgan	Morris	Muntzel
Neely	Nichols	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rizzo	Roden	Roeber	Rone
Rowden	Rowland 155	Rowland 29	Runions	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Walton Gray	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 013

Colona	Ellington	Hummel	Hurst	Marshall
McDaniel	McNeil	Montecillo	Moon	Newman
Norr	Pogue	Ross		

PRESENT: 000

ABSENT WITH LEAVE: 010

Burns	Cornejo	Entlicher	Gardner	Korman
Leara	May	McDonald	Rhoads	Smith

VACANCIES: 001

Speaker Richardson declared the bill passed.

**SB 627**, relating to suicide awareness and prevention, was taken up by Representative English.

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

*House Amendment No. 1*

AMEND Senate Bill No. 627, Page 1, In the Title, Lines 2-3, by deleting the phrase "suicide awareness and prevention" and inserting in lieu thereof the phrase "higher education"; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting immediately after all of said section and line the following:

**"173.1410. 1. Prior to September 1, 2017, each public institution of higher education within the state shall adopt a policy on student favoritism. The policy, which shall establish a procedure for addressing allegations of favoritism towards any given student, shall include, but not be limited to, the following:**

- (1) A statement of the institution's commitment to a nondiscriminatory educational environment;**
- (2) A statement prohibiting unfair advantage to any student including, but not limited to, unfair preferential treatment in grading, class selection, class assignments, class attendance, or any kind of grade inflation or course work requirement modification aimed solely at qualifying a student for participation in an extracurricular activity or sport;**
- (3) Specific provisions discouraging or prohibiting relationships or environments that encourage favoritism;**
- (4) A method for reporting an allegation of favoritism that allows allegations to be brought by any individual or any group; and**
- (5) A method for resolving allegations of favoritism including determinations as to appropriate consequences for confirmed acts of favoritism.**

**2. Upon implementation of a policy required under subsection 1 of this section, an institution shall uniformly and consistently apply such policy, make it easily accessible, and train campus leaders on the policy.**

**3. The department of higher education 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.";** and

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

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 627, Page 1, In the Title, Lines 2 and 3, by deleting the words "suicide awareness and prevention" and inserting in lieu thereof the words "student safety at public institutions of higher education"; and

Further amend said bill, Page 2, Section 173.1200, Line 41, 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 by amending the title, enacting clause, and intersectional references accordingly.

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

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

*House Amendment No. 3*

AMEND Senate Bill No. 627, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

**"170.047. 1. In the 2017-18 school year and subsequent years, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.**

**2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.**

**3. For purposes of this section, the term "licensed educator" means any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.**



4. The department of elementary and secondary education may promulgate rules and regulations to implement 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.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including the training and education of district employees.

2. Each district's policy shall address, but need not be limited to, the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;
- (2) Strategies and protocols for helping students at possible risk of suicide; and
- (3) Protocols for responding to a suicide death.

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to change the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee."; and

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

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

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

*House Amendment No. 4*

AMEND Senate Bill No. 627, Page 1, In the Title, Line 3, by deleting the words "awareness and prevention"; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"9.154. 1. August 28, 2016, and thereafter the date designated by the show-me compassionate medical education research project committee established in section 191.596, shall be designated as "Show-Me Compassionate Medical Education Day" in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness regarding medical education, medical student well-being, and measures that have been shown to be effective, are currently being evaluated for effectiveness, and are being proposed for effectiveness in positively impacting medical student well-being and education.

2. The director of the department of mental health shall notify the revisor of statutes of the date selected by the show-me compassionate medical education research project committee for the show-me compassionate medical education day."; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

"191.594. 1. Sections 191.594 to 191.596 shall be known and may be cited as the "Show-Me Compassionate Medical Education Act".

2. No medical school in this state shall prohibit, discourage, or otherwise restrict a medical student organization or medical organization from undertaking or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students. No medical school in this state shall penalize, discipline, or otherwise take any adverse action against a student or a medical student organization in connection with such student's or medical student organization's participation in, planning, or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students.

3. For purposes of this section, the following terms shall mean:

(1) "Medical organization" includes, but is not limited to, organizations such as the Missouri State Medical Association and the Missouri Association of Osteopathic Physicians and Surgeons;

(2) "Medical school", any allopathic or osteopathic school of medicine in this state;

(3) "Medical student organization" includes, but is not limited to, organizations such as the American Medical Student Association, the Student Osteopathic Medical Association, and any medical student section of a medical organization.

191.596. 1. Medical schools in this state may, in collaboration with the show-me compassionate medical education research project committee, conduct a single center or multicenter study or studies, which, if conducted, shall be known as the "Show-Me Compassionate Medical Education Research Project", in order to facilitate the collection of data and implement practices and protocols to minimize stress and reduce the risk of depression and suicide for medical students in this state.

2. There is hereby established the "Show-Me Compassionate Medical Education Research Project Committee", which shall consist of representatives from each of the medical schools in this state and the director of the department of mental health, or the director's designee. The committee shall:

(1) Conduct an initial meeting on August 28, 2016, to organize, and meet as necessary thereafter to implement any research project conducted; and

(2) Set the date for the show-me compassionate medical education day designated under section 9.154. The date selected shall be for 2017 and every year thereafter.

3. Any single center or multicenter study undertaken by the committee or its member schools may include, but need not be limited to, the following:

(1) Development of study protocols designed to identify the root causes that contribute to the risk of depression and suicide for medical students;

(2) Examination of the culture and academic program of medical schools that may contribute to the risk of depression and suicide for medical students;

(3) Collection of any relevant additional data including, but not limited to, consultation and collaboration with mental health professionals and mental health resources in the communities where medical schools are located;

(4) Collaboration between the medical schools in this state in order to share information and to identify and make recommendations under subdivision (5) of this subsection; and

(5) Based on the data and findings under subdivisions (1) to (3) of this subsection:

(a) Identification of the best practices to be implemented at each medical school designed to address the root causes and changes in medical school culture in order to minimize stress and reduce the risk of depression and suicide for medical students;

(b) Recommendation of any statutory or regulatory changes regarding licensure of medical professionals and recommendation of any changes to common practices associated with medical training or medical practice that the committee believes will accomplish the goals set out in this section.

4. The committee shall prepare an annual report that shall include any information under subdivision (5) of subsection 3 of this section and any measures reported by any medical school as a result of the findings under this section. The report shall be made available annually on each medical school's website and to the Missouri general assembly.

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

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

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

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

- (a) A decision by the law enforcement agency not to pursue the case;
- (b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;
- (c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;
- (4) "Incident report", a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;
- (5) "Investigative report", a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties.

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records. Notwithstanding any other provision of law other than the provisions of subsections [4, 5 and 6] **5, 6, and 7** of this section or section 320.083, investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within thirty days of the person's arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120.

3. Except as provided in subsections [4, 5, 6 and 7] **5, 6, 7, and 8** of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

**4. (1) Notwithstanding any other provision of this section or law to the contrary, any portion of a record or document of a law enforcement officer or agency, or public institution of higher education, involving a suicide or attempted suicide shall be a closed record for thirty days after the suicide or attempted suicide.**

**(2) Notwithstanding the provisions of subsection 1 of this section, if a suicide occurred, such records shall be released prior to thirty days to any relative of the individual within the second degree of consanguinity or affinity upon request.**

**(3) Notwithstanding the provisions of subsection 1 of this section, in the case of an attempted suicide, such records shall be released to the individual who attempted to commit suicide at the individual's request or upon the request of the individual's parent or guardian if the individual is a minor, or the individual's spouse or relative within the second degree of consanguinity or affinity if the individual is incapacitated.**

**(4) Notwithstanding the provisions of subsection 1 of this section, in the case of suicide or attempted suicide, such records may be released for the following purposes:**

- (a) Criminal, civil, administrative, or other legal proceedings;**
- (b) Law enforcement investigative or other purposes;**
- (c) To any covered entity, as defined in the Health Insurance Portability and Accountability Act of 1996, as amended, that is providing or may provide services to any individual or his or her relative within the second degree of consanguinity or affinity; or**
- (d) If the release of such information is immediately necessary for the preservation of the health and safety of any individual or for public health and welfare.**

5. Any person, including a family member of such person within the first degree of consanguinity if such person is deceased or incompetent, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain any records closed pursuant to this section or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency

shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

[5.] 6. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of the information contained in an investigative report of any law enforcement agency, which would otherwise be closed pursuant to this section. The court may order that all or part of the information contained in an investigative report be released to the person bringing the action. In making the determination as to whether information contained in an investigative report shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity. The investigative report in question may be examined by the court in camera. The court may find that the party seeking disclosure of the investigative report shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the investigative report was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

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

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

610.200. **1. Except as provided in subsection 2 of this section,** all law enforcement agencies that maintain a daily log or record that lists suspected crimes, accidents, or complaints shall make available the following information for inspection and copying by the public:

- (1) The time, substance, and location of all complaints or requests for assistance received by the agency;
- (2) The time and nature of the agency's response to all complaints or requests for assistance; and
- (3) If the incident involves an alleged crime or infraction:
  - (a) The time, date, and location of occurrence;
  - (b) The name and age of any victim, unless the victim is a victim of a crime under chapter 566;
  - (c) The factual circumstances surrounding the incident; and
  - (d) A general description of any injuries, property or weapons involved.

**2. Notwithstanding any other provision of law to the contrary, no law enforcement agency or public institution of higher education shall release any portion of a record or document of a law enforcement officer or agency involving a suicide or attempted suicide unless such release complies with the requirements of subsection 4 of section 610.100.**

Section B. Because immediate action is necessary to ensure the well-being of medical students in this state, the enactment of sections 9.154, 191.594, and 191.596 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 enactment of sections 9.154, 191.594, and 191.596 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

*House Amendment No. 1*  
*to*  
*House Amendment No. 4*

AMEND Senate Bill No. 627, Page 2, Section 173.1200, Line 41, by deleting all of said line and inserting in lieu thereof the following:

**"enforcement officers and employees or other persons, except when criminal, civil, or administrative action is initiated regarding unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of such activities.";** and

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

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

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

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

*House Amendment No. 5*

AMEND Senate Bill No. 627, Page 1, In the Title, Lines 2-3, by deleting the words "suicide awareness and prevention" and inserting in lieu thereof the words "health care"; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

"209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term "service dog" [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions of the Americans With Disabilities Act, the following terms shall mean:

- (1) "Disability", as defined in section 213.010 including diabetes;
- (2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes but is not limited to:
  - (a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;
  - (b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;
  - (c) "Medical alert or [respond] **response dog**", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;
  - (d) "**Mental health service dog**" or "**psychiatric service dog**", a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published **Diagnostic and Statistical Manual of Mental Disorders (DSM)** to perform tasks that mitigate or assist with difficulties including, but not limited to, alerting or responding to episodes such as panic attacks and anxiety, and performing other tasks directly related to the owner's psychiatric disability, medical condition, or developmental disability including, but not limited to, autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder, Alzheimer's disease, dementia, post-traumatic stress disorder (PTSD), anxiety disorder, obsessive compulsive disorder, schizophrenia, and other mental illnesses and invisible disabilities;
  - (e) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;
  - [(e)] (f) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;
  - [(f)] (g) "Search and rescue dog", a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;
- (3) "Service dog team", a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog."; and

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

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

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

*House Amendment No. 6*

AMEND Senate Bill No. 627, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

- "160.400. 1. A charter school is an independent public school.
2. Except as further provided in subsection 4 of this section, charter schools may be operated only:
    - (1) In a metropolitan school district;
    - (2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;
    - (3) In a school district that has been [declared] **classified as unaccredited by the state board of education**;
    - (4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:
      - (a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department; or

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, [which is a member of the North Central Association] and accredited by the Higher Learning Commission, with its primary campus in Missouri; [or]

(6) The Missouri charter public school commission created in section 160.425.

4. Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences **based on the annual performance report**, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care **safety** registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance [framework] **contract** that the sponsor will use to evaluate the performance of charter schools. **Charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract;**



(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

**18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405, the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability or obligations of the charter school.**

160.403. 1. The department of elementary and secondary education shall establish an annual application and approval process for all entities eligible to sponsor charters as set forth in section 160.400 which are not sponsoring a charter school as of August 28, 2012, **except that the Missouri charter public school commission shall not be required to undergo the application and approval process.** No later than November 1, 2012, the department shall make available information and guidelines for all eligible sponsors concerning the opportunity to apply for sponsoring authority under this section.

2. The application process for sponsorship shall require each interested eligible sponsor, **except for the Missouri charter public school commission,** to submit an application by February first that includes the following:

(1) Written notification of intent to serve as a charter school sponsor in accordance with sections 160.400 to 160.425 and section 167.349;

(2) Evidence of the applicant sponsor's budget and personnel capacity;

(3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit charter school applicants consistent with sections 160.400 to 160.425 **and section 167.349;**

(4) The performance [framework] **contract** that the applicant sponsor would, if approved as a charter sponsor, use to [guide the establishment of a charter contract and for ongoing oversight and a description of how it would] evaluate the charter schools it sponsors; and

(5) The applicant sponsor's renewal, revocation, and nonrenewal processes consistent with section 160.405.

3. By April first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant [charter's] **sponsor's** compliance with sections 160.400 to 160.425 **and section 167.349** and properly promulgated rules of the department.

4. Within thirty days of the department's decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be six years and renewable. [No eligible sponsor which is not currently sponsoring a charter school as of August 28, 2012, shall commence charter sponsorship without approval from the state board of education and a sponsor contract with the state board of education in effect.]

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall [be] **include** a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall [also include] **address the following**:

- (1) A mission and vision statement for the charter school;
- (2) A description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy, financial management, and operational decisions of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;
- (3) A financial plan for the first three years of operation of the charter school including provisions for annual audits;
- (4) A description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan;
- (5) A description of the grades or ages of students being served;
- (6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;
- (7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;
- (8) A description of the charter school's educational program and curriculum;
- (9) The term of the charter, which shall be five years and [shall] **may** be [renewable] **renewed**;
- (10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;
- (11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;
- (12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;
- (13) A description of the charter school's grievance procedure for parents or guardians;
- (14) A description of the agreement **and time frame for implementation** between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;
- (15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection 16 of section 160.400 including:
  - (a) Orderly transition of student records to new schools and archival of student records;
  - (b) Archival of business operation and transfer or repository of personnel records;
  - (c) Submission of final financial reports;
  - (d) Resolution of any remaining financial obligations; [and]
  - (e) Disposition of the charter school's assets upon closure; **and**

(f) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education within thirty days of the decision to close;

(16) A description of the special education and related services that shall be available to meet the needs of students with disabilities; and

(17) For all new or revised charters, procedures to be used upon closure of the charter school requiring that unobligated assets of the charter school be returned to the department of elementary and secondary education for their disposition, which upon receipt of such assets shall return them to the local school district in which the school was located, the state, or any other entity to which they would belong.

Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the requirements of this subsection.

2. Proposed charters shall be subject to the following requirements:

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board of education by [December first of the year] **January thirty-first** prior to **the school year** of the proposed opening date of the charter school;

(2) A charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity. The sponsor's decision of approval or denial shall be made within ninety days of the filing of the proposed charter;

(3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial and forward a copy to the state board of education within five business days following the denial;

(4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, that the applicant is sufficiently qualified to operate the charter school, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding **by the sponsor** that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance, **including annual performance reports**, of students enrolled in the charter school. The state board of education [may, within sixty days, disapprove the granting of the charter] **shall approve or deny a charter application within sixty days of receipt of the application**. The state board of education may [disapprove] **deny** a charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. **Any denial of a charter application made by the state board of education shall be in writing**

**and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided within ten business days to the sponsor.**

4. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum [number of school days and hours] **amount of school time** required under section [160.041] **171.031**, and the employee criminal history background check and the family care safety registry check under section 168.133;

(3) Except as provided in sections 160.400 to 160.425 **and as specifically provided in other sections**, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education's internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local [education] **educational** agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from [kindergarten] **early childhood** through grade twelve, [which may include early childhood education if funding for such programs is established by statute,] as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, establish baseline student performance in accordance with the performance contract during the first year of operation, collect student performance data as defined by the annual performance report throughout the duration of the charter to annually monitor student academic performance, and to the extent applicable based upon grade levels offered by the charter school, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, which shall also include a statement that background checks have been completed on the charter school's board members, **and** report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof[, and provide data required for the study of charter schools pursuant to subsection 4 of section 160.410]. No charter school shall be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) For proposed [high risk] **high-risk** or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a [high risk] **high-risk** or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

(c) Nothing in this subdivision shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on measures defined in the school's performance contract with its sponsors;

(7) Comply with all applicable federal and state laws and regulations regarding students with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

(8) Provide along with any request for review by the state board of education the following:

(a) Documentation that the applicant has provided a copy of the application to the school board of the district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and

(b) A statement outlining the reasons for approval or [disapproval] **denial** by the sponsor, specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations during the first year of operation and then every other year after the most recent review or at any point where the operation or management of the charter school is changed or transferred to another entity, either public or private. The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. Sponsors shall annually review the charter school's compliance with statutory standards including:

(1) Participation in the statewide system of assessments, as designated by the state board of education under section 160.518;

(2) Assurances for the completion and distribution of an annual report card as prescribed in section 160.522;

(3) The collection of baseline data during the first three years of operation to determine the longitudinal success of the charter school;

(4) A method to measure pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and

(5) Publication of each charter school's annual performance report.

8. (1) (a) A sponsor's [intervention] policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

a. The charter school provides a high school program which fails to maintain a graduation rate of at least seventy percent in three of the last four school years unless the school has dropout recovery as its mission;

b. The charter school's annual performance report results are below the district's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located in three of the last four school years; and

c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.

(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

a. Clear evidence of underperformance as demonstrated in the charter school's annual performance report in three of the last four school years; or

b. A violation of the law or the public trust that imperils students or public funds.

(c) A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than [twelve] **twenty-four** months, provided that no more than one designation of probationary status shall be allowed for the duration of the charter contract, at any time if the

charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet the performance contract as set forth in its charter, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days following receipt of written notice requesting such information, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, which may require a change of methodology, a change in leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an appeal to the state board of education, which shall determine whether the charter shall be revoked.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

(2) The sponsor's renewal process of the charter school shall be based on the thorough analysis of a comprehensive body of objective evidence and consider if:

(a) The charter school has maintained results on its annual performance report that meet or exceed the district in which the charter school is located based on the performance standards that are applicable to the grade-level configuration of both the charter school and the district in which the charter school is located in three of the last four school years;

(b) The charter school is organizationally and fiscally viable determining at a minimum that the school does not have:

a. A negative balance in its operating funds;

b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or

c. Expenditures that exceed receipts for the most recently completed fiscal year;

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; **and**

**(d) The charter school has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable as described in paragraph (b) of this subdivision. If such is the case, the charter school may have an expedited renewal process as defined by rule of the department of elementary and secondary education.**

(3) (a) Beginning August first during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school's performance contract including but not limited to those requirements specific to academic performance.

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If a charter school sponsor demonstrates the objectives identified in this subdivision, the state board of education shall renew the school's charter.

10. A school district may enter into a lease with a charter school for physical facilities.

11. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

13. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035.

14. The chief financial officer of a charter school shall maintain:

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or

(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

**15. The department of elementary and secondary education shall calculate an annual performance report for each charter school and shall publish it in the same manner as annual performance reports are calculated and published for districts and attendance centers.**

**16. The joint committee on education shall create a committee to investigate facility access and affordability for charter schools. The committee shall be comprised of equal numbers of the charter school sector and the public school sector and shall report its findings to the general assembly by December 31, 2016.**

**160.408. 1. For purposes of this section, "high-quality charter school" means a charter school operating in the state of Missouri that meets the following requirements:**

(1) **Receives eighty-five percent or more of the total points on the annual performance report for three out of the last four school years by comparing points earned to the points possible on the annual performance report for three of the last four school years;**

(2) **Maintains a graduation rate of at least eighty percent for three of the last four school years, if the charter school provides a high school program;**

(3) **Is in material compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; and**

(4) **Is organizationally and fiscally viable as described in paragraph (b) of subdivision (2) of subsection 9 of section 160.405.**

**2. Notwithstanding any other provision of law, high-quality charter schools shall be provided expedited opportunities to replicate and expand into unaccredited districts, a metropolitan district, or an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Such replication and expansion shall be subject to the following:**

(1) **The school seeking to replicate or expand shall submit its proposed charter to a proposed sponsor. The charter shall include a legally binding performance contract that meets the requirements of sections 160.400 to 160.425 and section 167.349;**

(2) **The sponsor's decision to approve or deny shall be made within sixty days of the filing of the proposed charter with the proposed sponsor;**

(3) **If a charter is approved by a sponsor, the charter application shall be filed with the state board of education with a statement of finding from the sponsor that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the sponsor shall evaluate the academic performance of students enrolled in the charter school. Such filing shall be made by January thirty-first prior to the school year in which the charter school intends to begin operations.**

**3. The term of the charter for schools operating under this section shall be five years, and the charter may be renewed for terms of up to ten years. Renewal shall be subject to the provisions of paragraphs (a) to (d) of subdivision (3) of subsection 9 of section 160.405.**

160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates;  
(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;  
(3) **Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;**

(4) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

~~[(4)]~~ (5) In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission **and does not discriminate based on parents' ability to pay fees or tuition** except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school or in the case of a workplace charter school, a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school [that are present for the January membership count as defined in section 163.011] **who have been enrolled for a full academic year** shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. **For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.**

[4. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with an equivalent group of district students representing an equivalent demographic and geographic population and a study of the impact of charter schools upon the constituents they serve in the districts in which they are located, to be conducted by the joint committee on education. The charter school study shall include analysis of the administrative and instructional practices of each charter school and shall include findings on innovative programs that illustrate best practices and lend themselves to replication or incorporation in other schools. The joint committee on education shall coordinate with individuals representing charter schools and the districts in which charter schools are located in conducting the study. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and an equivalent group of district students representing an equivalent demographic and geographic population. The student performance assessment and comparison shall include, but may not be limited to:

- (1) Missouri assessment program test performance and aggregate growth over several years;
- (2) Student reenrollment rates;
- (3) Educator, parent, and student satisfaction data;
- (4) Graduation rates in secondary programs; and



(5) Performance of students enrolled in the same public school for three or more consecutive years. The impact study shall be undertaken every two years to determine the impact of charter schools on the constituents they serve in the districts where charter schools are operated. The impact study shall include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.]

[5.] 4. A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522;
- (3) The results of background checks on the charter school's board members; and
- (4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

[6.] 5. When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[7.] 6. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[8.] 7. The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced **price** lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced **price** lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

- (1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

- (2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

- (3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

- (4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local [education] **educational** agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

7. In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services[,] or management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the [educational] **education** service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such

enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school may not charge tuition[, nor may it] **or** impose fees that a school district is prohibited from **charging or imposing except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district.**

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. **Except as otherwise specifically provided in sections 160.400 to 160.425,** upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. **A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405.** The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.417. 1. By October 1, 2012, and by each October first thereafter, the sponsor of each charter school shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department of elementary and secondary education shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house of representatives, and president pro tempore of the senate by the department of elementary and secondary education.

2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:

(1) At the end of its most recently completed fiscal year:

(a) Has a negative balance in its operating funds; or

(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; [or]

(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its funds because of recurring costs; **or**

**(3) Due to insufficient fund balances or reserves, incurred debt after January thirty-first and before July first during the most recently completed fiscal year in order to meet expenditures of the charter school.**

3. The sponsor shall notify by November first the governing board of the charter school identified as experiencing financial stress. Upon receiving the notification, the governing board shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the sponsor. The budget and education plan shall be submitted to the sponsor, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:

(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide the minimum [number of school days and hours] **amount of school time** required by section [160.041] **171.031**;

(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and

(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.

4. Upon receipt and following review of any budget and education plan, the sponsor may make suggestions to improve the plan. Nothing in sections 160.400 to 160.425 or section 167.349 shall exempt a charter school from submitting a budget and education plan to the sponsor according to the provisions of this section following each such notification that a charter school has been identified as experiencing financial stress, except that the sponsor may permit a charter school's governing board to make amendments to or update a budget and education plan previously submitted to the sponsor.

5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the sponsor and the charter school have fully complied with this section.

163.018. 1. Notwithstanding the definition of "average daily attendance" in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced **price** lunch and attend an early childhood education program:

(1) That is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education; **or**

(2) **That is under contract with a district or charter school that has declared itself as a local educational agency and that meets standards established by the state board of education**

shall be included in the district's or charter school's calculation of average daily attendance. The total number of such pupils included in the district's or charter school's calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced **price** lunch between the ages of [three] **five** and eighteen who are included in the district's or charter school's calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, **and for any charter school located in said district**, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts **and charter schools**, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

167.131. 1. The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county **or who attends an approved charter school in the same or an adjoining county**.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. **The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district**, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. **For an approved charter school**, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in

**no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements.** The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

**3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.**

167.241. Transportation for pupils whose tuition the district of residence is required to pay by section 167.131 or who are assigned as provided in section 167.121 shall be provided by the district of residence; however, in the case of pupils covered by section 167.131, the district of residence shall be required to provide transportation only to **approved charter schools**, school districts accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in section 161.092, and those school districts designated by the board of education of the district of residence."; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

"Section B. Because of the importance of funding early childhood education programs, section 163.018 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 section 163.018 of this act shall be in full force and effect upon its passage and approval."; and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Eggleston
English	Fitzwater 144	Fitzwater 49	Fraker	Franklin
Frederick	Haahr	Haefner	Hansen	Hicks
Higdon	Hill	Hoskins	Houghton	Hurst
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Redmon	Reiboldt	Remole	Roden
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Solon	Sommer

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Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 038

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

PRESENT: 000

ABSENT WITH LEAVE: 023

Burns	Butler	Dugger	Engler	Entlicher
Fitzpatrick	Flanigan	Gannon	Gardner	Hinson
Hough	Hubrecht	Kolkmeier	Korman	LaFaver
May	McDonald	Miller	Rehder	Rhoads
Shumake	Smith	White		

VACANCIES: 001

On motion of Representative English, **SB 627, as amended**, was read the third time and passed by the following vote:

AYES: 128

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Carpenter	Chipman	Colona	Conway 10	Conway 104
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dunn
Eggleston	Ellington	Engler	English	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Green	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones	Justus	Kelley	Kendrick	Kidd
King	Koenig	Kolkmeier	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mathews	McCaherty	McGaugh	McGee	Messenger
Mims	Mitten	Montecillo	Morris	Muntzel
Neely	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rizzo	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Walton Gray	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 018

Hummel	Hurst	Kirkton	Kratky	LaFaver
Lavender	Marshall	McCann Beatty	McCreery	McDaniel
McNeil	Meredith	Moon	Morgan	Newman
Pogue	Spencer	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 016

Burns	Butler	Cierpiot	Cookson	Dugger
Entlicher	Gardner	Hinson	Hubrecht	Korman
May	McDonald	Miller	Otto	Rhoads
Smith				

VACANCIES: 001

Speaker Richardson declared the bill passed.

Representative Taylor (145) assumed the Chair.

The emergency clause was defeated by the following vote:

AYES: 099

Allen	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Black
Brattin	Brown 57	Brown 94	Chipman	Cierpiot
Colona	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Davis	Dogan
Dohrman	Engler	English	Fitzwater 144	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Green
Haahr	Haefner	Hansen	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Hubbard
Johnson	Jones	Justus	Kelley	King
Koenig	Kolkmeier	Lair	Lant	Lauer
Love	Lynch	Mathews	McCaherty	McGaugh
Messenger	Mims	Morris	Muntzel	Neely
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Rowland 29	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 145	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 051

Adams	Anders	Arthur	Berry	Bondon
Burlison	Butler	Carpenter	Conway 10	Curtman
Dunn	Eggleston	Ellington	Fitzpatrick	Flanigan
Harris	Hummel	Hurst	Kendrick	Kidd
Kirkton	Kratky	LaFaver	Lavender	Leara
Lichtenegger	Marshall	McCann Beatty	McCreery	McDaniel

McGee	McNeil	Meredith	Mitten	Montecillo
Moon	Morgan	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pierson
Pogue	Rizzo	Runions	Taylor 139	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Alferman	Burns	Dugger	Entlicher	Gardner
Houghton	Hubrecht	Korman	May	McDonald
Miller	Smith			

VACANCIES: 001

**HCS SB 997**, relating to higher education, was taken up by Representative Cookson.

Representative Fitzwater (49) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 997, Page 15, Section 173.2520, Line 13, by inserting after all of said section and line the following:

"178.780. 1. Tax supported community colleges formed prior to October 13, 1961, and those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the coordinating board for higher education.

2. The coordinating board for higher education shall:

- (1) Establish the role of the two-year college in the state;
- (2) Set up a survey form to be used for local surveys of need and potential for two-year colleges; provide supervision in the conducting of surveys; require that the results of the studies be used in reviewing applications for approval; and establish and use the survey results to set up priorities;
- (3) Require that the initiative to establish two-year colleges come from the area to be served;
- (4) Administer the state financial support program;
- (5) Supervise the community college districts formed under the provisions of sections 178.770 to 178.890 and the community colleges now in existence and formed prior to October 13, 1961;
- (6) Formulate and put into effect uniform policies as to budgeting, record keeping, and student accounting;
- (7) Establish uniform minimum entrance requirements and uniform curricular offerings for all community colleges;
- (8) Make a continuing study of community college education in the state; [and]
- (9) Be responsible for the accreditation of each community college under its supervision. Accreditation shall be conducted annually or as often as deemed advisable and made in a manner consistent with rules and regulations established and applied uniformly to all community colleges in the state. Standards for accreditation of community colleges shall be formulated with due consideration given to curriculum offerings and entrance requirements of the University of Missouri; **and**
- (10) **Establish a standard core curriculum and a common course numbering equivalency matrix for lower-division courses to be used at community colleges and other public institutions of higher education to facilitate student transfers as provided under sections 178.785 to 178.789.**

**178.785.** The provisions of sections 178.785 to 178.789 shall be known and may be cited as the "Higher Education Core Curriculum Transfer Act". For purposes of sections 178.785 to 178.789, the following terms mean:

- (1) "Coordinating board", the coordinating board for higher education established in section 173.005;



(2) "Core curriculum", the basic competencies to be met, which shall include communicating, higher-order thinking, managing information, valuing, and includes the knowledge areas of social and behavioral sciences, humanities and fine arts, mathematics, and life and physical sciences;

(3) "Faculty member", a person who is employed full-time by a community college or other public institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration;

(4) "Native student", a student whose initial college enrollment was at an institution of higher education and who has not transferred to any other institution since that initial enrollment and who has completed no more than eleven credit hours at any other institution of higher education.

178.786. 1. The coordinating board for higher education, with the assistance of an advisory committee composed of representatives from each public community college in this state and each public four-year institution of higher education, shall develop a recommended lower division core curriculum of forty-two semester credit hours, including a statement of the content, component areas, and objectives of the core curriculum. A majority of the members of the advisory committee shall be faculty members of a community college or a public four-year institution of higher education.

2. The coordinating board shall approve a common course numbering equivalency matrix for the forty-two credit hour block at all institutions of higher education in the state to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and course identification. Each community college and four-year institution of higher education shall include in its course listings the applicable course numbers from the common course numbering equivalency matrix approved by the coordinating board under this subsection.

3. The coordinating board shall complete the requirements of subsections 1 and 2 of this section prior to January 1, 2018, for implementation of the core curriculum transfer recommendations for the 2018-19 academic year for all public institutions of higher education.

178.787. 1. Each community college, as defined in section 163.191, and public four-year institution of higher education shall adopt the forty-two credit hour block, including specific courses comprising the curriculum, based on the core curriculum recommendations made by the coordinating board for higher education under subsections 1 and 2 of section 178.786, for implementation beginning in the 2018-19 academic year.

2. If a student successfully completes the forty-two credit core curriculum at a community college or other public institution of higher education, that block of courses may be transferred to any other public institution of higher education in this state and shall be substituted for the receiving institution's core curriculum. A student shall receive academic credit for each of the courses transferred and shall not be required to take additional core curriculum courses at the receiving institution.

3. A student who transfers from one public institution of higher education to another public institution of higher education in the state without completing the core curriculum of the sending institution shall receive academic credit from the receiving institution for each of the courses that the student has successfully completed in the core curriculum of the sending institution. Following receipt of credit for these courses, the student may be required to satisfy further course requirements in the core curriculum of the receiving institution.

178.788. 1. The coordinating board for higher education, in consultation with the advisory board established in section 178.786, shall develop criteria to evaluate the transfer practices of each public institution of higher education in this state and shall evaluate the transfer practices of each institution based on this criteria.

2. The coordinating board shall develop procedures to be followed by institutions of higher education in resolving disputes concerning the transfer of course credit and by the commissioner of higher education in making a final determination concerning transfer of course credit if a transfer is in dispute.

3. Each institution of higher education shall publish in its course catalogs and on its official website the procedures adopted by the board under subsections 1 and 2 of this section.

4. If an institution of higher education does not accept course credit earned by a student at another public institution of higher education, that institution shall give written notice to the student and the other institution that the transfer of the course credit is denied. The two institutions and the student shall attempt

to resolve the transfer of the course credit in accordance with rules promulgated by the coordinating board. If the transfer dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned within forty-five days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall notify the commissioner of higher education of its denial and the reasons for the denial.

5. The commissioner of higher education or his or her designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination as to the involved student and institutions.

6. The coordinating board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee.

7. The provisions of sections 178.785 to 178.789 shall not apply to native students who are not seeking to transfer credits nor affect the authority of an institution of higher education to adopt its own admission standards or its own grading policies.

8. Students enrolled in professional programs shall complete the appropriate core curriculum that is required for accreditation or licensure.

178.789. The coordinating board for higher education may promulgate all necessary rules and regulations for the administration of sections 178.785 to 178.789. 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.

Section 1. 1. Notwithstanding any other provision of law to the contrary, if the spouse of any full-time employee of a public institution of higher education incurs out-of-state travel costs that are paid for or reimbursed by such institution then such employee shall be required to file a quarterly travel report with the Missouri ethics commission listing the date or dates, location, purpose, and the full cost of any out-of-state travel made by such employee's spouse. Such costs shall include, but not be limited to, any transportation costs, lodging costs, and meal expenses that are paid for or reimbursed by the public institution. The commission shall publish travel reports in an electronic format on the commission's website and shall enable the reports to be easily searched by name, employee position, and institutional affiliation. The commission shall enable the electronic filing of reports.

2. In addition to the quarterly reports required under subsection 1 of this section, any spouse of a full-time employee of a public institution of higher education whose travels were funded by such public institution under the provisions of subsection 1 of this section during the one-year period immediately before the effective date of this section shall, no later than six months after the effective date of this section, file an additional travel report with the commission covering travel expenditures during that one-year period. This travel report shall be identical in content to the quarterly travel reports required under subsection 1 of this section."; and

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

On motion of Representative Fitzwater (49), **House Amendment No. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 997, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"103.003. As used in sections 103.003 to 103.175, the following terms mean:

(1) "Actuarial reserves", the necessary funding required to pay all the medical expenses for services provided to members of the plan but for which the claims have not yet been received by the claims administrator;

- (2) "Actuary", a member of the American Academy of Actuaries or who is an enrolled actuary under the Employee Retirement Income Security Act of 1974;
- (3) "Agency", a state-sponsored institution of higher learning, political subdivision or governmental entity or instrumentality;
- (4) "Alternative delivery health care program", a plan of covered benefits that pays medical expenses through an alternate mechanism rather than on a fee-for-service basis. This includes, but is not limited to, health maintenance organizations and preferred provider organizations, all of which shall include chiropractic physicians licensed under chapter 331, in the provider networks or organizations;
- (5) "Board", the board of trustees of the Missouri consolidated health care plan;
- (6) "Claims administrator", an agency contracted to process medical claims submitted from providers or members of the plan and their dependents;
- (7) "Coordination of benefits", to work with another group-sponsored health care plan which also covers a member of the plan to ensure that both plans pay their appropriate amount of the health care expenses incurred by the member;
- (8) "Covered benefits", a schedule of covered services, including chiropractic services, which are payable under the plan;
- (9) "Employee", any person employed full time by the state or a participating member agency, or a person eligible for coverage by a state-sponsored retirement system or a retirement system sponsored by a participating member agency of the plan;
- (10) "Evidence of good health", medical information supplied by a potential member of the plan that is reviewed to determine the financial risk the person represents to the plan and the corresponding determination of whether or not he or she should be accepted into the plan;
- (11) "Health care plan", any group medical benefit plan providing coverage on an expense-incurred basis, any HMO, any group service or indemnity contract issued by a health plan of any type or description;
- (12) "Medical benefits coverages" shall include services provided by chiropractic physicians as well as physicians licensed under chapter 334;
- (13) "Medical expenses", costs for services performed by a provider and covered under the plan;
- (14) "Missouri consolidated health care plan benefit fund account", the benefit trust fund account containing all payroll deductions, payments, and income from all sources for the plan;
- (15) "Officer", an elected official of the state of Missouri;
- (16) **"Participating higher education entity", a state-sponsored institution of higher learning;**
- (17) "Participating member agency", a [state-sponsored institution of higher learning,] political subdivision or governmental entity that has elected to join the plan and has been accepted by the board;
- [(17)] (18) "Plan year", a twelve-month period designated by the board which is used to calculate the annual rate categories and the appropriate coverage;
- [(18)] (19) "Provider", a physician, hospital, pharmacist, psychologist, chiropractic physician or other licensed practitioner who or which provides health care services within the respective scope of practice of such practitioner pursuant to state law and regulation;
- [(19)] (20) "Retiree", a person who is not an employee and is receiving or is entitled to receive an annuity benefit from a state-sponsored retirement system or a retirement system of a participating member agency of the plan or becomes eligible for retirement benefits because of service with a participating member agency.

103.079. 1. The health care programs sponsored by the departments of transportation and conservation shall become a part of this plan only upon request to and acceptance by the board of trustees by the highways and transportation commission or the conservation commission and any such transfer into this plan shall be deemed reviewable by such department every three years. Such department may withdraw from the plan upon approval by such department's commission and by providing the board a minimum of six months' notice prior to the end of the then current plan year and termination of coverage will become effective at the end of the then current plan year. For any of the foregoing state agencies choosing to participate, the plan shall not assume responsibility for any liabilities incurred by the agency or its eligible employees, retirees, or dependents prior to its effective date.

**2. Any participating higher education entity may, by its own election, become part of this plan. The board of trustees shall accept the participating higher education entity. The board of trustees may request the participating higher education entity pay a first year adjustment if the population being brought into the plan is actuarially substantial and materially different than the current population in the state plan. Once a**

**participating higher education entity comes into the plan, it may not leave the plan for a period of five years. Such participating higher education entity may withdraw from the plan upon approval by such participating higher education entity governing board and by providing the board a minimum of six month's notice prior to the end of the then current plan year and termination of coverage will become effective at the end of the then current plan year. For any of the foregoing participating higher education entities choosing to participate, the plan shall not assume responsibility for any liabilities incurred by the participating higher education entity or its eligible employees, retirees, or dependents prior to its effective date.";** and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 997, Page 10, Section 173.234, Line 93, by inserting after all of said section and line the following:

"173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the "Access Missouri Financial Assistance Program". The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution's business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

- (1) "Academic year", the period from July first of any year through June thirtieth of the following year;
- (2) "Approved private institution", a nonprofit institution, dedicated to educational purposes, located in Missouri which:
  - (a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;
  - (b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;
  - (c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;
  - (d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;
  - (e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;
- (3) "Approved public institution", an educational institution located in Missouri which:
  - (a) Is directly controlled or administered by a public agency or political subdivision;
  - (b) Receives appropriations directly or indirectly from the general assembly for operating expenses;
  - (c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
  - (d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;

(e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(4) **"Approved virtual institution", an educational institution that meets all of the following requirements:**

(a) **Is recognized as a qualifying institution by gubernatorial executive order issued prior to August 28, 2016, and through a memorandum of understanding between the state of Missouri and the approved virtual institution;**

(b) **Is organized as a nonprofit institution;**

(c) **Is accredited by a regional accrediting agency recognized by the United States Department of Education;**

(d) **Has established and continuously maintains a physical campus or location of operation within the state of Missouri;**

(e) **Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in Missouri operations;**

(f) **Enrolls at least one thousand Missouri residents as degree or certificate seeking students; and**

(g) **Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations.**

(5) "Coordinating board", the coordinating board for higher education;

[(5)] (6) "Expected family contribution", the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

[(6)] (7) "Financial assistance", an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

[(7)] (8) "Full-time student", an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, **or virtual** institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

**2. The failure of an approved virtual institution to continuously maintain all of the requirements in subdivision (4) of subsection 1 of this section shall preclude such institution's students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.**

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

(1) Is a citizen or a permanent resident of the United States;

(2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;

(3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and

(4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection

shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or] public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

(1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

(b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and

(c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;

(2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri[, or]; approved private institutions; **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

Further amend said bill, Page 410, Section C, Line 6, by deleting all of said lines and inserting in lieu thereof the following:

"Section D. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 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 section 160.545 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 997, Page 2, Section 167.223, Line 15, by inserting after all of said section and line the following:

"172.030. **1.** The board of curators of the University of the state of Missouri shall hereafter consist of nine members, who shall be appointed by the governor, by and with the advice and consent of the senate; provided, that at least one but no more than two shall be appointed upon said board from each congressional district, and no person shall be appointed a curator who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to his appointment. Not more than five curators shall belong to any one political party. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

**2. The provisions of this subsection shall apply to all appointments made to the board on or after January 1, 2017, notwithstanding any other provision of law. No person shall be appointed to the board who is of the same profession or occupation as any two persons already serving on the board. For concurrent appointments, appointments shall be made to ensure that no more than two persons of the same occupation or profession are serving on the board at any one time.**"; and

Further amend said bill, Page 15, Section 173.2520, Line 13, by inserting after all of said section and line the following:

**"174.058. 1. The provisions of this section shall apply to all appointments made to the board of governors of Missouri Western State University, University of Central Missouri, Truman State University, Missouri State University, and Missouri Southern State University; the board of regents of Southeast Missouri State University, Northwest Missouri State University, and Harris-Stowe State University; and the board of curators of Lincoln University on or after January 1, 2017, notwithstanding any other provision of law.**

**2. No person shall be appointed to the board who is of the same profession or occupation as any two persons already serving on the board. For concurrent appointments, appointments shall be made to ensure that no more than two persons of the same occupation or profession are serving on the board at any one time.**"; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 997, Page 10, Section 173.234, Line 93, by inserting after all of said line and section the following:

"173.1004. **1.** The coordinating board shall promulgate rules and regulations to ensure that each approved public higher education institution shall post on its website the names of all faculty, including adjunct, part-time, and full-time faculty, who are given full or partial teaching assignments along with web links or other means of providing information about their academic credentials and, where feasible, instructor ratings by students. In addition, public institutions of higher education shall post course schedules on their websites that include the name

of the instructor assigned to each course and, if applicable, each section of a course, as well as identifying those instructors who are teaching assistants, provided that the institution may modify and update the identity of instructors as courses and sections are added or cancelled.

**2. Each approved public institution, as defined in section 173.1102, shall post on its public website the estimated cost for each degree program offered. Such estimated cost shall list any fees or other expenses required in addition to tuition.**

**Such information shall be updated annually.**

**3. Each approved public institution, as defined in section 173.1102, shall provide the information described in subsection 2 of this section in printed materials or electronic or online materials to prospective students at the same time that it notifies prospective students of their acceptance into the institution. If no such notification of acceptance takes place, the institution shall provide such information in printed materials or electronic materials or online materials before the prospective student registers for any classes. Such information shall be updated annually.";** and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

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

NOES: 040

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



PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Bondon	Burns	Cornejo	Engler
Entlicher	Gardner	Hubrecht	Kelley	Korman
May	McDaniel	McDonald	Miller	Plocher
Smith	Solon			

VACANCIES: 001

On motion of Representative Cookson, **HCS SB 997, as amended**, was adopted.

On motion of Representative Cookson, **HCS SB 997, as amended**, was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Butler	Carpenter
Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtis	Curtman	Dogan	Dohrman	Dunn
Eggleston	Ellington	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Green	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones	Justus	Kendrick	King	Kirkton
Koenig	Kolkmeier	Kratky	LaFaver	Lair
Lant	Lauer	Lavender	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McCann Beatty
McCreery	McGaugh	McGee	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Redmon
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	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 008

Adams	Alferman	Hurst	Kidd	Marshall
Moon	Parkinson	Pogue		

PRESENT: 000

ABSENT WITH LEAVE: 016

Burns	Davis	Dugger	Engler	Entlicher
Gardner	Hubrecht	Hummel	Kelley	Korman
May	McDaniel	McDonald	Montecillo	Plocher
Smith				

VACANCIES: 001

Representative Taylor (145) declared the bill passed.

Speaker Richardson resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 111

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Black	Bondon	Brattin	Brown 57
Brown 94	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Davis	Dogan
Dohrman	Eggleston	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones	Justus
Kelley	Kendrick	King	Kolkmeyer	Kratky
Lair	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Rowland 29	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 040

Adams	Allen	Berry	Burlison	Butler
Curtman	Dunn	Ellington	Flanigan	Green
Hummel	Hurst	Kidd	Kirkton	Koenig
LaFaver	Leara	Marshall	McCann Beatty	McCreery
McGee	McNeil	Meredith	Mims	Mitten
Montecillo	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pogue
Rizzo	Runions	Walton Gray	Webber	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 011

Burns	Dugger	Engler	Entlicher	Gardner
Hubrecht	Korman	May	McDonald	Plocher
Smith				

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 **SCS HCS HB 1474** entitled:

An act to repeal section 130.026 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.057 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof two new sections relating to the requirement of filing certain disclosure reports in an electronic format with the Missouri ethics commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1583** entitled:

An act to repeal section 160.775, RSMo, and to enact in lieu thereof three new sections relating to student safety.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1583, Page 4, Section 170.047, Line 1, by striking "2017-18" and inserting in lieu thereof "**2017-2018**"; and

Further amend Line 12, by striking the word "means" and inserting in lieu thereof the following:

**"shall refer to"**; and

Further amend said bill and page, Section 170.048, Line 2, by inserting immediately after "including" the following:

**"plans for how the district will provide for"**; and

Further amend said bill and section, Page 5, Line 3, by inserting immediately after the word "of" the word **"its"**; and

Further amend Line 4, by striking the word "need".

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 **SS HCS HB 2381** entitled:

An act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to mine property.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for House Committee Substitute for House Bill No. 2381, Page 10, Section 137.115, Line 13 of said page, by striking the word "not".

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 adopted **House Amendment No. 1 to SB 702** and taken up and passed **SB 702, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 814** and has taken up and passed **HCS SCS SB 814**.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1474** - Fiscal Review  
**SCS HCS HB 1583, as amended** - Fiscal Review  
**SS HCS HB 2381, as amended** - Fiscal Review

### **THIRD READING OF SENATE BILLS**

**HCS SCS SB 861**, relating to transportation facilities, was taken up by Representative McCaherty.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase "tax incentives."; and

Further amend said bill, Page 2, Section 68.075, Line 49, by inserting immediately after all of said section and line the following:

- "143.1100. 1. This section shall be known and may be cited as the "Bring Jobs Home Act".**  
**2. As used in this section, the following terms shall mean:**  
**(1) "Business unit":**  
**(a) Any trade or business; and**

- (b) Any line of business or function unit which is part of any trade or business;
- (2) "Deduction":
  - (a) For individuals, an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed; and
  - (b) For corporations, an amount subtracted from the taxpayer's Federal taxable income to determine Missouri taxable income for the tax year in which such deduction is claimed;
- (3) "Department", the department of economic development;
- (4) "Eligible expenses":
  - (a) Any amount for which a deduction is allowed to the taxpayer under Section 162 of the Internal Revenue Code of 1986, as amended; and
  - (b) Permit and license fees, lease brokerage fees, equipment installation costs, and other similar expenses;
- (5) "Eligible insourcing expenses":
  - (a) Eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located outside the state of Missouri; and
  - (b) Eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located within the state of Missouri if such establishment constitutes the relocation of the business unit so eliminated.

For purposes of this subdivision, expenses shall be eligible if such elimination of the business unit in another state or country occurs in a different taxable year from the establishment of the business unit in Missouri;

(6) "Expanded affiliated group", an affiliated group as defined under Section 1504(a) of the Internal Revenue Code of 1986, as amended, except to be determined without regard to Section 1504(b)(3) of the Internal Revenue Code of 1986, as amended, and determined by substituting "at least eighty percent" with "more than fifty percent" each place the phrase appears under Section 1504(a) of the Internal Revenue Code of 1986, as amended. A partnership or any other entity other than a corporation shall be treated as a member of an expanded affiliated group if such entity is controlled by members of such group including any entity treated as a member of such group by reason of this subdivision;

(7) "Full-time equivalent employee", a number of employees equal to the number determined by dividing the total number of hours of service for which wages were paid by the employer to employees during the taxable year, by two thousand eighty;

(8) "Insourcing plan", a written plan to carry out the establishment of a business unit in Missouri as described in subdivision (5) of this subsection;

(9) "Taxpayer", any individual, firm, partner in a firm, corporation, partnership, shareholder in an S corporation, or member of a limited liability company subject to the income tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all taxable years beginning on or after January 1, 2016, a taxpayer shall be allowed a deduction equal to fifty percent of the taxpayer's eligible insourcing expenses in the taxable year chosen under subsection 5 of this section. The amount of the deduction claimed shall not exceed the amount of:

(1) For individuals, the taxpayer's Missouri adjusted gross income for the taxable year the deduction is claimed; and

(2) For corporations, the taxpayer's Missouri taxable income for the taxable year the deduction is claimed.

However, any amount of the deduction that cannot be claimed in the taxable year may be carried over to the next five succeeding taxable years until the full deduction has been claimed.

4. No deduction shall be allowed under this section until the department determines that the number of full-time equivalent employees of the taxpayer in the taxable year the deduction is claimed exceeds the number of full-time equivalent employees of the taxpayer in the taxable year prior to the taxpayer incurring any eligible insourcing expenses.

5. Only eligible insourcing expenses that occur in the taxable year such expenses are paid or incurred and:

- (1) The taxpayer's insourcing plan is completed; or
- (2) The first taxable year after the taxpayer's insourcing plan is completed;

shall be used to calculate the deduction allowed under this section.

6. Notwithstanding any other provision of law to the contrary, no deduction shall be allowed for any expenses incurred due to dissolving a business unit in Missouri and relocating such business unit to another state.

7. The total amount of deductions authorized under this section shall not exceed five million dollars in any taxable year. In the event that more than five million dollars in deductions are claimed in a taxable year, deductions shall be issued on a first-come, first-served filing basis.

8. A taxpayer who receives a deduction under the provisions of this section shall be ineligible to receive incentives under the provisions of any other state tax deduction program for the same expenses incurred.

9. Any taxpayer allowed a deduction under this section who, within ten years of receiving such deduction, eliminates the business unit for which the deduction was allowed shall repay the amount of tax savings realized from the deduction to the state, prorated by the number of years the business unit was in this state.

10. The department of economic development and the department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word "facilities"; and

Further amend said bill, Page 11, Section 227.600, Line 57, 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 personal vehicle, as defined by this chapter, 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;

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.

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

On motion of Representative Mathews, **House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded by Representative Corlew:

AYES: 085

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry
Brattin	Brown 94	Burlison	Butler	Chipman
Cierpiot	Cookson	Cornejo	Cross	Curtis
Curtman	Davis	Dogan	Eggleston	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gannon	Haahr	Hansen	Hicks	Hill
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Kelley	Kendrick	Koenig
Kolkmeier	Lair	Lant	Lichtenegger	Love
Mathews	McDaniel	Miller	Moon	Morris
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Redmon	Rehder	Remole	Roden
Roeber	Ross	Rowden	Rowland 155	Ruth
Shaul	Shumake	Sommer	Spencer	Taylor 139
Taylor 145	Vescovo	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 060

Adams	Allen	Anders	Arthur	Black
Bondon	Brown 57	Carpenter	Colona	Conway 10
Conway 104	Corlew	Crawford	Dohrman	Dunn
Ellington	Flanigan	Green	Haefner	Harris
Higdon	Hummel	Kidd	King	Kirkton
Kratky	LaFaver	Lauer	Lavender	Leara
Lynch	Marshall	McCann Beatty	McCreery	McGaugh
McGee	McNeil	Meredith	Messenger	Mims
Mitten	Morgan	Muntzel	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Pogue	Reiboldt	Rhoads	Rizzo	Rone
Runions	Shull	Solon	Swan	Walton Gray

PRESENT: 001

McCaherty

ABSENT WITH LEAVE: 016

Burns	Dugger	Engler	English	Entlicher
Gardner	Hubbard	Hubrecht	Jones	Korman
May	McDonald	Montecillo	Plocher	Rowland 29
Smith				

VACANCIES: 001

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 2, Section 68.075, Line 49, by inserting immediately after all of said line the following:

**"68.080. 1. There is hereby created in the state treasury the "Waterways Trust Fund". The proceeds from the following state taxes and fees shall be collected by the director of the department of revenue, who shall promptly deposit all such proceeds to the credit of the waterways trust fund:**

**(1) The state sales tax on boats and outboard motors imposed and collected under chapter 144, excluding the proceeds from that portion of the state sales and use tax dedicated by section 144.701 to the school district trust fund and the proceeds from that portion of the state sales and use tax dedicated to other funds under the constitution, reduced only by refunds for overpayments and erroneous payments of such tax as permitted by law and actual costs of collection by the department of revenue, but not to exceed three percent of the amount collected;**

**(2) The first two million dollars collected annually from the certificate of number fee imposed and collected under section 306.030;**

**(3) The certificate of title fee and all delinquency penalty fees imposed under section 306.015;**

**(4) The outboard motor registration and title fees and all delinquency penalty fees imposed under section 306.535; and**

**(5) The additional processing fees to process boat and outboard motor title and registration transactions imposed under subdivisions (1) to (5) of subsection 1 of section 136.055 and collected by all full-time or temporary offices maintained by the department of revenue.**

**2. The waterways trust fund may also receive any gifts, contributions, grants, or bequests received from federal, private, or other sources.**

**3. The waterways trust fund is a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of the state. All interest earned upon the balance in the waterways trust fund shall be deposited to the credit of the same fund.**

**4. Moneys in the waterways trust fund shall be withdrawn only upon appropriation by the general assembly on and after July 1, 2017, to be administered by the state highways and transportation commission and the department of transportation for the purposes in section 68.035 and for no other purpose."; and**

Further amend said bill, Page 11, Section 227.600, Line 57, by inserting immediately after all of said line the following:

**"306.030. 1. The owner of each vessel requiring numbering by this state shall file an application for number with the department of revenue on forms provided by it. The application shall contain a full description of the vessel, factory number or serial number, together with a statement of the applicant's source of title and of any liens or encumbrances on the vessel. For good cause shown the director of revenue may extend the period of time for making such application. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered in his or her name, shall thereupon issue an appropriate certificate of title over the director's signature and sealed with the seal of the director's office, procured and used for such purpose, and a certificate of number stating the number awarded to the vessel. The application shall include a provision stating that the applicant will consent to any inspection necessary to determine compliance with the provisions of this chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee specified in subsection 10 of this section. The owner shall paint on or attach to each side of the bow of the vessel the identification number in a manner as may be prescribed by rules and regulations of the division of water safety in order that it may be clearly visible. The number shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such certificate of number is not available for inspection by the water patrol division or, if the operator cannot be determined, the person who is the registered owner of the vessel shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be registered but no fee shall be assessed for such registration.**

**2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.**

**3. The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the vessel on the waters of this state in excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and payment of registration fee shall be in the manner and pursuant to the procedure required for the award of a number under subsection 1 of this section. No additional or substitute number shall be issued unless the number is a duplicate of an existing Missouri number.**

4. In the event that an agency of the United States government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

5. All records of the department of revenue made and kept pursuant to this section shall be public records.

6. Every certificate of number awarded pursuant to this chapter shall continue in force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this chapter. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same or in accordance with the provisions of sections 306.010 to 306.030.

7. The department of revenue shall fix the days and months of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this chapter and may stagger such dates in order to distribute the workload.

8. When applying for or renewing a vessel's certificate of number, the owner shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the year in which the renewal is due and which reflects that the vessel being renewed is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

9. When applying for or renewing a certificate of registration for a vessel documented with the United States Coast Guard under section 306.016, owners of vessels shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the renewal is due and which reflects that the vessel is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

10. The fee to accompany each application for a certificate of number is:

For vessels under 16 feet in length .....	\$25.00
For vessels at least 16 feet in length but less than 26 feet in length .....	\$55.00
For vessels at least 26 feet in length but less than 40 feet in length .....	\$100.00
For vessels at least 40 feet and over .....	\$150.00

11. The certificate of title and certificate of number issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection.

12. The first [two] **one** million dollars collected annually under the provisions of this section shall be deposited into the [state general revenue fund] **waterways trust fund established under section 68.080**. All fees collected under the provisions of this section in excess of [two] **one** million dollars annually shall be deposited in the water patrol division fund and shall be used exclusively for the water patrol division.

13. Notwithstanding the provisions of subsection 10 of this section, vessels at least sixteen feet in length but less than twenty-eight feet in length, that are homemade, constructed out of wood, and have a beam of five feet or less, shall pay a fee of fifty-five dollars which shall accompany each application for a certification number.

[306.180. All moneys collected and received by the department of revenue pursuant to this chapter shall be paid into the state treasury and shall, by the state treasurer, be placed in a separate fund to be known as the "Motorboat Fund", which is hereby established. No money shall be paid out of this fund except by appropriation of the general assembly for the purposes of the construction and maintenance of boating facilities, education and instruction in boating safety, the enforcement of this chapter, and to reimburse the counties for expenditures made in the enforcement of this chapter, upon the recommendation of the water patrol division.]

Section B. The provisions of section 68.080 of section A of this act shall terminate on August 28, 2019.";  
and

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

Representative LaFaver raised a point of order that **House Amendment No. 3** was not timely distributed.

The Chair ruled the point of order not well taken.

Representative Conway (104) offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, Line 13, by deleting the phrase "**two million**" and inserting in lieu thereof the phrase "**one million**"; and

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

On motion of Representative Conway (104), **House Amendment No. 1 to House Amendment No. 3** was adopted.

Speaker Pro Tem Hoskins assumed the Chair.

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word "facilities" and inserting in lieu thereof the word "infrastructure"; and

Further amend said bill, Page 11, Section 227.600, Line 57, by inserting after all of said section and line the following:

"447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each



employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension

or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 [to 6] and 5 of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

**12. Notwithstanding any provision of law to the contrary, in any county of the first classification that has a charter form of government and that has a population of over nine hundred thousand inhabitants, all demolition costs incurred during the redevelopment of any former automobile manufacturing plant shall be allowable costs eligible for tax credits under sections 447.700 to 447.718 so long as the redevelopment of such former automobile manufacturing plant shall be projected to create at least two hundred fifty new jobs or at least three hundred retained jobs, or a combination thereof, as determined by the department of economic development. The amount of allowable costs eligible for tax credits shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development, provided that no tax credit shall be issued under this subsection until July 1, 2017. For purposes of this subsection, "former automobile manufacturing plant" means a redevelopment area that qualifies as an eligible project under section 447.700, that consists of at least one hundred acres, and that was used primarily for the manufacture of automobiles but, after 2007, ceased such manufacturing.";** and

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

Representative Green 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 Committee Substitute for Senate Bill No. 861, Page 1, Line 4, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 68.075, Line 49, by inserting immediately after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) **"Central business district", the area at or near the historic core of a city, village, or town that is locally known as the "downtown", with eighty percent or more of the land use being dedicated to a combination of business, commercial, financial, transportation, and government purposes, with the majority of the buildings built more than fifty years prior to the redevelopment;**

(3) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

[(3)] (4) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

[(4)] (5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year

prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments, **or sales taxes dedicated by a vote of the people to specific purposes or projects.** For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] **(6)** "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and [(3)] **(4)** of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will[:

(a)] discourage commerce, industry or manufacturing from moving their operations to another state[; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality];

[(6)] **(7)** "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] **(8)** "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

**(9) "High unemployment", unemployment in the proposed redevelopment area of at least one and one-half times that of the metropolitan statistical area in which the area is located or one and one-half times the unemployment rate of nonmetropolitan counties if the area is not located in a metropolitan statistical area;**

**(10) "Low fiscal capacity", per capita assessed valuation of property in the municipality of less than sixty percent of the entire county in which it is located or, in unincorporated areas, if the per capita assessed valuation of property in the school district is less than sixty percent of the entire county in which it is located;**

**(11) "Moderate income", either a Missouri municipality that has a population of at least one thousand five hundred within a metropolitan statistical area and has a median household income of under eighty percent of the median household income for the metropolitan statistical area according to the last decennial census, or a United States census block group or contiguous group of block groups within a metropolitan statistical area that has a population of at least one thousand five hundred and has, for each block group, a median household income for the metropolitan area in Missouri according to the last decennial census;**

[(8)] **(12)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

**(13) "New job", a job in a new or expanding redevelopment project not including jobs of recalled workers, replacement jobs, or jobs that formerly existed in the same industry in the area;**

[(9)] **(14)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] **(15)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] **(16)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (17) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (18) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (19) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)] (20) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to [99.865] **99.873** accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
- (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
- (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
- (j) Payments in lieu of taxes;

**(21) "Retail project", any development project that devotes more than fifty percent of the total estimated redevelopment project costs to the construction, reconstruction, or expansion of retail establishments or infrastructure or facilities ancillary to sales at retail;**

[(16)] (22) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (23) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (24) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (25) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an

estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings **documented by substantial and competent evidence on the record that a reasonable person would believe that:**

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision [and]; an affidavit[,] signed by the developer or developers, [and] submitted with the redevelopment plan, **and attesting that the provisions of this subdivision have been met; and a study stating that records were reviewed, inspections were made, comparisons were made, or tasks were undertaken demonstrating that the property was not developed through private enterprise over a period of time. Such a study shall be signed by a responsible party or some party shall otherwise be designated as being responsible for the study's representations. The study shall be of sufficient specificity to allow representatives of the tax increment financing commission, the municipality, or both to conduct investigations deemed necessary in order to confirm its findings;**

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997; **and**

**(7) For redevelopment projects involving more than two hundred fifty thousand dollars in tax increment financing, an economic feasibility analysis including a pro forma financial statement indicating the return on investment expected without any public assistance. The financial statement shall detail any assumptions made. The pro forma statement analysis shall state the amount of assistance required to bring the return into a range deemed attractive to private investors. The amount of assistance shall be equal to the estimated reimbursable project costs.**

**2. All documentation and findings established under subsection 1 of this section shall be published and made available at no more than the cost of publication as a public document no later than thirty days prior to adoption of the plan by the municipality. Any resident of the municipality, or the county if in an unincorporated area, may file a petition in circuit court to enjoin the adoption of any redevelopment plan for which any requirement of subsection 1 or 3 of this section has not been complied with, and such injunction may extend until all such requirements have been complied with.**

**3.** By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation

financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's levy rate for ad valorem tax on real property, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district's actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850.

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels



and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established [pursuant to section 99.805] **under sections 99.800 to 99.865.**

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of

economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in **distressed communities under section 135.530, blighted areas located in** enterprise zones, pursuant to sections 135.200 to 135.256 blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
- (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
- (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
- (ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase

shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

**99.867. 1. Except as provided under subsections 2 and 3 of this section and under section 99.868, sections 99.867 to 99.873 shall apply to any municipality located within the state. Sections 99.867 to 99.873 shall apply to all redevelopment projects which are approved by a municipality after June 30, 2017.**

**2. Any redevelopment project consisting solely of public infrastructure improvements on public land requiring two hundred fifty thousand dollars or less in tax increment financing, wherein the bonds for such project will be paid off in seven years or less, shall be exempt from the provisions of sections 99.867 to 99.873, provided, no stringing of projects shall be allowed. No exempt project under this section shall be combined with another exempt project pursuant to this section for a period of five years.**

**3. Any redevelopment project for which eligible project redevelopment costs are to be paid from only the portion of the total economic activity taxes and payments in lieu of taxes imposed by the municipality and for which no real or potential revenues from other taxing jurisdictions are involved is exempt from the provisions of sections 99.867 to 99.873.**

**99.868. 1. For redevelopment projects located entirely or partially within metropolitan statistical areas of the state, as defined by the federal Office of Management and Budget, the municipality and any proposed redevelopment area shall meet the requirements of section 99.810 and this section. An area may qualify if:**

**(1) The host municipality or, for unincorporated areas, the host school district has low fiscal capacity;**  
**(2) The census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area have high unemployment; or**

**(3) The municipality, census block group or groups, as defined in the most recent decennial census, containing the proposed redevelopment area are characterized by moderate income.**

**2. For retail projects not located entirely or partially within a metropolitan statistical area in the state, tax increment financing may be used if the municipality has made a finding that conditions exist which cause the area to be classified as a blighted area or a conservation area. Such area shall have the following additional characteristics:**

- (1) It is located in the central business district of a city, town, or village;**  
**(2) It includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment plan;**  
**(3) It can be renovated through one or more redevelopment projects;**  
**(4) The establishments in the area have generally suffered from stagnant or declining taxable sales or corporate receipts during the preceding three years;**  
**(5) It is contiguous or includes up to three noncontiguous areas selected for redevelopment projects, provided that each noncontiguous area meets the requirements of subdivisions (1) to (4) of this subsection; and**  
**(6) The redevelopment area shall not exceed ten percent of the entire area of the municipality.**

**Tax increment financing shall not be used to develop retail projects in areas outside the metropolitan statistical areas of the state unless the area meets the criteria above.**

**3. Tax increment financing shall not be used for more than five percent of the total estimated redevelopment costs or thirty percent of the infrastructure costs, whichever is greater, of a project that is primarily retail unless the redevelopment is in a municipality, census block group, or group of block groups with a median household income less than seventy percent of that of the metropolitan area, a distressed community as defined in section 135.530, a federal enterprise zone, or a federal empowerment zone. Tax increment financing shall not be used to develop sites in which twenty-five percent or more of the area is vacant and was not previously developed, presently qualifies as "open space" under section 67.900, or is presently used for agricultural or horticultural purposes, except if the redevelopment project is contained in the municipality's comprehensive plan or consumes less than ten acres of land contiguous to a central business district located outside a metropolitan statistical area of the state.**

**99.870.** Commencing with the first fiscal year in which any municipality receives any payments in lieu of taxes from a redevelopment project and continuing through the last fiscal year in which the municipality receives such payments, the municipality shall pay to any other taxing entities entitled to receive revenue from levies on real property in such municipality, an amount equal to twenty-five percent of the payments in lieu of taxes received by the municipality. This amount shall be divided among the other affected taxing entities on a basis that is proportional to the collections of revenue from real property in the development area to which each such taxing district is entitled during that tax year. If a tax increment financing project includes residential uses, absent a recommendation to the contrary from commission members representing the affected school board or boards, real property tax levies attributable to the residential portion of the development shall pass through to the school district or districts.

**99.872.** The municipality and the developer shall annually submit information to the department regarding the approved plan. The department shall establish reporting requirements by rule promulgated under chapter 536. The report shall, at a minimum, identify the number and location of redevelopment areas, quantify public investment in each, assess the public benefit as quantified in terms of tax revenue and net new job creation, and show the economic impact of the project on each taxing district which is at least partially within the boundaries of the redevelopment area. 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. The department shall submit a report to the governor and the general assembly by the last day of April of each year.

**99.873.** Any district providing emergency services under chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment."; and"; and

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

Representative Barnes raised a point of order that **House Amendment No. 1 to House Amendment No. 4** is not properly drafted.

The point of order was withdrawn.

Speaker Richardson resumed the Chair.

Representative Green moved that **House Amendment No. 1 to House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Alferman, **House Amendment No. 4** was adopted by the following vote, the ayes and noes having been demanded pursuant to Rule 17:

AYES: 094

Alferman	Allen	Anders	Arthur	Austin
Beard	Bernskoetter	Black	Brown 57	Butler
Carpenter	Cierpiot	Colona	Conway 104	Cookson
Corlew	Cornejo	Crawford	Curtis	Curtman
Davis	Dogan	Dohrman	Dunn	Ellington
Engler	Fitzwater 49	Flanigan	Fraker	Franklin

Gannon	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Justus	Kelley
Kendrick	King	Kolkmeier	LaFaver	Lair
Lant	Lauer	Lavender	Leara	Lichtenegger
Lynch	Mathews	McCaherty	McCann Beatty	McGaugh
McGee	Meredith	Messenger	Mims	Mitten
Morgan	Morris	Muntzel	Neely	Peters
Pfautsch	Pierson	Pike	Redmon	Reiboldt
Remole	Rizzo	Roden	Rone	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Swan	Taylor 145	Vescovo
Walker	Webber	Zerr	Mr. Speaker	

NOES: 045

Adams	Anderson	Andrews	Bahr	Barnes
Basye	Bondon	Brattin	Brown 94	Burlison
Chipman	Eggleston	Fitzpatrick	Frederick	Green
Hurst	Johnson	Kidd	Kirkton	Koenig
Love	Marshall	McCreery	McDaniel	McNeil
Moon	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pietzman	Pogue	Rehder
Rhoads	Roeber	Ross	Spencer	Taylor 139
Walton Gray	White	Wiemann	Wilson	Wood

PRESENT: 000

ABSENT WITH LEAVE: 023

Berry	Burns	Conway 10	Cross	Dugger
English	Entlicher	Fitzwater 144	Gardner	Hill
Hubrecht	Jones	Korman	Kratky	May
McDonald	Miller	Montecillo	Phillips	Plocher
Rowland 29	Runions	Smith		

VACANCIES: 001

## Representative Lant offered **House Amendment No. 5.**

### *House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, In the Title, Line 3, by deleting the word "facilities" and inserting in lieu thereof the word "infrastructure"; and

Further amend said bill, Page 2, Section 68.075, Line 49, by inserting after all of said section and line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

- (2) For each application or transfer of title--two dollars and fifty cents;
- (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;
- (4) For each notice of lien processed--two dollars and fifty cents;
- (5) No notary fee or other fee or additional charge shall be paid or collected except for electronic [telephone] transmission [reception]--two dollars[.];
- (6) Each electronic look-up--two dollars;**
- (7) Notary fee--two dollars.**

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. 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 subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.
4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.
5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.
6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.
7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 10, Section 227.600, Line 26, by deleting the phrase "**fuel supply facility or pipeline**,"; and

Further amend said bill and section, Pages 10-11, Lines 26-27, by deleting the phrase "**public work**,"; and

Further amend said bill and section, Page 11, Line 32, by inserting after the phrase "private partner." the following:



**"The commission or private partner shall not have the authority to collect user fees in connection with the project from motor carriers as defined in section 227.630. "Project" shall not include any highway, interstate or bridge construction, or any rest area, rest stop, or truck parking facility connected to an interstate or other highway under the authority of the commission.";** and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word "facilities" and inserting in lieu thereof the word "infrastructure"; and

Further amend said bill, Page 10, Section 227.600, Line 57, by inserting immediately after all of said section and 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. **Except as provided under subsection 10 of this section,** 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 thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section 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.

**10. No later than January 1, 2017, the director of revenue shall establish a permit program to allow applicants for motor vehicle license plates issued under this section, and applicants for motor vehicle license plate renewals under this section, to apply for a permit exempting any motor vehicle licensed at twelve thousand pounds or less from the requirement that a license plate be displayed on the front and rear of such vehicle. Applicants approved for a one-license plate permit issued under this subsection shall be issued a special license plate bearing the emblem of the Missouri Association of State Troopers Emergency Relief Society upon payment of a one-time emblem-use contribution to the Missouri Association of State Troopers Emergency Relief Society. The license plate issued shall be displayed on the rear of such vehicle not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plate issued shall contain the Missouri Association of State Troopers Emergency Relief Society emblem and a symbol designed by the department of revenue indicating that the license plate is for rear display only. Such license shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. An applicant's status as a permit holder under this subsection shall be noted on the motor vehicle's registration. The director of 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.";** and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Black	Bondon	Brattin	Brown 57	Brown 94
Burlison	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Curtman	Davis	Dogan
Dohrman	Eggleston	Engler	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Frederick	Gannon	Haahr
Haefner	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Kelley	Kidd	Koenig	Kolkmeier
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Moon	Morris	Muntzel
Parkinson	Pfautsch	Pietzman	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	Ross	Rowden
Rowland 155	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

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NOES: 033

Adams	Anders	Arthur	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	Green
Harris	Hubbard	Hummel	Kirkton	LaFaver
Lavender	McCann Beatty	McCreery	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 032

Berry	Burns	Chipman	Conway 10	Cross
Dugger	English	Entlicher	Fitzwater 144	Franklin
Gardner	Hill	Hubrecht	Jones	Kendrick
King	Korman	Kratky	Lichtenegger	May
McDonald	McGee	Miller	Montecillo	Neely
Phillips	Plocher	Rowland 29	Runions	Ruth
Shaul	Smith			

VACANCIES: 001

On motion of Representative McCaherty, **HCS SCS SB 861, as amended**, was adopted.

On motion of Representative McCaherty, **HCS SCS SB 861, as amended**, was read the third time and passed by the following vote:

AYES: 084

Alferman	Allen	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Black	Brattin
Brown 57	Butler	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Curtis
Curtman	Davis	Dogan	Dohrman	Engler
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Gannon	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Justus	Kelley	Kolkmeier
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McGaugh
Messenger	Morris	Muntzel	Neely	Norr
Peters	Pfautsch	Pike	Redmon	Reiboldt
Remole	Rhoads	Roden	Rone	Rowden
Rowland 155	Ruth	Shaul	Shumake	Solon
Sommer	Spencer	Swan	Vescovo	Walker
Webber	Wiemann	Zerr	Mr. Speaker	

NOES: 056

Adams	Anders	Anderson	Arthur	Bahr
Bondon	Brown 94	Burlison	Carpenter	Colona
Dunn	Eggleston	Ellington	Fitzpatrick	Frederick
Green	Hubbard	Hurst	Kidd	King
Kirkton	Koenig	LaFaver	Lavender	Marshall
McCann Beatty	McCreery	McDaniel	McGee	McNeil

Meredith	Miller	Mims	Mitten	Moon
Morgan	Newman	Nichols	Otto	Pace
Parkinson	Pierson	Pietzman	Pogue	Rehder
Rizzo	Roeber	Ross	Rowland 29	Shull
Taylor 139	Taylor 145	Walton Gray	White	Wilson
Wood				

PRESENT: 002

Hummel Kendrick

ABSENT WITH LEAVE: 020

Berry	Burns	Conway 10	Cross	Dugger
English	Entlicher	Gardner	Hill	Hubrecht
Jones	Korman	Kratky	May	McDonald
Montecillo	Phillips	Plocher	Runions	Smith

VACANCIES: 001

Speaker Richardson declared the bill passed.

### REFERRAL OF HOUSE RESOLUTIONS

The following House Resolution was referred to the Committee indicated:

**HR 3511** - Administration and Accounts

### REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SB 682** - Fiscal Review

**HCS SB 831** - Fiscal Review

**HCS SB 941** - Fiscal Review

### COMMITTEE REPORTS

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

Mr. Speaker: Your Select Committee on Education, to which was referred **HB 2314**, 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 General Laws**, Chairman Jones reporting:

Mr. Speaker: Your Select Committee on General Laws, to which was referred **SS SCS SB 704**, 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 Judiciary**, Chairman Cornejo reporting:

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Judiciary, to which was referred **SCS SBs 588, 603 & 942, with House Committee Amendment No. 1 to House Committee Amendment No. 1 and House Committee Amendment No. 1, as amended**, 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#2 SCS SB 590, 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 Judiciary, to which was referred **SS SCS SB 663, 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**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

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

Mr. Speaker: Your Select Committee on Social Services, to which was referred **SCS SB 968**, begs leave to report it has examined the same and recommends that it **Do Pass**.

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

Mr. Speaker: Your Select Committee on State and Local Governments, to which was referred **SS SB 623, 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 State and Local Governments, to which was referred **SB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1851** entitled:

An act to amend chapter 226.1150, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 625, as amended**.

Senators: Walsh, Curls, Libla, Schatz, and Munzlinger

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 640, as amended**.

Senators: Schatz, Parson, Libla, Keaveny, and Walsh

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 656, as amended**.

Senators: Munzlinger, Onder, Riddle, Schupp, and Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 703, as amended**.

Senators: Munzlinger, Schaff, Wasson, Keaveny, and Walsh

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 786, as amended**.

Senators: Kraus, Wasson, Hegeman, Walsh, and Schupp

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 852, as amended**.

Senators: Brown, Libla, Wieland, Curls, and Chappelle-Nadal

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 988, as amended**.

Senators: Kraus, Brown, Onder, Sifton, and Chappelle-Nadal

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 994, as amended**.

Senators: Munzlinger, Wasson, Cunningham, Keaveny, and Walsh

### REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

**SCS HB 1851** - Fiscal Review

### MESSAGES FROM THE GOVERNOR

May 6, 2016

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
98<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1979** entitled:

#### AN ACT

To repeal section 105.456 as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1979**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 2016

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

Herewith I return to you **House Committee Substitute for House Bill No. 2001** entitled:

#### AN ACT

To appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and



Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, 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.

On May 6, 2016, I approved said **House Committee Substitute for House Bill No. 2001**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2002** entitled:

AN ACT

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

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2004** entitled:

AN ACT

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

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2005** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and also provided that no funds shall be expended for the purpose of making payments on new or refinanced bonds on building renovations for an entertainment and sports arena located in a city not within a county.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

May 6, 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. 2006** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided the Department of Natural Resources notify members of the General Assembly about pending land purchases sixty (60) days prior to the close of sale, and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly, and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2007** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2008** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017.

Section 8.185

I hereby veto \$375,000 World War II Memorial Trust Fund. Use of the fund for the purposes listed below is not an allowable use of the fund pursuant to Section 301.3031, RSMo.

For the National World War I Museum and Memorial  
From \$93,750 to \$0 World War II Memorial Trust Fund.

For the Veterans Memorial Museum in St. Louis  
From \$93,750 to \$0 World War II Memorial Trust Fund.

For the Missouri Honor Flights  
From \$93,750 to \$0 World War II Memorial Trust Fund.

For the Missouri Veterans History Project  
From \$93,750 to \$0

World War II Memorial Trust Fund.  
From \$375,000 to \$0 in total for the section.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008**, except for those items specifically vetoed and not approved.  
Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2009** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, 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.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2011** entitled:

AN ACT

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

Section 11.420

I hereby veto \$500,000, including \$250,000 general revenue, for funding connections between the Department of Social Services and the Missouri Health Connection. The language added places conditions on health information exchange services that would unfairly exempt select providers from the requirement to pay for such services as called for under existing contracts.

For the purpose of funding any connections between the department and the Missouri Health Connection.

From \$250,000 to \$0 General Revenue Fund.

From \$250,000 to \$0 Department of Social Services Federal Fund.

From \$81,808,320 to \$81,308,320 in total for the section.

On May 6, 2016, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 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. 2012** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim

committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017.

On May 6, 2016 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 2016

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

Herewith I return to you **House Committee Substitute for House Bill No. 2013** entitled:

AN ACT

To appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, 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.

On May 6, 2016 I approved said **House Committee Substitute for House Bill No. 2013**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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May 6, 2016

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
98<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 2203** entitled:

AN ACT

To repeal section 130.034, RSMo, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof five new sections relating to campaign finance.

On May 6, 2016, I approved said **Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2203**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon  
Governor

Having been returned from the Governor with his approval, **CCS SS SCS HCS HB 1979, HCS HB 2001, CCS SCS HCS HB 2002, CCS SCS HCS HB 2003, CCS SCS HCS HB 2004, CCS SCS HCS HB 2005, CCS SCS HCS HB 2006, CCS SCS HCS HB 2007, CCS SCS HCS HB 2009, CCS SCS HCS HB 2010, CCS SCS HCS HB 2012, HCS HB 2013, CCS SCS HCS HB 2014, SCS HCS HB 2140, and CCS#2 SS SCS HB 2203** were delivered to the Secretary of State by the Chief Clerk of the House.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 572**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2 and 3, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, and House Amendment No. 6, 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 Bill No. 572, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 572;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, be Third Read and Finally Passed.



FOR THE SENATE:

/s/ Eric Schmitt  
/s/ Kurt Schaefer  
/s/ Bob Dixon  
/s/ Joseph Keaveny  
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Robert Cornejo  
/s/ Joe Don McGaugh  
/s/ Paul Curtman  
/s/ John Rizzo

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 578**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, with House Amendment Nos. 1 & 2, 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 Committee Substitute for Senate Bill No. 578, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 578;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny  
/s/ Bob Dixon  
/s/ Ed Emery  
/s/ Bob Onder

FOR THE HOUSE:

/s/ Caleb Jones  
/s/ Rocky Miller  
/s/ Gina Mitten

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 921**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 921, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, 4, and 5, House Amendment No. 1 to House

Amendment No. 6, and House Amendment No. 6, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 921, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 921;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 921, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle  
/s/ David Pearce  
/s/ Brian Munzlinger  
/s/ Jill Schupp  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Diane Franklin  
/s/ Sheila Solon  
/s/ Donna Pfautsch  
/s/ Jeanne Kirkton

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 973**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, with House Amendment Nos. 1, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6 and 8, House Amendment No. 1 to House Amendment No. 9, and House Amendment No. 9, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 973;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson  
/s/ Mike Cunningham  
/s/ David Sater  
/s/ Jill Schupp  
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Caleb Jones  
/s/ Robert Cornejo  
/s/ Donald Rone  
/s/ Jeremy LaFaver  
/s/ Deb Lavender

### REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Reports were referred to the Committee indicated:

**CCR HCS SS SCS SB 572, as amended** - Fiscal Review  
**CCR HCS SCS SB 578, as amended** - Fiscal Review  
**CCR SCS SB 921, as amended** - Fiscal Review  
**CCR HCS SCS SB 973, as amended** - Fiscal Review

### ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Tuesday, May 10, 2016.

### COMMITTEE HEARINGS

#### ADMINISTRATION AND ACCOUNTS

Wednesday, May 11, 2016, 9:30 AM, House Hearing Room 6.

Public hearing will be held: HR 3511

Executive session will be held: HR 3511

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

Interim Employment Resolution HR 3511.

House intern program update.

Approval of sponsored interns.

#### FISCAL REVIEW

Tuesday, May 10, 2016, 9:15 AM, South Gallery.

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

#### 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.

**SELECT COMMITTEE ON JUDICIARY**

Tuesday, May 10, 2016, Upon Conclusion of Afternoon Session, House Hearing Room 1.

Executive session will be held: SCS SBs 588, 603 & 942

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

CANCELLED

**SELECT COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS**

Tuesday, May 10, 2016, 12:00 PM or Upon Conclusion of Morning Session, House Hearing Room 5.

Executive session will be held: SCS SB 613

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

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, May 10, 2016, Upon Conclusion of Morning Session, House Hearing Room 3.

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

Discussion of diversity inclusion in Capitol improvement projects.

**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-EIGHTH DAY, TUESDAY, MAY 10, 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 (10)  
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 BILLS FOR THIRD READING**

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

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

HB 2348 - Richardson

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

SCS SB 818 - Alferman  
SB 887 - Pierson  
SCS SB 646 - Lauer  
SB 947 - Haahr  
HCS SB 827 - Swan  
HCS SCS SB 996, E.C. - Swan  
HCS SB 909 - Fitzpatrick  
HCS SCS SB 618 - Hicks  
HCS SS SCS SB 698 - Cornejo

HCS SB 711, E.C. - Hicks  
SB 897 - Crawford  
HCS SCS SB 804 - Cornejo  
SB 1002 - Pfautsch  
SB 1025, (Fiscal Review 5/5/16) - Koenig  
HCS SCS SB 794, (Fiscal Review 5/6/16) - Koenig  
HCS SS SCS SB 986, E.C. - Wiemann  
HCS SB 577 - Cornejo  
HCS SS SB 937, (Fiscal Review 5/6/16) - Eggleston  
HCS SB 869 - Solon  
HCS SCS SB 836, (Fiscal Review 5/6/16) - Burlison  
HCS SB 738 - Love  
HCS SB 835, (Fiscal Review 5/6/16) - Haahr  
HCS SB 676, (Fiscal Review 5/6/16) - Jones  
HCS SCS SB 904 - Swan  
HCS SB 873 - Cookson  
HCS SB 573 - Richardson  
HCS SB 682, (Fiscal Review 5/9/16), E.C. - Ross  
HCS SCS SB 781 - Jones  
HCS SB 888 - Jones  
HCS SB 831, (Fiscal Review 5/9/16) – Jones  
HCS SB 941, (Fiscal Review 5/9/16) - Haahr  
HCS SS SCS SB 919 - Cornejo  
HCS SCS SBs 588, 603 & 942 - Barnes

#### **SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCS SCR 43 - Richardson  
SCR 45 - Engler  
SCR 42 - Phillips  
SCR 50 - English  
SCR 65 - McCaherty

#### **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  
SS SCS HCS HB 1862, as amended, (Fiscal Review 5/6/16) - Cross  
SCS HB 1577, (Fiscal Review 5/6/16) - Higdon  
SCS HB 2335, (Fiscal Review 5/9/16) - Houghton  
SCS HB 2591, HB 1958 and HB 2369, (Fiscal Review 5/9/16) - Richardson  
SCS HCS HB 2453, (Fiscal Review 5/9/16), E.C. - Johnson  
SCS HCS HB 1713, as amended (Fiscal Review 5/9/16), E.C. - Remole  
SS HCS HB 2381, as amended (Fiscal Review 5/9/16) - Redmon  
SCS HCS HB 1583, as amended, (Fiscal Review 5/9/16) - Allen  
SCS HCS HB 1474, (Fiscal Review 5/9/16) - Dugger  
SCS HB 1851, (Fiscal Review 5/9/16) - Alferman

#### **BILLS CARRYING REQUEST MESSAGES**

HB 1870, with SA 1, SA 3, SA 4, and SA 5 (Senate refuses to recede/take up and pass bill) - Hoskins

#### **BILLS IN CONFERENCE**

CCR HCS SS SB 621, as amended, E.C. - Barnes  
CCR HCS SB 677, as amended - 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, - Dohrman  
CCR SCS SB 921, HA 1, as amended, HA 2, HA 3, HA 4, HA 5 and HA 6, as amended, (Fiscal Review 5/9/16) - 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  
CCR HCS SS SCS SB 572, as amended, (Fiscal Review 5/9/16) - 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  
CCR HCS SCS SB 973, as amended, (Fiscal Review 5/9/16) - Jones  
HCS SB 864, as amended - Morris  
HCS SCS SB 823, as amended - Zerr



CCR HCS SCS SB 578, as amended, (exceeds differences) (Fiscal Review 5/9/16) - Jones  
SCS HCS HB 1584, as amended - Hill  
SB 852, with HA 1, HA 2, as amended, & HA 3 - Chipman  
SB 988, with HA 1, HA 2, HA 3, HA 4, as amended, & HA 5, E.C. - Frederick  
HCS SS SB 786, as amended, E.C. - Dugger  
HCS SB 656, as amended, E.C. - Burlison  
HCS SCS SB 703, as amended - Reiboldt  
HCS SB 994, as amended - Alferman  
HCS SB 625, as amended - Pierson  
HCS SB 640, as amended - Brattin

### **HOUSE RESOLUTIONS**

HR 1103 - Richardson

### **VETOED HOUSE BILLS**

CCS SCS HCS HB 2008, (Section 8.185) - Flanigan  
CCS SCS HCS HB 2011, (Section 11.420) - Flanigan

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

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

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