

# JOURNAL OF THE HOUSE

Second Regular Session, 98th GENERAL ASSEMBLY

SIXTY-NINTH DAY, WEDNESDAY, MAY 11, 2016

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Msgr. Robert A. Kurwicky, Chaplain.

*Lead me in Thy truth and teach me: for Thou art the God of my salvation: on Thee do I wait all the day.  
(Psalm 25:5)*

O God Almighty, who does not change in a world of changes, who is forever loving, forever forgiving, and forever patient, amid the tensions of this final week we would enter the peace of Your presence, receive the strength of Your spirit, and go forth to labor with You in making this State a better place where we all can live together in humility.

Help us to build in Missouri a rule of peace and justice, a reign of human rights where there shall be no hunger, no discrimination, no lack of education, and a State where we can grow not only in body, but even more in mind and, best of all, in faith.

Grant us wisdom and courage that we may not fail the citizens of this State nor You.

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: Ella Cardwell, Ava Cardwell, Charleston Marie Kinne, Caleb Jones, and Hayden Backes.

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

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS HCS HB 1432**, 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 **SCS HB 1582**, 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 **SCS HB 1851**, 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 **SS SCS HCS HB 1862, 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 **SCS HB 2335**, 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 **SS HCS HB 2381, 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 **SCS HCS HB 2453**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 682**, 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 732, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 835**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 836**, 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 HCS HBs 1434 & 1600** entitled:

An act to repeal sections 99.805, 99.820, 99.825, 99.845, and 99.865, RSMo, and to enact in lieu thereof five new sections relating to tax increment financing.

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 1696** entitled:

An act to amend chapter 161, RSMo, by adding thereto one new section relating to the Missouri commission for the deaf and hard of hearing.

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 SCS HB 1816** entitled:

An act to repeal sections 324.001, 334.040, 335.203, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 336.020, 376.1237, and 630.175, RSMo, and to enact in lieu thereof thirty-two new sections relating to health care providers, with a contingent effective date for certain sections.

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 SCS HCS HB 1941** entitled:

An act to amend chapter 313, RSMo, by adding thereto twelve new sections relating to fantasy sports contests.

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 SCS HCS HB 2376** entitled:

An act to repeal section 227.107, RSMo, and to enact in lieu thereof three new sections relating to construction regulation.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2376, Page 2, Section 67.5050, Line 14 of said page, by inserting immediately after “3.” the following:

**“The political subdivision shall publicly disclose at a regular meeting its intent to utilize the construction management at-risk method and its selection criteria at least one week prior to publishing the request for qualifications.”**; and

Further amend said bill, Page 11, Section 67.5060, Line 1 of said page, by inserting immediately after “4.” the following:

**“The political subdivision shall publicly disclose at a regular meeting its intent to utilize the design-build method and its project design criteria at least one week prior to publishing the request for proposals.”**.

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 **SB 627, as amended**.

Senators: Nasheed, Schupp, Pearce, Romine, and Riddle

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 735, as amended**.

Senators: Dixon, Pearce, Silvey, Schupp, and Sifton

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 799, as amended**.

Senators: Kraus, Emery, Wallingford, Schupp, 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 833, as amended**.

Senators: Nasheed, Holsman, Cunningham, Wallingford, and Silvey

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 861, as amended**.

Senators: Wieland, Munzlinger, Silvey, 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 SCS SB 986, as amended**.

Senators: Brown, Schaaf, Wieland, Holsman, 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 **HCS SB 997, as amended**.

Senators: Pearce, Emery, Romine, Chappelle-Nadal, and Holsman

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**SCS HCS HBs 1434 & 1600** - Fiscal Review  
**SCS HCS HB 1696** - Fiscal Review  
**SS SCS HB 1816** - Fiscal Review  
**SS SCS HCS HB 1941** - Fiscal Review  
**SS SCS HCS HB 2376, as amended** - Fiscal Review

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

**SCS HCS HB 1474**, relating to the requirement of filing certain disclosure reports in an electronic format with the Missouri ethics commission, was taken up by Representative Dugger.

On motion of Representative Dugger, **SCS HCS HB 1474** was adopted by the following vote:

AYES: 149

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Davis	Dogan	Dohrman
Dugger	Dunn	Eggleston	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Green	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Lavender	Leara	Lichtenegger	Love
Lynch	Mathews	May	McCaherty	McCann Beatty
McCreery	McDaniel	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	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: 003

Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 010

Colona	Curtis	Curtman	Gardner	LaFaver
McDonald	Otto	Roeber	Ross	Smith

VACANCIES: 001

On motion of Representative Dugger, **SCS HCS HB 1474** was truly agreed to and finally passed by the following vote:

AYES: 145

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Conway 10	Cookson	Corlew	Cornejo	Crawford

Cross	Curtman	Davis	Dohrman	Dugger
Dunn	Eggleston	Ellington	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Mathews	May
McCaherty	McCann Beatty	McCreery	McDaniel	McGaugh
McGee	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pietzman	Pike	Plocher	Rehder
Reiboldt	Remole	Rhoads	Rizzo	Roden
Roeber	Rone	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Walton Gray	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 003

Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 014

Colona	Conway 104	Curtis	Dogan	Engler
English	Gardner	Hicks	McDonald	Pace
Redmon	Ross	Rowden	Smith	

VACANCIES: 001

Speaker Richardson declared the bill passed.

### **BILLS CARRYING REQUEST MESSAGES**

**HB 1870, with Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5**, relating to the big government get off my back act, was taken up by Representative Hoskins.

On motion of Representative Hoskins, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5** by the following vote:

AYES: 133

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

Butler	Carpenter	Chipman	Cierpiot	Conway 10
Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger
Dunn	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus
Kelley	Kendrick	Kidd	King	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCaherty	McCann Beatty
McDaniel	McGaugh	Messenger	Miller	Mims
Moon	Morgan	Morris	Muntzel	Neely
Parkinson	Peters	Pfautsch	Phillips	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 020

Colona	Ellington	Hubbard	Hummel	Kirkton
LaFaver	McCreery	McGee	McNeil	Meredith
Mitten	Montecillo	Newman	Norr	Otto
Pace	Pierson	Pogue	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 57	Conway 104	Curtis	Gardner	Leara
McDonald	Nichols	Ross	Smith	

VACANCIES: 001

On motion of Representative Hoskins, **HB 1870, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

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

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Johnson	Jones	Justus	Kelley	Kendrick
Kidd	King	Koenig	Kolkmeier	Korman
Kratky	Lair	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCaherty	McCann Beatty	McDaniel	McGaugh
Messenger	Miller	Mims	Moon	Morgan
Morris	Muntzel	Neely	Parkinson	Peters
Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Roden	Roeber	Rone	Rowden
Rowland 155	Rowland 29	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 018

Adams	Ellington	Hubbard	Hummel	Kirkton
LaFaver	McCreery	McGee	McNeil	Mitten
Montecillo	Newman	Otto	Pace	Pierson
Pogue	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Conway 104	Curtis	Gardner	Hicks
Hinson	Leara	McDonald	Meredith	Nichols
Norr	Ross	Smith		

VACANCIES: 001

Speaker Richardson declared the bill passed.

Speaker Pro Tem Hoskins assumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SB 676**, relating to political subdivisions, was taken up by Representative Jones.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 676, Pages 1-2, Section 1.100, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3 to 8, Sections 67.5300, 67.5305, 67.5310, 67.5315, and 67.5320, by removing all of said sections and lines from the bill; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 676, Page 12, Section 347.048, Line 18, by inserting after all of said section and line the following:

"473.775. 1. Any full-time staff of any public administrator's office employed on or after January 1, 2001, who is not an employee of the county for purposes of hiring, retirement, benefits and other laws applicable to county employees shall be deemed an employee after January 1, 2001. Any full-time staff of the office of the public administrator for the city of St. Louis on or after January 1, 2001, shall be considered an employee of the city of St. Louis for purposes of hiring, retirement, benefits and other laws applicable to the city of St. Louis employees.

2. Each public administrator [with fifty or more cases may] **shall** be provided with one full-time staff [paid for by the county or for St. Louis City, paid for by the city of St. Louis ] **for each increment of fifty cases. The provisions of this subsection are subject to appropriation and if no appropriation is made, then this subsection shall be void.**"; and

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

Representative Cornejo assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 110

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	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Haahr	Haefner	Hansen	Hicks	Higdon
Hill	Hinson	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Plocher	Pogue	Redmon
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr

NOES: 039

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Dunn	Green
Harris	Hubbard	Hummel	Kendrick	Kirkton

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Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Norr	Otto	Pace	Pierson	Rizzo
Rowland 29	Runions	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Curtis	Dogan	Ellington	Gannon	Gardner
Hoskins	Leara	Nichols	Peters	Rehder
Ross	Smith	Mr. Speaker		

VACANCIES: 001

On motion of Representative Rone, **House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded by Representative Rone:

AYES: 114

Alferman	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	Cookson	Corlew
Cornejo	Crawford	Cross	Davis	Dogan
Dohrman	Eggleston	Ellington	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Green	Haahr
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hough	Houghton	Hubrecht	Hummel
Johnson	Jones	Justus	Kelley	Kendrick
King	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
McGee	McNeil	Messenger	Miller	Mitten
Moon	Morris	Muntzel	Neely	Norr
Pfautsch	Phillips	Pietzman	Pike	Plocher
Rehder	Reiboldt	Remole	Rhoads	Rizzo
Roden	Roerber	Rone	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker
Webber	Wiemann	Wilson	Wood	

NOES: 037

Allen	Anders	Burns	Conway 104	Curtman
Dunn	Flanigan	Gardner	Haefner	Hubbard
Hurst	Kidd	Kirkton	Koenig	Lavender
Marshall	May	McCann Beatty	McCreery	McDonald
Meredith	Mims	Montecillo	Morgan	Newman
Otto	Pace	Parkinson	Pierson	Pogue
Rowland 29	Runions	Solon	Sommer	Walton Gray
White	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 011

Adams	Curtis	Dugger	Hoskins	Leara
Nichols	Peters	Redmon	Ross	Smith
Mr. Speaker				

VACANCIES: 001

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 676, Page 8, Section 84.514, Line 8, by inserting immediately after all of said line the following:

"94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

**(b) Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants;**

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

~~[(c)]~~ **(d)** Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

~~[(d)]~~ **(e)** Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

~~[(e)]~~ **(f)** Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

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 submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first**

**classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department 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 city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 676, Page 2, Section 50.622, Line 20, by deleting the number "**2026**" and inserting in lieu thereof the number "**2027**"; and

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

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

Representative Rowland (155) offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 676, Page 3, Section 67.281, Line 17, by inserting after all of said section and line the following:

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

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

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

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

3. Any ordinance enacted pursuant to this section shall:

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

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

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

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the

property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

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

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

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

On motion of Representative Rowland (155), **House Amendment No. 5** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 111

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

NOES: 041

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

PRESENT: 000

ABSENT WITH LEAVE: 010

Butler	Ellington	Franklin	Hinson	Leara
McGaugh	Nichols	Ross	Smith	Mr. Speaker

VACANCIES: 001

On motion of Representative Jones, **HCS SB 676, as amended**, was adopted.

On motion of Representative Jones, **HCS SB 676, as amended**, was read the third time and passed by the following vote:

AYES: 120

Adams	Alferman	Allen	Anderson	Andrews
Austin	Bahr	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot
Conway 10	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Green
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Mathews
McCaherty	McCann Beatty	McDaniel	McGaugh	Messenger
Miller	Morgan	Morris	Muntzel	Neely
Pace	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Roden	Roeber	Rone
Rowden	Rowland 155	Runions	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Swan
Taylor 139	Taylor 145	Vescovo	Walker	Webber
White	Wiemann	Wilson	Wood	Zerr

NOES: 032

Anders	Arthur	Burns	Carpenter	Conway 104
Dunn	Gardner	Hurst	Kendrick	Kirkton
LaFaver	Lavender	Marshall	May	McCreery
McDonald	McGee	McNeil	Meredith	Mims
Mitten	Montecillo	Moon	Newman	Norr
Otto	Parkinson	Pogue	Rizzo	Rowland 29
Spencer	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 010

Butler	Colona	Ellington	Hinson	Leara
Nichols	Rhoads	Ross	Smith	Mr. Speaker

VACANCIES: 001

Representative Cornejo declared the bill passed.

**HCS SB 831**, relating to the practice of professional licensees, was taken up by Representative Burlison.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 831, Page 16, Section 324.004, Line 237, by inserting immediately after all of said section and line the following:

"327.272. 1. A professional land surveyor shall include any person who practices in Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination with any other word or words including, but not limited to "registered", "professional" or "land" indicating or implying that the person is or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of land surveying, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:

- (1) The determination, location, relocation, establishment, reestablishment, layout, or retracing of land boundaries and positions of the United States Public Land Survey System;
- (2) The monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;
- (3) The subdivision of land into smaller tracts and preparation of property descriptions;
- (4) The survey and location of rights-of-way and easements;
- (5) Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (4) of this subsection;
- (6) Consultation, investigation, design surveys, evaluation, planning, design and execution of surveys;
- (7) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;
- (8) Monumentation of geodetic control and the determination of their horizontal and vertical positions;
- (9) Establishment of state plane coordinates;
- (10) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;

(11) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;

(12) Layout of proposed improvements;

(13) The determination of azimuths by astronomic observations.

2. None of the specific duties listed in subdivisions (4) to (13) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights. For the purposes of this section, the term "real property rights" means a recordable interest in real estate as it affects the location of land boundary lines. The validity of any document prepared between August 27, 2014, and August 28, 2015, by a provider of utility or communications services purporting to affect real property rights shall remain valid and enforceable notwithstanding that any legal description contained therein was not prepared by a professional land surveyor.

3. Professional land surveyors shall be in responsible charge of all drawings, maps, surveys, and other work product that can affect the health, safety, and welfare of the public within their scope of practice.

4. Nothing in this section shall be construed to preclude the practice of architecture or professional engineering or professional landscape architecture as provided in sections 327.091, 327.181, and 327.600.

**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 Hinson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 831, Page 1, In the Title, Line 5, by deleting the phrase "the practice of professional licensees" and inserting in lieu thereof the phrase "public health and welfare"; and

Further amend said bill, Page 4, Section 192.947, Line 12, by inserting immediately after all of said section and line the following:

"195.202. 1. Except as authorized by sections 195.005 to 195.425 **and sections 195.900 to 195.985**, it is unlawful for any person to possess or have under his control a controlled substance.

2. Any person who violates this section with respect to any controlled substance except thirty-five grams or less of marijuana or any synthetic cannabinoid is guilty of a class C felony.

3. Any person who violates this section with respect to not more than thirty-five grams of marijuana or any synthetic cannabinoid is guilty of a class A misdemeanor.

195.211. 1. Except as authorized by sections 195.005 to 195.425 **and sections 195.900 to 195.985**, and except as provided in section 195.222, it is unlawful for any person to distribute, deliver, manufacture, produce or attempt to distribute, deliver, manufacture or produce a controlled substance or to possess with intent to distribute, deliver, manufacture, or produce a controlled substance.

2. Any person who violates or attempts to violate this section with respect to manufacturing or production of a controlled substance of any amount except for five grams or less of marijuana in a residence where a child resides or within two thousand feet of the real property comprising a public or private elementary or public or private elementary or secondary school, public vocational school or a public or private community college, college or university, or any school bus is guilty of a class A felony.

3. Any person who violates or attempts to violate this section with respect to any controlled substance except five grams or less of marijuana is guilty of a class B felony.

4. Any person who violates this section with respect to distributing or delivering not more than five grams of marijuana is guilty of a class C felony.

195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than eight grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than eight grams but less than twenty-four grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twenty-four grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **and sections 195.900 to 195.985, such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, [he or she] **such person** distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than eight grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than eight grams but less than twenty-four grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twenty-four grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **and sections 195.900 to 195.985, such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **and sections 195.900 to 195.985, such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he] **such person** possesses or has under his **or her** control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, [he or she] **such person** possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

- (1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;
- (2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;
- (3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

**195.900. 1. Sections 195.900 to 195.985 shall be known and may be cited as the "Missouri Compassionate Care Act".**

**2. (1) The general assembly hereby declares that sections 195.900 to 195.985 shall be deemed an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.**

**(2) The general assembly further declares that it is unlawful under state law to cultivate, manufacture, distribute, or sell medical cannabis, except in compliance with the terms, conditions, limitations, and restrictions in sections 195.900 to 195.985 or when acting as a primary caregiver in compliance with the terms, conditions, limitations, and restrictions of sections 195.900 to 195.985.**

**3. As used in sections 195.900 to 195.985, the following terms shall mean:**

**(1) "Adequate supply", thirty grams of usable cannabis during a period of fourteen days and that is derived solely from an intrastate source. Subject to the rules of the department of health and senior services, a patient may apply for a waiver if a physician provides a substantial medical basis in a signed written statement asserting that, based on the patient's medical history and in the physician's professional judgment, thirty grams is an insufficient adequate supply for a fourteen-day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition. This subdivision shall not be construed to authorize the possession of more than thirty grams at any time without authority from the department of health and senior services. The premixed weight of medical cannabis used in making a cannabis-infused product shall apply toward the limit on the total amount of medical cannabis a registered qualifying patient may possess at any one time;**

**(2) "Cannabis", all parts of the plant genus Cannabis in any species or form thereof, including, but not limited to, Cannabis Sativa L., Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks except the resin extracted therefrom; fiber, oil or cake; or the sterilized seed of the plant which is incapable of germination;**

**(3) "Cannabis plant monitoring system" means an electronic seed to sale tracking system that includes, but is not limited to, testing and data collection established and maintained by the licensed medical cannabis cultivation and production facility and medical cannabis center and available to the division for the purposes of documenting each cannabis plant and for monitoring plant development throughout the life cycle of a cannabis plant cultivated for the intended use by a qualifying patient from seed planting to final packaging;**

**(4) "Debilitating medical condition", one or more of the following:**

**(a) Cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease and the symptoms thereof, ulcerative colitis, agitation of Alzheimer's disease, epilepsy, multiple sclerosis, or the treatment of such conditions;**

**(b) Any other debilitating medical condition or its treatment that is added by the department of health and senior services by rule under section 195.981 provided that the department receives a petition signed by no less than ten physicians, having a valid and active license to practice medicine in this state, asking for such addition;**

**(5) "Department", the department of health and senior services;**

**(6) "Division", the division of alcohol and tobacco control within the department of public safety;**

**(7) "Good cause", for purposes of refusing or denying a license renewal, reinstatement, or initial license issuance;**

(a) The licensee applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of sections 195.900 to 195.985, any rules promulgated thereunder, or any supplemental local law, rules, or regulations;

(b) The licensee or applicant has failed to comply with any special terms or conditions that were placed on its license under an order of the state or local licensing authority;

(c) The licensed premises have been operated in a manner that adversely affects the public health or welfare or the safety of the immediate neighborhood in which the establishment is located;

(8) "License", to grant a license or registration under sections 195.900 to 195.985;

(9) "Licensed premises", the premises specified in an application for a license under sections 195.900 to 195.985, which are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, or sell medical cannabis in accordance with the provisions of sections 195.900 to 195.985;

(10) "Licensee", a person licensed or registered under sections 195.900 to 195.985;

(11) "Limited access area", a building, room, or other contiguous area upon the licensed premises where medical cannabis is grown, cultivated, stored, weighed, displayed, packaged, sold, or possessed for sale, under control of the licensee, with limited access to only those persons licensed by the division, and visitors and vendors as provided by rule. All areas of ingress or egress to limited access areas shall be clearly identified as such by a sign as designated by the division;

(12) "Local licensing authority", an authority designated by municipal or county charter or ordinance;

(13) "Medical cannabis", cannabis that is grown and sold under sections 195.900 to 195.985 for a purpose authorized under sections 195.900 to 195.985;

(14) "Medical cannabis center", a person licensed under sections 195.900 to 195.985 to operate a business as described in sections 195.900 to 195.985 that sells medical cannabis to registered patients or primary caregivers but is not a primary caregiver;

(15) "Medical cannabis cultivation and production facility", a person licensed under sections 195.900 to 195.985 to operate a business as described in section 195.954;

(16) "Medical cannabis-infused product", a product infused with medical cannabis that is intended for use other than by smoking, including but not limited to ointments and tinctures or smokeless vaporizing devices. Such products, when manufactured or sold by a licensed medical cannabis center, shall not be considered a drug for the purposes of chapter 196;

(17) "Medical cannabis testing facility", a public or private laboratory licensed and certified, and approved by the division, to conduct research and analyze medical cannabis for contaminants and potency;

(18) "Person", a natural person, partnership, association, company, corporation, limited liability company, or organization, or a manager, agent, owner, director, servant, officer, or employee thereof;

(19) "Premises", a distinct and definite location, which may include a building, a part of a building, a room, or any other definite contiguous area;

(20) "Primary caregiver", a natural person, other than the patient or the patient's physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition;

(21) "School", a public or private preschool, or a public or private elementary, middle, junior high, or high school;

(22) "Smokeless vaporizing device", a medical-grade vaporizer delivery device capable of administering the active ingredients of a metered dose of medical cannabis via inhalation without combustion by-products;

(23) "State licensing authority", the division of alcohol and tobacco control which is responsible for regulating and controlling the licensing of the cultivation, manufacture, distribution, and sale of medical cannabis in this state.

4. Local governments may enact reasonable zoning rules that limit the use of land for operation of medical cannabis centers and medical cannabis cultivation and production facilities to specified areas and that regulate the time, place, and manner of such facilities. The operation of sections 195.900 to 195.985 shall be statewide unless a municipality, county, or city, by either a majority of the registered voters voting at a regular election or special election called in accordance with state law vote to prohibit the operation of medical cannabis centers and medical cannabis cultivation and production facilities in the municipality, county, or city.

**195.903. 1.** For the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, and sale of medical cannabis in this state, the division of alcohol and tobacco control is hereby designated as the state licensing authority.

**2.** The state supervisor of alcohol and tobacco control may employ such officers and employees as may be determined to be necessary, with such officers and employees being part of the division. The division shall, at its discretion and based upon workload, employ no more than one full-time equivalent employee for each ten medical cannabis centers licensed or making application with the authority. No moneys shall be appropriated to the division from the general revenue fund for the operation of sections 195.900 to 195.985, nor shall the division expend any general revenue fund moneys for the operation of sections 195.900 to 195.985.

**3.** During fiscal year 2017, the division shall consider employment of temporary or contract staff to conduct background investigations. The additional cost of the background investigations shall not exceed five hundred thousand dollars.

**195.906. 1.** The division shall:

(1) Grant or refuse state licenses for the cultivation, manufacture, distribution, and sale of medical cannabis as provided by law; suspend, fine, restrict, or revoke such licenses upon a violation of sections 195.900 to 195.985, or a rule promulgated under sections 195.900 to 195.985; and impose any penalty authorized by sections 195.900 to 195.985, or any rule promulgated under sections 195.900 to 195.985. The division may take any action with respect to a registration under sections 195.900 to 195.985 as it may with respect to a license under sections 195.900 to 195.985, in accordance with the procedures established under sections 195.900 to 195.985;

(2) Promulgate such rules and such special rulings and findings as necessary for the proper regulation and control of the cultivation, manufacture, distribution, and sale of medical cannabis and for the enforcement of sections 195.900 to 195.985;

(3) Upon denial of a state license, provide written notice of the grounds for such denial of a state license to the applicant and to the local authority and the right of the applicant to a right to a hearing before the administrative hearing commission under subsection 2 of section 195.924;

(4) Maintain the confidentiality of patient records, reports obtained from licensees showing the sales volume or quantity of medical cannabis sold, or any other records that are exempt from inspection under state law;

(5) Develop such forms, licenses, identification cards, and applications as are necessary in the discretion of the division for the administration of sections 195.900 to 195.985 or any of the rules promulgated under sections 195.900 to 195.985;

(6) Prepare and submit an annual report accounting to the governor for the efficient discharge of all responsibilities assigned by law or directive to the state licensing authority; and

(7) In recognition of the potential medicinal value of medical cannabis, make a request by January 1, 2017, to the federal Drug Enforcement Administration to consider rescheduling, for pharmaceutical purposes, medical cannabis from a Schedule I controlled substance to a Schedule II controlled substance.

**2. (1)** Rules promulgated under subdivision (2) of subsection 1 of this section may include, but shall not be limited to, the following:

(a) Compliance with, enforcement, or violation of any provision of sections 195.900 to 195.985, or any rule issued under sections 195.900 to 195.985, including procedures and grounds for denying, suspending, fining, restricting, or revoking a state license issued under sections 195.900 to 195.985;

(b) Specifications of duties of officers and employees of the division;

(c) Instructions for local licensing authorities and law enforcement officers;

(d) Requirements for inspections, investigations, searches, seizures, and such additional activities as may become necessary from time to time;

(e) Creation of a range of administrative penalties for use by the division;

(f) Prohibition of misrepresentation and unfair practices;

(g) Control of informational and product displays on licensed premises;

(h) Development of individual identification cards for owners, officers, managers, contractors, employees, and other support staff of entities licensed under sections 195.900 to 195.985, including a fingerprint-based criminal record check as may be required by the division prior to issuing a card;

(i) Identification of state licensees and their owners, officers, managers, and employees;

(j) Security requirements for any premises licensed under sections 195.900 to 195.985, including, at a minimum, lighting, physical security, video, alarm requirements, and other minimum procedures for internal control as deemed necessary by the division to properly administer and enforce the provisions of sections 195.900 to 195.985, including reporting requirements for changes, alterations, or modifications to the premises;

(k) Regulation of the storage of, warehouses for, and transportation of medical cannabis;

(l) Sanitary requirements for medical cannabis centers and medical cannabis cultivation and production facilities, including but not limited to, sanitary requirements for the preparation of medical cannabis-infused products;

(m) The specification of acceptable forms of picture identification that a medical cannabis center may accept when verifying a sale;

(n) Labeling standards;

(o) Records to be kept by licensees and the required availability of the records;

(p) State licensing procedures, including procedures for renewals, reinstatements, initial licenses, and the payment of licensing fees;

(q) The reporting and transmittal of monthly sales tax payments by medical cannabis centers;

(r) Authorization for the department of revenue to have access to licensing information to ensure sales and income tax payment and effective administration of sections 195.900 to 195.985;

(s) Authorization for the division to impose administrative penalties and procedures of issuing, appealing, and creating a violation list and schedule of administrative penalties; and

(t) Such other matters as are necessary for the fair, impartial, stringent, and comprehensive administration of sections 195.900 to 195.985.

(2) Nothing in sections 195.900 to 195.985 shall be construed as delegating to the division the power to fix prices for medical cannabis.

**195.909. 1.** A local licensing authority may issue only the following medical cannabis licenses upon payment of the fee and compliance with all local licensing requirements to be determined by the local licensing authority:

(1) A medical cannabis center license;

(2) A medical cannabis cultivation and production facility license;

(3) A medical cannabis testing facility.

**2. (1)** A local licensing authority shall not issue a local license within a municipality or the unincorporated portion of a county unless the governing body of the municipality has adopted an ordinance or the governing body of the county has adopted a resolution containing specific standards for license issuance, or if no such ordinance or resolution is adopted prior to January 1, 2018, a local licensing authority shall consider the minimum licensing requirements of this section when issuing a license.

**(2)** In addition to all other standards applicable to the issuance of licenses under sections 195.900 to 195.985, the local governing body may adopt additional standards for the issuance of medical cannabis center or medical cannabis cultivation and production facility licenses consistent with the intent of sections 195.900 to 195.985 that may include but not be limited to:

(a) Distance restrictions between premises for which local licenses are issued;

(b) Reasonable restrictions on the size of an applicant's licensed premises; and

(c) Any other requirements necessary to ensure the control of the premises and the ease of enforcement of the terms and conditions of the license.

**3.** An application for a license specified in subsection 1 of this section shall be filed with the appropriate local licensing authority on forms provided by the state licensing authority and shall contain such information as the state licensing authority may require and any forms as the local licensing authority may require. Each application shall be verified by the oath or affirmation of the persons prescribed by the state licensing authority.

**4.** An applicant shall file with the application for a local license, plans and specifications for the interior of the building if the building to be occupied is in existence at the time. If the building is not in existence, the applicant shall file a plot plan and a detailed sketch for the interior and submit an architect's drawing of the building to be constructed. In its discretion, the local or state licensing authority may impose additional requirements necessary for the approval of the application.

**195.912. 1.** Upon receipt of an application for a local license, except an application for renewal or for transfer of ownership, a local licensing authority shall schedule and hold a public hearing upon the application to be held not less than thirty days after the date of the application, but not more than ninety days from the date

of the application. If the local licensing authority fails to hold a public hearing within such time lines, the application shall be considered approved. If the local licensing authority schedules a hearing for a medical cannabis center application, it shall post and publish public notice thereof not less than ten days prior to the hearing. The local licensing authority shall give public notice by the posting of a sign in a conspicuous place on the medical cannabis center premises for which application has been made and by publication in a newspaper of general circulation in the county in which the medical cannabis center premises are located.

2. Public notice given by posting shall include a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date of the hearing, the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. The sign shall contain the names and addresses of the officers, directors, or manager of the facility to be licensed.

3. Public notice given by publication shall contain the same information as that required for signs.

4. If the building in which medical cannabis is to be cultivated, tested, manufactured, distributed, or sold is in existence at the time of the application, a sign posted as required in subsections 1 and 2 of this section shall be placed so as to be conspicuous and plainly visible to the general public. If the building is not constructed at the time of the application, the applicant shall post a sign at the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

5. (1) A local licensing authority or a license applicant with local licensing authority approval may request that the state licensing authority conduct a concurrent review of a new license application prior to the local licensing authority's final approval of the license application. Local licensing authorities who permit concurrent review shall continue to independently review the applicant's license application.

(2) When conducting a concurrent application review, the state licensing authority may advise the local licensing authority of any items that it finds that may result in the denial of the license application. Upon correction of the noted discrepancies if the correction is permitted by the state licensing authority, the state licensing authority shall notify the local licensing authority of its conditional approval of the license application subject to the final approval by the local licensing authority. The state licensing authority shall then issue the applicant's state license upon receiving evidence of final approval by the local licensing authority.

(3) All applications submitted for concurrent review shall be accompanied by all applicable state license and application fees. Any applications which are later denied or withdrawn may allow for a refund of license fees only. All application fees provided by an applicant shall be retained by the respective licensing authority.

195.915. 1. Not less than five days prior to the date of the public hearing authorized in section 195.912, the local licensing authority shall make known its findings, based on its investigation, in writing to the applicant and other parties of interest. The local licensing authority has authority to refuse to issue a license provided for in this section for good cause, subject to judicial review.

2. Before entering a decision approving or denying the application for a local license, the local licensing authority may consider, except where sections 195.900 to 195.985 specifically provides otherwise, the facts and evidence adduced as a result of its investigation, as well as any other facts pertinent to the type of license for which application has been made, including the number, type, and availability of medical cannabis outlets located in or near the premises under consideration, and any other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.

3. Within thirty days after the public hearing or completion of the application investigation, a local licensing authority shall issue its decision approving or denying an application for local licensure. The decision shall be in writing and shall state the reasons for the decision. The local licensing authority shall send a copy of the decision by certified mail to the applicant at the address shown in the application.

4. After approval of an application, a local licensing authority shall not issue a local license until the building in which the business to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place as are necessary to comply with the applicable provisions of sections 195.900 to 195.985, and then only after the local licensing authority has inspected the premises to determine that the applicant has complied with the architect's drawing and the plot plan and detailed sketch for the interior of the buildings submitted with the application.

5. After approval of an application for local licensure, the local licensing authority shall notify the state licensing authority of such approval, who shall investigate and either approve or disapprove the application for state licensure.

**195.918. 1. (1)** The division of alcohol and tobacco control shall not issue more than a statewide total of thirty state licenses for medical cannabis centers and a statewide total of thirty state licenses for medical cannabis cultivation and production facilities; except that, the division may issue additional licenses under this subdivision if the division determines additional licenses are necessary based upon patient needs.

(2) Licenses shall be geographically disbursed by the division, in consultation with the department of health and senior services, based on the demographics of the state and patient demand to ensure statewide access for patients.

**2.** Before the division of alcohol and tobacco control issues a state license to an applicant, the applicant shall:

(1) (a) Procure and file with the division evidence of a good and sufficient bond in the amount of five thousand dollars with corporate surety thereon duly licensed to do business with the state, approved as to form by the state attorney general, and conditioned that the applicant shall report and pay all sales and use taxes due to the state, or for which the state is the collector or collecting agent, in a timely manner, as provided in law.

(b) A corporate surety shall not be required to make payments to the state claiming under such bond until a final determination of failure to pay taxes due to the state has been made by the division or a court of competent jurisdiction.

(c) All bonds required under this subdivision shall be renewed at such time as the bondholder's license is renewed. The renewal may be accomplished through a continuation certificate issued by the surety; and

(2) Submit documentation acceptable to the division that the applicant has at least five hundred thousand dollars in assets.

**195.921. 1.** Applications for a state license under the provisions of sections 195.900 to 195.985 shall be made to the division of alcohol and tobacco control on forms prepared and furnished by the division and shall set forth such information as the division may require to enable the division to determine whether a state license shall be granted. The information shall include the name and address of the applicant, the names and addresses of the officers, directors, or managers, and all other information deemed necessary by the division. Each application shall be verified by the oath or affirmation of such person or persons as the division may prescribe.

**2.** The division shall not issue a state license under this section until the local licensing authority has approved the application for a local license and issued a local license as provided for in sections 195.909 to 195.918.

**3.** Nothing in sections 195.900 to 195.985 shall preempt or otherwise impair the power of a local government to enact ordinances or resolutions concerning matters authorized to local governments.

**195.924. 1.** The division shall deny a state license if the premises on which the applicant proposes to conduct its business do not meet the requirements of sections 195.900 to 195.985.

**2.** If the division denies a state license under subsection 1 of this section, the applicant shall be entitled to a hearing before the administrative hearing commission. The division shall provide written notice of the grounds for denial of the state license to the applicant and to the local licensing authority at least fifteen days prior to the hearing.

**195.927. 1.** A license provided by sections 195.900 to 195.985 shall not be issued to or held by:

(1) A person until the annual fee has been paid;

(2) A licensed physician making patient recommendations;

(3) A person under twenty-one years of age;

(4) A person licensed under sections 195.900 to 195.985 who during a period of licensure or who at the time of application has failed to:

(a) Provide a surety bond, proof of assets, or file any tax return with a taxing agency;

(b) Pay any taxes, interest, or penalties due;

(c) Pay any judgments due to a government agency;

(d) Stay out of default on a government-issued student loan;

(e) Pay child support; or

(f) Remedy an outstanding delinquency for taxes owed, an outstanding delinquency for judgments owed to a government agency, or an outstanding delinquency for child support.

(5) A person who has discharged a sentence in the ten years immediately preceding the application date for a conviction of a felony or a person who at any time has been convicted of a felony under any state or federal law regarding the possession, distribution, or use of a controlled substance;

(6) A person who employs another person at a medical cannabis center or medical cannabis cultivation and production facility who has not passed a criminal background check;

(7) A sheriff, deputy sheriff, police officer, or prosecuting officer, or any officer or employee of the division or a local licensing authority;

(8) A person whose authority to be a primary caregiver as defined in sections 195.900 to 195.985 has been revoked by the department;

(9) A person for a license for a location that is currently licensed as a retail food establishment or wholesale food registrant; or

(10) A person who is an officer, director, manager of a limited liability company whose articles of organization state that management is vested in one or more managers, and general partner of a limited liability partnership that owe a fiduciary duty to the licensee who is not a resident of Missouri. All officers, directors, managers of a limited liability company whose articles of organization state that management is vested in one or more managers, and general partners of a limited liability partnership shall be residents of Missouri; except that, managers and employees may be nonresidents. All stockholders who legally and beneficially own or control sixty percent or more of the capital stock in amount and in voting rights shall be residents of Missouri and bona fide residents of this state for a period of three years continuously immediately prior to the date of filing of application for a license.

2. (1) In investigating the qualifications of an applicant or a licensee, the division shall have access to criminal background check information furnished by a criminal justice agency subject to any restrictions imposed by such agency. In the event the division considers the applicant's criminal background check information, the division shall also consider any information provided by the applicant regarding such criminal background check, including but not limited to evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicant's last criminal conviction and the consideration of the application for a state license.

(2) As used in subdivision (1) of this subsection, "criminal justice agency" means any federal, state, or municipal court or any governmental agency or subunit of such agency that administers criminal justice under a statute or executive order and that allocates a substantial part of its annual budget to the administration of criminal justice.

(3) At the time of filing an application for issuance or renewal of a state medical cannabis center license or medical cannabis cultivation and production facility license, an applicant shall submit a set of his or her fingerprints and file personal history information concerning the applicant's qualifications for a state license on forms prepared by the division. The division shall submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal background check. The Missouri state highway patrol shall, if necessary, forward the fingerprints to the Federal Bureau of Investigation for the purpose of conducting a fingerprint-based criminal background check. Fingerprints shall be submitted in accordance with section 43.543, and fees shall be paid in accordance with section 43.530. The division may acquire a name-based criminal background check for an applicant or a license holder who has twice submitted to a fingerprint-based criminal background check and whose fingerprints are unclassifiable. The division shall use the information resulting from the fingerprint-based criminal history record check to investigate and determine whether an applicant is qualified to hold a state license under sections 195.900 to 195.985. The division may verify any of the information an applicant is required to submit.

195.930. The division or a local licensing authority shall not receive or act upon an application for the issuance of a state or local license under sections 195.900 to 195.985:

(1) If the application for a state or local license concerns a particular location that is the same as or within one thousand feet of a location for which, within the two years immediately preceding the date of the application, the division or a local licensing authority denied an application for the same class of license due to the nature of the use or other concern related to the location;

(2) Until it is established that the applicant is or shall be entitled to possession of the premises for which application is made under a lease, rental agreement, or other arrangement for possession of the premises or by virtue of ownership of the premises;

(3) For a location in an area where the cultivation, manufacture, and sale of medical cannabis as contemplated is not permitted under the applicable local zoning laws of the municipality or county;

(4) (a) If the building in which medical cannabis is to be sold is located within one thousand feet of a school; an alcohol or drug treatment facility; or the principal campus of a college, university, or seminary; or a licensed child care facility. The provisions of this subdivision shall not affect the renewal or reissuance of a license once granted or apply to licensed premises located or to be located on land owned by a municipality, nor shall the provisions of this subdivision apply to an existing licensed premises on land owned by the state, or apply to a license in effect and actively doing business before such principal campus was constructed.

(b) The distances referred to in this subdivision are to be computed by direct measurement from the nearest property line of the land used for a school or campus to the nearest portion of the building in which medical cannabis is to be sold.

(c) In addition to the requirements of section 195.909, the local licensing authority shall consider the evidence and make a specific finding of fact as to whether the building in which the medical cannabis is to be sold is located within the distance restrictions established by or under this subdivision.

195.933. 1. A state or local license granted under the provisions of sections 195.900 to 195.985 shall not be transferable except as provided in this section, but this section shall not prevent a change of location as provided in subsection 13 of section 195.936.

2. For a transfer of ownership, a license holder shall apply to the division and the local licensing authority on forms prepared and furnished by the division. In determining whether to permit a transfer of ownership, the division and the local licensing authority shall consider only the requirements of sections 195.900 to 195.985, any rules promulgated by the division, and any other local restrictions. The local licensing authority may hold a hearing on the application for transfer of ownership. The local licensing authority shall not hold a hearing under this subsection until the local licensing authority has posted a notice of hearing in the manner described in section 195.912 on the licensed medical cannabis center premises for a period of ten days and has provided notice of the hearing to the applicant at least ten days prior to the hearing. Any transfer of ownership hearing by the division shall be held in compliance with the requirements specified in section 195.912.

195.936. 1. Sections 195.900 to 195.985 authorizes a county or municipality to enact reasonable regulations or other restrictions applicable to licenses of medical cannabis centers and medical cannabis cultivation and production facility based on local zoning, health, safety, and public welfare laws for the distribution of medical cannabis that are more restrictive than sections 195.900 to 195.985.

2. A medical cannabis center or medical cannabis cultivation and production facility shall not operate until it has been licensed by the local licensing authority and the state licensing authority under sections 195.900 to 195.985. In connection with a license, the applicant shall provide a complete and accurate list of all owners, officers, and employees who work at, manage, own, or are otherwise associated with the operation and shall provide a complete and accurate application as required by the division.

3. A medical cannabis center or medical cannabis cultivation and production facility shall notify the division in writing within ten days after an owner, officer, or employee ceases to work at, manage, own, or otherwise be associated with the operation. The owner, officer, or employee shall surrender his or her identification card to the division on or before the date of the notification.

4. A medical cannabis center or medical cannabis cultivation and production facility shall notify the division in writing of the name, address, and date of birth of an owner, officer, manager, or employee before the new owner, officer, or employee begins working at, managing, owning, or begins an association with the operation. The owner, officer, manager, or employee shall pass a fingerprint-based criminal background check as required by the division and obtain the required identification prior to being associated with, managing, owning, or working at the operation.

5. A medical cannabis center or medical cannabis cultivation and production facility shall not acquire, possess, cultivate, deliver, transfer, transport, supply, or dispense cannabis for any purpose except to assist patients with debilitating medical conditions.

6. All owners of a licensed medical cannabis center or licensed medical cannabis cultivation and production facility shall be authorized to do business in Missouri. A local licensing authority shall not issue a license provided for in sections 195.900 to 195.985 until that share of the license application fee due to the state has been received by the division. All licenses granted under sections 195.900 to 195.985 shall be valid for a period not to exceed two years from the date of issuance unless revoked or suspended under sections 195.900 to 195.985 or the rules promulgated under sections 195.900 to 195.985.

7. Before granting a local or state license, the respective licensing authority may consider, except where sections 195.900 to 195.985 specifically provide otherwise, the requirements of sections 195.900 to 195.985 and any rules promulgated under sections 195.900 to 195.985, and all other reasonable restrictions that are or may be placed upon the licensee by the licensing authority. With respect to a second or additional license for the same licensee or the same owner of another licensed business under sections 195.900 to 195.985, each licensing authority shall consider the effect on competition of granting or denying the additional licenses to such licensee and shall not approve an application for a second or additional license that has the effect of restraining competition.

8. (1) Each license issued under sections 195.900 to 195.985 is separate and distinct. It is unlawful for a person to exercise any of the privileges granted under a license other than the license that the person holds or for a licensee to allow any other person to exercise the privileges granted under the licensee's license. A separate license shall be required for each specific business or business entity and each geographical location.

(2) At all times, a licensee shall possess and maintain possession of the premises for which the license is issued by ownership, lease, rental, or other arrangement for possession of the premises.

9. (1) The licenses provided under sections 195.900 to 195.985 shall specify the date of issuance, the period of licensure, the name of the licensee, and the premises licensed. The licensee shall conspicuously display the license at all times on the licensed premises.

(2) A local licensing authority shall not transfer location of or renew a license to sell medical cannabis until the applicant for the license produces a license issued and granted by the state licensing authority covering the whole period for which a license or license renewal is sought.

10. In computing any period of time prescribed by sections 195.900 to 195.985, the day of the act, event, or default from which the designated period of time begins to run shall not be included. Saturdays, Sundays, and legal holidays shall be counted as any other day.

11. A licensee shall report each transfer or change of financial interest in the license to the division and the local licensing authority thirty days prior to any transfer or change under subsection 13 of this section. A report shall be required for transfers of capital stock of any corporation regardless of size.

12. Each licensee shall manage the licensed premises himself or herself or employ a separate and distinct manager on the premises and shall report the name of the manager to the division and the local licensing authority. The licensee shall report any change in manager to the division and local licensing authority thirty days prior to such change.

13. (1) A licensee may move his or her permanent location to any other place in the same municipality for which the license was originally granted, or in the same county if the license was granted for a place outside the corporate limits of a municipality, but it shall be unlawful to cultivate, manufacture, distribute, or sell medical cannabis at any such place until permission to do so is granted by the division and the local licensing authority provided for in sections 195.900 to 195.985.

(2) In permitting a change of location, the division and the local licensing authority shall consider all reasonable restrictions that are or may be placed upon the new location by the governing body or local licensing authority of the municipality or county; any such change in location shall be in accordance with all requirements of sections 195.900 to 195.985 and rules promulgated under sections 195.900 to 195.985.

195.939. 1. (1) Ninety days prior to the expiration date of an existing license, the division shall notify the licensee of the expiration date by first class mail at the licensee's address of record with the division. A licensee shall apply for the renewal of an existing license to the local licensing authority not less than forty-five days and to the division not less than thirty days prior to the date of expiration. A local licensing authority shall not accept an application for renewal of a license after the date of expiration, except as provided in subsection 2 of this section. The division may extend the expiration date of the license and accept a late application for renewal of a license; provided that, the applicant has filed a timely renewal application with the local licensing authority. All renewals filed with the local licensing authority and subsequently approved by the local licensing authority shall next be processed by the division. The division or the local licensing authority, in its discretion, subject to the requirements of this section and based upon reasonable grounds, may waive the forty-five-day or thirty-day time requirements set forth in this subsection. The local licensing authority may hold a hearing on the application for renewal only if the licensee has had complaints filed against it, has a history of violations, or there are allegations against the licensee that constitute good cause.

(2) The local licensing authority shall not hold a renewal hearing provided for by this subsection for a medical cannabis center until it has posted a notice of hearing on the licensed medical cannabis center premises in the manner described in section 195.912 for a period of ten days and provided notice to the applicant at least ten days prior to the hearing. The local licensing authority may refuse to renew any license for good cause, subject to judicial review.

2. (1) Notwithstanding the provisions of subsection 1 of this section, a licensee whose license has been expired for not more than ninety days may file a late renewal application upon the payment of a nonrefundable late application fee of five hundred dollars to the local licensing authority. A licensee who files a late renewal application and pays the requisite fees may continue to operate until both the state and local licensing authorities have taken final action to approve or deny the licensee's late renewal application.

(2) The state and local licensing authorities shall not accept a late renewal application more than ninety days after the expiration of a licensee's permanent annual license. A licensee whose permanent annual license has been expired for more than ninety days shall not cultivate, manufacture, distribute, or sell any medical cannabis until all required licenses have been obtained.

195.942. The division or local licensing authority may, in its discretion, revoke or elect not to renew any license if it determines that the licensed premises have been inactive without good cause for at least one year.

195.945. 1. The division, by rule, shall require a complete disclosure of all persons having a direct or indirect financial interest and the extent of such interest in each license issued under sections 195.900 to 195.985.

2. A person shall not have an unreported financial interest in a license under sections 195.900 to 195.985 unless such person has undergone a fingerprint-based criminal background check as provided for by the division in its rules; except that, this subsection shall not apply to banks, savings and loan associations, or industrial banks supervised and regulated by an agency of the state or federal government, or to FHA-approved mortgagees, or to stockholders, directors, or officers thereof.

3. This section is intended to prohibit and prevent the control of the outlets for the sale of medical cannabis by a person or party other than the persons licensed under the provisions of sections 195.900 to 195.985.

195.948. 1. For the purpose of regulating the cultivation, manufacture, distribution, testing, and sale of medical cannabis, the division may, in its discretion and upon application on the prescribed form made to it, issue and grant to the applicant a license or registration from any of the following classes, subject to the provisions and restrictions provided by sections 195.900 to 195.985:

- (1) Medical cannabis center license;
- (2) Medical cannabis cultivation and production facility license;
- (3) Medical cannabis testing facility license;

(4) Occupational licenses and registrations for owners, managers, operators, employees, contractors, and other support staff employed by, working in, or having access to restricted areas of the licensed premises as determined by the division. The division may take any action with respect to a registration under sections 195.900 to 195.985 as it may with respect to a license under sections 195.900 to 195.985, in accordance with the procedures established under sections 195.900 to 195.985.

2. In order to do business in Missouri under sections 195.900 to 195.985, a medical cannabis business shall hold both a medical cannabis center license and a medical cannabis cultivation and production facility license.

3. A medical cannabis business shall use the cannabis plant monitoring system as the primary inventory tracking system of records.

4. A state-chartered bank or a credit union may loan money to any person licensed under sections 195.900 to 195.985 for the operation of a licensed business.

195.951. 1. A medical cannabis center license shall be issued only to a person selling medical cannabis under the terms and conditions of sections 195.900 to 195.985.

2. Notwithstanding the provision of this section, a medical cannabis center licensee may also sell medical cannabis-infused products that are prepackaged and labeled under subsection 7 of this section.

3. Except as otherwise provided in subsection 4 of this section, every person selling medical cannabis as provided for in this section shall sell medical cannabis grown in its medical cannabis cultivation and production facility licensed under sections 195.900 to 195.985.

4. A medical cannabis licensee shall not purchase more than thirty percent of its total on-hand inventory of medical cannabis or medical cannabis-infused products from another licensed medical cannabis center in Missouri. A medical cannabis center shall not sell more than thirty percent of its total on-hand inventory to another Missouri medical cannabis license.

5. Prior to initiating a sale, the employee of the medical cannabis center making the sale shall verify that the purchaser has a valid registration card issued under section 195.981 and a valid picture identification card that matches the name on the registration card.

6. A licensed medical cannabis center may provide an amount of its medical cannabis established by rule of the division for testing to a medical cannabis testing facility.

7. By January 1, 2018, all medical cannabis sold at a licensed medical cannabis center shall be labeled as follows:

(1) The medical cannabis center shall place a legible, firmly affixed label on medical cannabis, excluding medical cannabis-infused products, on which the wording is no less than one-sixteenth inch in size on each package of medical cannabis that it prepares for dispensing and which contains at a minimum the following information:

(a) The registered qualifying patient's name;

(b) The name and registration number of the medical cannabis center that produced the cannabis, together with the medical cannabis center's telephone number and mailing address, and website information, if any;

(c) The quantity of usable medical cannabis contained within the package;

(d) The date that the medical cannabis center packaged the contents;

(e) A batch number, sequential serial number, and bar code when used, to identify the batch associated with manufacturing and processing;

(f) The cannabinoid profile of the medical cannabis contained within the package, including tetrahydrocannabinol (THC) level;

(g) A statement that the product has been tested for contaminants, that there were no adverse findings, and the date of testing, and the following statement, including capitalization: "This product has not been analyzed or approved by the FDA. There is limited information on the side effects of using this product, and there may be associated health risks. Do not drive or operate machinery when under the influence of this product. KEEP THIS PRODUCT AWAY FROM CHILDREN.";

(2) The medical cannabis center shall place a legible, firmly affixed label on medical cannabis-infused products on which the wording is no less than one-sixteenth inch in size on each medical cannabis-infused product that it prepares for dispensing and which contains at a minimum the following information:

(a) The registered qualifying patient's name;

(b) The name and registration number of the medical cannabis center that produced the medical cannabis-infused product, together with the medical cannabis center's telephone number and mailing address, and website information, if any;

(c) The name of the product;

(d) The quantity of usable cannabis contained within the product as measured in ounces;

(e) A list of ingredients, including the cannabinoid profile of the cannabis contained within the product, including the tetrahydrocannabinol (THC) level;

(f) The date of product creation and the recommended "use by" or expiration date;

(g) To identify the batch associated with manufacturing and processing, a batch number, sequential serial number, and bar code when used;

(h) Directions for use of the product if relevant;

(i) A statement that the product has been tested for contaminants, that there were no adverse findings, and the date of testing;

(j) A warning if known allergens are contained in the product; and

(k) The following statement, including capitalization: "This product has not been analyzed or approved by the FDA. There is limited information on the side effects of using this product, and there may be associated health risks. Do not drive or operate machinery when under the influence of this product. KEEP THIS PRODUCT AWAY FROM CHILDREN.";

(3) Cannabis shall be packaged in plain, opaque, tamperproof, and childproof containers without depictions of the product, cartoons, or images other than the medical cannabis center's logo.

8. A licensed medical cannabis center shall comply with all provisions of law as such provisions relate to persons with disabilities.

195.954. A medical cannabis cultivation and production facility license may be issued only to a person licensed under this section who grows and cultivates medical cannabis and who manufactures medical cannabis or medical cannabis-infused products under the terms and conditions of sections 195.900 to 195.985.

195.957. 1. The department of health and senior services is the designated state agency for regulating and controlling the manufacturing of medical cannabis-infused products.

2. (1) Medical cannabis-infused products shall be prepared on a licensed premises that is used exclusively for the manufacture and preparation of medical cannabis-infused products and which uses equipment that is used exclusively for the manufacture and preparation of medical cannabis-infused products.

(2) Only a licensed medical cannabis cultivation and production facility is permitted to produce medical cannabis-infused products. A medical cannabis cultivation and production facility may produce medical cannabis-infused products for only such facility's medical cannabis center, and up to two additional medical cannabis centers under common ownership.

(3) The medical cannabis cultivation and production facility shall have all cannabis cultivated by such facility tested in accordance with the following:

(a) Cannabis shall be tested for the cannabinoid profile and for contaminants as specified by the department, including but not limited to mold, mildew, heavy metals, plant-growth regulators, and the presence of nonorganic pesticides. The department may require additional testing;

(b) The facility shall maintain the results of all testing for no less than one year;

(c) The facility shall have and follow a policy and procedure for responding to results indicating contamination, which shall include destruction of contaminated product and assessment of the source of contamination. Such policy shall be available to registered qualifying patients and primary caregivers;

(d) All testing shall be conducted by an independent laboratory that is:

a. Accredited to International Organization for Standardization (ISO) 17025 by a third-party accrediting body such as A2LA or ACLASS; or

b. Certified, registered, or accredited by an organization approved by the department;

(e) The facility shall arrange for testing to be conducted in accordance with the frequency required by the department;

(f) A facility shall have a contractual arrangement with a laboratory for the purposes of testing cannabis, including a stipulation that those individuals responsible for testing at the laboratory be licensed;

(g) An executive of a facility is prohibited from having any financial or other interest in a laboratory providing testing services for any medical cannabis cultivation and production facility;

(h) No individual employee of a laboratory providing testing services for medical cannabis cultivation and production facilities shall receive direct financial compensation from any medical cannabis cultivation and production facility;

(i) All transportation of cannabis to and from laboratories providing cannabis testing services shall comply with rules promulgated under paragraph (d) of subdivision (1) of subsection 2 of section 195.906;

(j) All storage of cannabis at a laboratory providing cannabis testing services shall comply with subdivision (4) of this subsection; and

(k) All excess cannabis shall be returned to the source medical cannabis cultivation and production facility and be disposed of under paragraph (e) of subdivision (6) of this subsection.

(4) (a) All cannabis in the process of cultivation, production, preparation, transport, or analysis shall be housed and stored in such a manner as to prevent diversion, theft, or loss.

(b) Such items shall be accessible only to the minimum number of specifically authorized dispensary agents essential for efficient operation.

(c) Such items shall be returned to a secure location immediately after completion of the process or at the end of the scheduled business day.

(d) If a manufacturing process cannot be completed at the end of a working day, the processing area or tanks, vessels, bins, or bulk containers containing cannabis shall be securely locked inside an area or building that affords adequate security.

(5) A medical cannabis cultivation and production facility shall process cannabis in a safe and sanitary manner. A facility shall process the leaves and flowers of the female cannabis plant only, which shall be:

- (a) Well cured and free of seeds and stems;
- (b) Free of dirt, sand, debris, and other foreign matter;
- (c) Free of contamination by mold, rot, other fungus, and bacterial diseases;
- (d) Prepared and handled on food-grade stainless steel tables; and
- (e) Packaged in a secure area.
- (6) All facilities, including those that develop or process nonedible medical cannabis-infused products, shall comply with the following sanitary requirements:
  - (a) Any dispensary agent whose job includes contact with cannabis or nonedible medical cannabis-infused products, including cultivation, production, or packaging, is subject to the requirements for food handlers under state law and in accordance with rules of the department of health and senior services;
  - (b) Any dispensary agent working in direct contact with preparation of cannabis or nonedible medical cannabis-infused products shall conform to sanitary practices while on duty, including:
    - a. Maintaining adequate personal cleanliness; and
    - b. Washing hands thoroughly in an adequate hand-washing area before starting work, and at any other time when hands may have become soiled or contaminated;
  - (c) Hand-washing facilities shall be adequate and convenient and shall be furnished with running water at a suitable temperature. Hand-washing facilities shall be located in the facility in production areas and where good sanitary practices require employees to wash and sanitize their hands, and shall provide effective hand cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
  - (d) There shall be sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
  - (e) Litter and waste shall be properly removed, disposed of so as to minimize the development of odor, and shall minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal shall be maintained in an adequate manner;
  - (f) Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately kept clean and in good repair;
  - (g) There shall be adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
  - (h) Buildings, fixtures, and other physical facilities shall be maintained in a sanitary condition;
  - (i) All contact surfaces, including utensils and equipment, shall be maintained in a clean and sanitary condition. Such surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the United States Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils shall be so designed and of such material and workmanship as to be adequately cleanable;
  - (j) All toxic items shall be identified, held, and stored in a manner that protects against contamination of cannabis and medical cannabis-infused products;
  - (k) A facility's water supply shall be sufficient for necessary operations. Any private water source shall be capable of providing a safe, potable, and adequate supply of water to meet the facility's needs;
  - (l) Plumbing shall be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the facility. Plumbing shall properly convey sewage and liquid disposable waste from the facility. There shall be no cross-connections between the potable and waste water lines;
  - (m) A facility shall provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
  - (n) Products that may support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of such microorganisms; and
  - (o) Storage and transportation of finished products shall be under conditions that shall protect them against physical, chemical, and microbial contamination as well as against deterioration of them or their container.
- 3. (1) A medical cannabis cultivation and production facility shall provide adequate lighting, ventilation, temperature, humidity, space, and equipment.
- (2) A facility shall have separate areas for storage of cannabis that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until such products are destroyed.

- (3) Facility storage areas shall be maintained in a clean and orderly condition.
- (4) Facility storage areas shall be free from infestation by insects, rodents, birds, and pests of any kind.
- (5) Facility storage areas shall be maintained in accordance with the security requirements promulgated under paragraph (j) of subdivision (1) of subsection 2 of section 195.906.

195.960. 1. Until a medical cannabis cultivation and production facility's cultivation or production process has been validated, such facility shall not wholesale, transfer, or process into a medical cannabis concentrate or medical cannabis product any medical cannabis, medical cannabis concentrate, or medical cannabis product unless samples from the harvest batch or production batch from which such medical cannabis, medical cannabis concentrate, or medical cannabis product was derived were tested by a medical cannabis testing facility for contaminants and passed all contaminant tests required by subsection 3 of this section.

2. (1) A medical cannabis cultivation and production facility's cultivation process shall be deemed valid if every harvest batch that it produced during a twelve-week period passed all contaminant tests required by subsection 3 of this section, including at least twelve test batches that were submitted at least six days apart and contained samples from entirely different harvest batches.

(2) A facility's production process shall be deemed valid if every production batch that it produced during a four-week period passed all contaminant tests required by subsection 3 of this section, including at least four test batches that were submitted at least six days apart which contained samples from entirely different production batches.

3. (1) Each harvest batch of medical cannabis and production batch of medical cannabis concentrate and medical cannabis product shall be tested for microbial contamination by a medical cannabis testing facility. The microbial contamination test shall include, but not be limited to, testing to determine the presence of and amounts present of salmonella sp., escherichia coli, and other bile-tolerant bacteria.

(2) Each harvest batch of medical cannabis and production batch of medical cannabis concentrate and medical cannabis product shall be tested for mold contamination by a medical cannabis testing facility. The mold contamination test shall include, but shall be limited to, testing to determine presence and the level of aspergillus sp., mucor sp., penicillium sp., and thermophilic actinomycetes sp.

(3) Each harvest batch of medical cannabis produced by a facility shall be tested for filth and other visible contamination by a medical cannabis testing facility. The filth contamination test shall include, but shall not be limited to, the detection, separation, quantification, identification, and interpretation of extraneous materials, including insects, rodent droppings, visible adulterants, and other contaminants, in medical cannabis flowers and trim.

(4) Each production batch of solvent-based medical cannabis concentrate produced by a facility shall be tested for residual solvent contamination by a medical cannabis testing facility. The residual solvent contamination test shall include, but not be limited to, testing to determine the presence of, and amounts present of, butane, propane, ethanol, isopropanol, acetone, and heptane.

4. (1) The division may require additional tests to be conducted on a harvest batch or production batch prior to a facility wholesaling, transferring, or processing into a medical cannabis concentrate or medical cannabis product any medical cannabis, medical cannabis concentrate, or medical cannabis product from such harvest batch or production batch. Additional tests may include, but not be limited to, screening for pesticides, harmful chemicals, adulterants, or other types of microbes, molds, filth, or residual solvents.

(2) (a) A production batch of medical cannabis concentrate shall be considered exempt from subdivision (1) of this subsection if the facility that produced it does not wholesale or transfer any portion of the production batch and it uses the entire production batch to manufacture medical cannabis product; except that, a solvent-based medical cannabis concentrate produced using butane, propane, ethanol, isopropanol, acetone, or heptane shall still be submitted for a residual solvent contaminant test.

(b) A facility shall not be required to have residual solvent testing conducted on the product batch of a solvent-based medical cannabis concentrate if only CO<sub>2</sub> was used during the production of the medical cannabis concentrate.

5. (1) (a) If a facility makes a material change to its cultivation or production process, such facility shall have the first five harvest batches or production batches produced using the new standard operating procedures tested for all of the contaminants required by subsection 3 of this section regardless of whether its process has been previously validated. If any such tests fail, such facility's process shall be revalidated.

(b) It shall be considered a material change if a facility begins using a new or different pesticide during its cultivation process, and the first five harvest batches produced using the new or different pesticide shall also be tested for pesticide.

(c) It shall be considered a material change if a facility begins using a new or different solvent or combination of solvents.

(d) A facility that makes a material change shall notify the medical cannabis testing facility that conducts contaminant testing on the first five harvest batches or production batches produced using the new standard operating procedures.

(e) When a harvest batch or production batch is required to be submitted for testing under this subsection, the facility that produced it shall not wholesale, transfer, or process into a medical cannabis concentrate or medical cannabis product any of the medical cannabis, medical cannabis concentrate, or medical cannabis product from such harvest batch or production batch.

(2) If six of the ten most recently tested test batches produced by a facility fail contaminant testing, the facility shall be required to revalidate its process.

6. Notwithstanding any other provision of state law, sales of medical cannabis-infused products shall not be exempt from state or local sales tax.

195.963. 1. (1) There is hereby created in the state treasury the "Medical Cannabis License Cash Fund", which shall consist of all moneys collected by the division under sections 195.900 to 195.985. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 195.900 to 195.985.

(2) 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.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(4) There is hereby created the "Medical Cannabis Program Account" as an account within the medical cannabis license cash fund. The account shall consist of all moneys collected by the department of health and senior services under section 195.981. The account shall be a dedicated account and, upon appropriation, moneys in the account shall be used solely for the administration of section 195.981.

2. (1) The division shall require all applicants for initial state licenses under sections 195.900 to 195.985 to submit a nonrefundable application fee of twelve thousand five hundred dollars for a medical cannabis center license and twelve thousand five hundred dollars for a medical cannabis cultivation and production facility license.

(2) The division shall establish all other fees for processing the following types of applications, licenses, notices, or reports required to be submitted to the state licensing authority:

(a) Applications to change location under subsection 13 of section 195.936 and rules promulgated thereunder;

(b) Applications for transfer of ownership under section 195.933 and rules promulgated thereunder;

(c) License renewal and expired license renewal applications under section 195.939; and

(d) Licenses as listed in section 195.948.

(3) The amounts of the fees under subdivisions (1) and (2) of this subsection, when added to the other fees transferred to the fund under this section, shall reflect the actual direct and indirect costs of the division in the administration and enforcement of sections 195.900 to 195.985.

(4) The division may charge applicants licensed under sections 195.900 to 195.985 a fee for the cost of each fingerprint analysis and background investigation undertaken to qualify new officers, directors, managers, or employees.

(5) At least annually, the division shall review the amounts of the fees and, if necessary, adjust the amounts to reflect the direct and indirect costs of the division.

3. Except as provided in subsection 4 of this section, the division shall establish a basic fee that shall be paid at the time of service of any subpoena upon the division, plus a fee for meals and a fee for mileage at the rate prescribed for state officers and employees, for each mile actually and necessarily traveled in going to and returning from the place named in the subpoena. If the person named in the subpoena is required to attend the place named in the subpoena for more than one day, there shall be paid, in advance, a sum to be established by the division for each day of attendance to cover the expenses of the person named in the subpoena.

4. The subpoena fee established under subsection 3 of this section shall not be applicable to any federal, state, or local governmental agency.

**195.966.** 1. Except as otherwise provided, all fees and fines provided for by sections 195.900 to 195.985 shall be paid to the division, which shall transmit the fees to the state treasurer. The state treasurer shall credit the fees to the medical cannabis license cash fund created in section 195.963.

2. The expenditures of the division shall be paid out of appropriations from the medical cannabis license cash fund created in section 195.963.

**195.969.** 1. Each application for a local license provided for in sections 195.900 to 195.985 filed with a local licensing authority shall be accompanied by an application fee and a license fee in an amount determined by the local licensing authority not to exceed ten percent of the state application fee and license fee.

2. License fees as determined by the local licensing authority shall be paid to the treasurer of the municipality or county where the licensed premises is located in advance of the approval, denial, or renewal of the license.

**195.972.** 1. In addition to any other sanctions prescribed by sections 195.900 to 195.985 or rules promulgated under sections 195.900 to 195.985, the division or a local licensing authority has the power, on its own motion or on complaint, after investigation and opportunity for a public hearing at which the licensee shall be afforded an opportunity to be heard, to suspend or revoke a license issued by the respective authority for a violation by the licensee or by any of the agents or employees of the licensee of the provisions of sections 195.900 to 195.985, or any of the rules promulgated under sections 195.900 to 195.985, or of any of the terms, conditions, or provisions of the license issued by the division or local licensing authority. The division or a local licensing authority has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books, and records necessary to the determination of a hearing that the division or local licensing authority is authorized to conduct.

2. The division or local licensing authority shall provide notice of suspension, revocation, fine, or other sanction, as well as the required notice of the hearing under subsection 1 of this section by mailing the same in writing to the licensee at the address contained in the license. Except in the case of a summary suspension under section 195.984, a suspension shall not be for a longer period than six months. If a license is suspended or revoked, a part of the fees paid therefore shall not be returned to the licensee. Any license or permit may be summarily suspended by the issuing licensing authority without notice, pending any prosecution, investigation, or public hearing under the terms of section 195.984. Nothing in this section shall prevent the summary suspension of a license under section 195.984. Each patient registered with a medical cannabis center that has had its license summarily suspended may immediately transfer his or her primary center to another licensed medical cannabis center.

3. (1) Whenever a decision of the division or a local licensing authority suspending a license for fourteen days or less becomes final, the licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of having the license suspended for all or part of the suspension period. Upon the receipt of the petition, the division or local licensing authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if the division or local licensing authority is satisfied that:

(a) The public welfare and morals shall not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine shall achieve the desired disciplinary purposes;

(b) The books and records of the licensee are kept in such a manner that the loss of sales that the licensee would have suffered had the suspension gone into effect may be determined with reasonable accuracy; and

(c) The licensee has not had his or her license suspended or revoked, nor had any suspension stayed by payment of a fine, during the two years immediately preceding the date of the motion or complaint that resulted in a final decision to suspend the license or permit.

(2) The fine accepted shall be not less than five hundred dollars nor more than one hundred thousand dollars.

(3) Payment of a fine under the provisions of this subsection shall be in the form of cash or in the form of a certified check or cashier's check made payable to the division or local licensing authority, whichever is appropriate.

4. Upon payment of the fine under subsection 3 of this section, the division or local licensing authority shall enter its further order permanently staying the imposition of the suspension. If the fine is paid to a local licensing authority, the governing body of the authority shall cause the moneys to be paid into the general fund of the local licensing authority. Fines paid to the division under subsection 3 of this section shall be transmitted to the state treasurer who shall credit the same to the medical cannabis license cash fund created in section 195.963.

5. In connection with a petition under subsection 3 of this section, the authority of the division or local licensing authority is limited to the granting of such stays as are necessary for the authority to complete its investigation and make its findings and, if the authority makes such findings, to the granting of an order permanently staying the imposition of the entire suspension or that portion of the suspension not otherwise conditionally stayed.

6. If the division or local licensing authority does not make the findings required in subdivision (1) of subsection 3 of this section and does not order the suspension permanently stayed, the suspension shall go into effect on the operative date finally set by the division or local licensing authority.

7. Each local licensing authority shall report all actions taken to impose fines, suspensions, and revocations to the division in a manner required by the division. No later than January fifteenth of each year, the division shall compile a report of the preceding year's actions in which fines, suspensions, or revocations were imposed by local licensing authorities and by the division. The division shall file one copy of the report with the chief clerk of the house of representatives, one copy with the secretary of the senate, and six copies in the legislative library.

195.975. 1. Each licensee shall keep a complete set of all records necessary to show fully the business transactions of the licensee, all of which shall be open at all times during business hours for the inspection and examination of the division or its duly authorized representatives. The division may require any licensee to furnish such information as it considers necessary for the proper administration of this section and may require an audit to be made of the books of account and records on such occasions as it may consider necessary by an auditor to be selected by the division who shall likewise have access to all books and records of the licensee, and the expense thereof shall be paid by the licensee.

2. The licensed premises, including any places of storage where medical cannabis is grown, stored, cultivated, sold, or dispensed, shall be subject to inspection by the division or local licensing authorities and their investigators, during all business hours and other times of apparent activity, for the purpose of inspection or investigation. For examination of any inventory or books and records required to be kept by the licensees, access shall be required during business hours. Where any part of the licensed premises consists of a locked area, upon demand to the licensee, such area shall be made available for inspection without delay, and, upon request by authorized representatives of the division or local licensing authority, the licensee shall open the area for inspection.

3. Each licensee shall retain all books and records necessary to show fully the business transactions of the licensee for a period of the current tax year and the three immediately prior tax years.

195.978. 1. Except as otherwise provided in sections 195.900 to 195.985, it is unlawful for a person:

(1) With knowledge, to permit or fail to prevent the use of such person's registry identification by any other person for the unlawful purchasing of medical cannabis; or

(2) To buy, sell, transfer, give away, or acquire medical cannabis except as allowed under sections 195.900 to 195.985.

2. It is unlawful for a person licensed under sections 195.900 to 195.985:

(1) To be within a limited-access area unless the person's license badge is displayed as required by sections 195.900 to 195.985;

(2) To fail to designate areas of ingress and egress for limited-access areas and post signs in conspicuous locations as required by sections 195.900 to 195.985;

(3) To fail to report a transfer required by section 195.933; or

(4) To fail to report the name of or a change in managers as required by section 195.936.

3. It is unlawful for any person licensed to sell medical cannabis under sections 195.900 to 195.985:

(1) To display any signs that are inconsistent with local laws or regulations;

(2) To use advertising material that is misleading, deceptive, or false, or that is designed to appeal to minors;

(3) (a) To sell medical cannabis to a person not licensed under sections 195.900 to 195.985 or to a person not able to produce a valid patient registry identification card. Notwithstanding any provision in this paragraph to the contrary, a person under twenty-one years of age shall not be employed to sell or dispense medical cannabis at a medical cannabis center or grow or cultivate medical cannabis at a medical cannabis cultivation and production facility.

(b) If a licensee or a licensee's employee has reasonable cause to believe that a person is exhibiting a fraudulent patient registry identification card in an attempt to obtain medical cannabis, the licensee or employee shall be authorized to confiscate the fraudulent patient registry identification card, if possible, and shall, within seventy-two hours after the confiscation, turn it over to the department of health and senior services or local law enforcement agency. The failure to confiscate the fraudulent patient registry identification card or to turn it over to the department or a state or local law enforcement agency within seventy-two hours after the confiscation shall not constitute a criminal offense;

(4) To offer for sale or solicit an order for medical cannabis in person except within the licensed premises;

(5) To have in possession or upon the licensed premises any medical cannabis, the sale of which is not permitted by the license;

(6) To buy medical cannabis from a person not licensed to sell as provided by sections 195.900 to 195.985;

(7) To sell medical cannabis except in the permanent location specifically designated in the license for sale;

(8) To require a medical cannabis center and medical cannabis cultivation and production facility to make delivery to any premises other than the specific licensed premises where the medical cannabis is to be sold notwithstanding the requirements of section 195.951; or

(9) To sell, serve, or distribute medical cannabis at any time other than between the hours of 8:00 a.m. and 7:00 p.m. Monday through Sunday.

4. Except as otherwise provided in sections 195.900 to 195.985, it is unlawful for:

(1) A medical cannabis center or medical cannabis cultivation and production facility to sell, deliver, or cause to be delivered to a licensee any medical cannabis not grown upon its licensed premises; or

(2) A medical cannabis center or medical cannabis cultivation and production facility to sell, possess, or permit sale of medical cannabis not grown upon its licensed premises.

A violation of this subsection by a licensee shall be grounds for the immediate revocation of the license granted under sections 195.900 to 195.985.

5. It shall be unlawful for a physician who makes patient referrals to a licensed medical cannabis center to receive anything of value from the medical cannabis center licensee or its agents, servants, officers, or owners or anyone financially interested in the licensee, and it shall be unlawful for a licensee licensed under sections 195.900 to 195.985 to offer anything of value to a physician for making patient referrals to the licensed medical cannabis center.

6. A person who commits any acts that are unlawful under this section is guilty of a class A misdemeanor.

195.981. 1. The department of health and senior services shall promulgate rules:

(1) To ensure that patients suffering from legitimate debilitating medical conditions are able to safely gain access to medical cannabis and to ensure that such patients:

(a) Are not subject to criminal prosecution for their use of medical cannabis in accordance with this section, and the rules of the department;

(b) Are able to establish an affirmative defense to their use of medical cannabis in accordance with this section, and the rules of the department;

(2) To prevent persons who do not suffer from legitimate debilitating medical conditions from using this section as a means to sell, acquire, possess, produce, use, or transport cannabis in violation of state and federal laws.

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

(1) "Bona fide physician-patient relationship", for purposes of the medical cannabis program:

(a) A physician and a patient have a treatment or counseling relationship, in the course of which the physician has completed a full assessment of the patient's medical history and current medical condition, including an appropriate personal physical examination;

(b) The physician has consulted with the patient with respect to the patient's debilitating medical condition before the patient applies for a registry identification card; and

(c) The physician is available to or offers to provide follow-up care and treatment to the patient, including but not limited to patient examinations, to determine the efficacy of the use of medical cannabis as a treatment of the patient's debilitating medical condition;

- (2) "Department", the department of health and senior services;
- (3) "Director", the director of the department of health and senior services;
- (4) "In good standing", with respect to a physician's license:
  - (a) The physician holds a doctor of medicine or doctor of osteopathic medicine degree from an accredited medical school;
  - (b) The physician holds a valid license to practice medicine in Missouri that does not contain a restriction or condition that prohibits the recommendation of medical cannabis; and
  - (c) The physician has a valid and unrestricted United States Department of Justice Federal Drug Enforcement Administration controlled substances registration;
- (5) "Medical cannabis program", the program established under sections 195.900 to 195.985;
- (6) "Primary caregiver", the same meaning as such term is defined in section 195.900;
- (7) "Registry identification card", the nontransferable confidential registry identification card issued by the department to patients and primary caregivers under this section.

3. (1) The department shall promulgate rules to implement the medical cannabis program, including rules for the following:

- (a) The establishment and maintenance of a confidential registry of patients who have applied for and are entitled to receive a registry identification card;
- (b) The development by the department of an application form and making such form available to residents of this state seeking to be listed on the confidential registry of patients who are entitled to receive a registry identification card;
- (c) The verification by the department of medical information concerning patients who have applied for a confidential registry card or for renewal of a registry identification card;
- (d) The development by the department of a form that shall be used by a physician when making a medical cannabis recommendation for a patient;
- (e) The conditions for issuance and renewal, and the form, of the registry identification cards issued to patients, including but not limited to standards for ensuring that the department issues a registry identification card to a patient only if such patient has a bona fide physician-patient relationship with a physician in good standing and licensed to practice medicine in the state of Missouri;
- (f) Communications with law enforcement officials about registry identification cards that have been suspended when a patient is no longer diagnosed as have a debilitating medical condition; and
- (g) A waiver process to allow a homebound patient who is on the registry to have a primary caregiver transport the patient's medical cannabis from a licensed medical cannabis center to the patient.

(2) The department may promulgate rules regarding the following:

- (a) What constitutes significant responsibility for managing the well-being of a patient; except that, the act of supplying medical cannabis or cannabis paraphernalia, by itself, is insufficient to constitute significant responsibility for managing the well-being of a patient;
- (b) The development of a form for a primary caregiver to use in applying to the registry, which form shall require, at a minimum, that the applicant provide his or her full name, home address, date of birth, and an attestation that the applicant has a significant responsibility for managing the well-being of the patient for whom he or she is designated as the primary caregiver and that he or she understands and shall abide by this section, and the rules promulgated by the department under this section;
- (c) The development of a form that constitutes written documentation, which a physician shall use when making a medical cannabis recommendation for a patient;
- (d) The grounds and procedure for a patient to change his or her designated primary caregiver; and
- (e) Designation on the application form of the medical cannabis center where the registered patient or primary caregiver shall receive his or her medical cannabis as required under subsection 7 of this section.

(3) The department shall conduct a public review hearing to receive public input on any emergency rules adopted by the department and be provided with an update from the industry, caregivers, patients, and other stakeholders regarding the industry's current status. The department shall provide at least five business days' notice prior to the hearing.

4. A physician who certifies a debilitating medical condition for an applicant to the medical cannabis program shall comply with all of the following requirements:

- (1) The physician shall have a valid and active license to practice medicine in this state, which license is in good standing;

(2) After a physician, who has a bona fide physician-patient relationship with the patient applying for the medical cannabis program, determines, for the purposes of making a recommendation, that the patient has a debilitating medical condition and that the patient may benefit from the use of medical cannabis, the physician shall certify to the department that the patient has a debilitating medical condition and that the patient may benefit from the use of medical cannabis. If the physician certifies that the patient may benefit from the use of medical cannabis based on a chronic or debilitating disease or medical condition, the physician shall specify the chronic or debilitating disease or medical condition and, if known, the cause or source of the chronic or debilitating disease or medical condition;

(3) The physician shall maintain a record-keeping system for all patients for whom the physician has recommended the medical use of cannabis;

(4) A physician shall not:

(a) Accept, solicit, or offer any form of pecuniary remuneration from or to a primary caregiver, distributor, or any other provider of medical cannabis;

(b) Offer a discount or any other thing of value to a patient who uses or agrees to use a particular primary caregiver, distributor, or other provider of medical cannabis to procure medical cannabis;

(c) Examine a patient for purposes of diagnosing a debilitating medical condition at a location where medical cannabis is sold or distributed; or

(d) Holds an economic interest in an enterprise that provides or distributes medical cannabis if the physician certifies the debilitating medical condition of a patient for participation in the medical cannabis program.

5. (1) If the department has reasonable cause to believe that a physician has violated subdivision (1), (2), or (3) of subsection 4 of this section, or the rules promulgated by the department, the department may refer the matter to the state board of medical examiners for an investigation and determination.

(2) If the department has reasonable cause to believe that a physician has violated subdivision (4) of subsection 4 of this section, the department shall conduct a hearing to determine whether a violation has occurred. Upon a finding of unprofessional conduct by the state board of medical examiners or a finding of a violation of subdivision (4) of subsection 4 of this section by the department, the department shall restrict a physician's authority to recommend the use of medical cannabis, which restrictions may include the revocation or suspension of a physician's privilege to recommend medical cannabis. The restriction shall be in addition to any sanction imposed by the state board of medical examiners.

6. (1) A primary caregiver shall not delegate to any other person his or her authority to provide medical cannabis to a patient nor may a primary caregiver engage others to assist in providing medical cannabis to a patient.

(2) A primary caregiver shall not cultivate cannabis. Only a medical cannabis cultivation and production facility may cultivate cannabis and only for medical use.

(3) A primary caregiver shall provide to a law enforcement agency, upon inquiry, the registry identification card number of each of his or her patients. The department shall maintain a registry of such information and make it available twenty-four hours per day and seven days a week to law enforcement for verification purposes.

7. A registered patient or primary caregiver shall not:

(1) Purchase medical cannabis from unauthorized sources; or

(2) Obtain medical cannabis from other registered patients or primary caregivers.

8. (1) To be considered in compliance with this section and the rules of the department, a patient or primary caregiver shall have his or her registry identification card in his or her possession at all times that he or she is in possession of any form of medical cannabis and produce the same upon request of a law enforcement officer to demonstrate that the patient or primary caregiver is not in violation of the law. A person who violates this section or the rules promulgated by the department may be subject to criminal prosecution.

(2) The department shall maintain a registry of such information and make it available twenty-four hours per day and seven days a week to law enforcement for verification purposes. Upon inquiry by a law enforcement officer as to an individual's status as a patient, the department shall check the registry. If the individual is not registered as a patient or primary caregiver, the department may provide that response to law enforcement. The department may promulgate rules to implement this subsection.

(3) The department may deny a patient's application for a registry identification card or revoke the card if the department determines that the physician who diagnosed the patient's debilitating medical condition, the patient, or the primary caregiver violated this section, or the rules promulgated by the department under this section; except that, when a physician's violation is the basis for adverse action, the

department may only deny or revoke a patient's application or registry identification card when the physician's violation is related to the issuance of a medical cannabis recommendation.

(4) A registry identification card shall be valid for one year and shall contain a unique identification number. It shall be the responsibility of the patient to apply to renew his or her registry identification card prior to the date on which the card expires. The department shall develop a form for a patient to use in renewing his or her registry identification card.

(5) If the department grants a patient a waiver to allow a primary caregiver to transport the patient's medical cannabis from a medical cannabis center to the patient, the department shall designate the waiver on the patient's registry identification card.

(6) A homebound patient who receives a waiver from the department to allow a primary caregiver to transport the patient's medical cannabis to the patient from a medical cannabis center shall provide the primary caregiver with the patient's registry identification card, which the primary caregiver shall carry when the primary caregiver is transporting the medical cannabis. A medical cannabis center may provide the medical cannabis to the primary caregiver for transport to the patient if the primary caregiver produces the patient's registry identification card.

9. (1) The use of medical cannabis is allowed under state law to the extent that it is carried out in accordance with sections 195.900 to 195.985 and the rules of the department.

(2) A patient or primary caregiver shall not:

(a) Engage in the medical use of cannabis in a way that endangers the health and well-being of a person;

(b) Engage in the medical use of cannabis in plain view or in a place open to the general public;

(c) Undertake any task while under the influence of medical cannabis, when doing so would constitute negligence or professional malpractice;

(d) Possess medical cannabis or otherwise engage in the use of medical cannabis in or on the grounds of a school or in a school bus;

(e) Engage in the use of medical cannabis while:

a. In a correctional facility;

b. Subject to a sentence to incarceration; or

c. In a vehicle, aircraft, or motorboat;

(f) Operate, navigate, or be in actual physical control of any vehicle, aircraft, or motorboat while under the influence of medical cannabis; or

(g) Use medical cannabis if the person does not have a debilitating medical condition as diagnosed by the person's physician in the course of a bona fide physician-patient relationship and for which the physician has recommended the use of medical cannabis.

(3) A person shall not establish a business to permit patients to congregate and smoke medical cannabis.

10. Only licensed medical cannabis cultivation and production facilities may cultivate medical cannabis.

11. If a patient raises an affirmative defense to prosecution under sections 195.900 to 195.985, the patient's physician shall certify the specific amounts in excess of an adequate supply that are necessary to address the patient's debilitating medical condition and why such amounts are necessary. A patient who asserts this affirmative defense shall waive confidentiality privileges related to the condition or conditions that were the basis for the recommendation. If a patient, primary caregiver, or physician raises an exception to the state criminal laws, the patient, primary caregiver, or physician waives the confidentiality of his or her records related to the condition or conditions that were the basis for the recommendation maintained by the department for the medical cannabis program. Upon request of a law enforcement agency for such records, the department shall only provide records pertaining to the individual raising the exception, and shall redact all other patient, primary caregiver, or physician identifying information.

12. (1) Except as provided in subdivision (2) of this subsection, the department shall establish a basic fee that shall be paid at the time of service of any subpoena upon the department, plus a fee for meals and a fee for mileage at the rate prescribed for state officers and employees, for each mile actually and necessarily traveled in going to and returning from the place named in the subpoena. If the person named in the subpoena is required to attend the place named in the subpoena for more than one day, there shall be paid, in advance, a sum to be established by the department for each day of attendance to cover the expenses of the person named in the subpoena.

(2) The subpoena fee established under subdivision (1) of the subsection shall not be applicable to any federal, state, or local governmental agency.

**13. The department may collect fees from patients who apply to the medical cannabis program for a cannabis registry identification card for the purpose of offsetting the department's direct and indirect costs of administering the program. The amount of such fees shall be set by rule of the department. The amount of the fees set under this section shall reflect the actual direct and indirect costs of the department in the administration and enforcement of this section. All fees collected by the department through the medical cannabis program shall be transferred to the state treasurer who shall credit the same to the medical cannabis program account within the medical cannabis license cash fund created in section 195.963.**

**195.982. No individual or health care entity organized under the laws of this state shall be subject to any adverse action by the state or any agency, board, or subdivision thereof, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or employee or agent of the health care entity, in its normal course of business and within its applicable licenses and regulations, recommends the use of medical cannabis to an eligible patient and certifies a debilitating medical condition for an applicant to the medical cannabis program under sections 195.900 to 195.985.**

**195.984. 1. (1) The division of alcohol and tobacco control may summarily suspend a license issued under sections 195.900 to 195.985 prior to a hearing in order immediately to stop or restrict operations by a licensee to protect the public health, safety, or welfare. The division may rescind or amend a summary suspension.**

**(2) If, based upon inspection, affidavits, or other evidence, the division determines that a licensee or the products prepared by a licensee pose an immediate or serious threat to the public health, safety, or welfare, the division may summarily suspend a license:**

**(a) Requiring cessation or restriction of any or all licensee operations and prohibiting the use of medical cannabis produced by such licensee; or**

**(b) Placing restrictions on a licensee to the extent necessary to avert a continued threat, pending final investigation results.**

**(3) The requirements of the summary suspension shall remain in effect until the division rescinds or amends such requirements or until such time as the division takes final action on any related pending complaint and issues a final decision.**

**2. The department of health and senior services may summarily suspend any registration issued under section 195.981, pending further proceedings for denial of renewal or revocation of a registration, whenever the department finds that the continued registration poses an imminent danger to the public health, safety, or welfare.**

**195.985. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 195.900 to 195.985 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. Sections 195.900 to 195.985 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.**

**263.250. 1. The plant "marijuana", botanically known as cannabis sativa, is hereby declared to be a noxious weed and all owners and occupiers of land shall destroy all such plants growing upon their land. Any person who knowingly allows such plants to grow on his land or refuses to destroy such plants after being notified to do so shall allow any sheriff or such other persons as designated by the county commission to enter upon any land in this state and destroy such plants.**

**2. Entry to such lands shall not be made, by any sheriff or other designated person to destroy such plants, until fifteen days' notice by certified mail shall be given the owner or occupant to destroy such plants or a search warrant shall be issued on probable cause shown. In all such instances, the county commission shall bear the cost of destruction and notification.**

**3. The provisions of this section shall not apply to the authorized production of cannabis plants for purposes of providing medical cannabis under sections 195.900 to 195.985."; and**

Further amend said bill, Pages 72-73, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on the Tuesday immediately following the first Monday in August, 2016, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise."; and

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

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

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 831, Page 12, Line 3, by deleting the phrase "**thirty state licenses**" and inserting in lieu thereof the phrase "**forty state licenses**"; and

Further amend said amendment and page, Lines 11-24, by deleting all of said lines and inserting in lieu thereof the following:

**"the applicant shall procure and file with the division evidence of a good and sufficient bond in the amount of five thousand dollars with corporate surety thereon duly licensed to do business with the state, approved as to form by the state attorney general, and conditioned that the applicant shall report and pay all sales and use taxes due to the state, or for which the state is the collector or collecting agent, in a timely manner, as provided in law.**

**(1) A corporate surety shall not be required to make payments to the state claiming under such bond until a final determination of failure to pay taxes due to the state has been made by the division or a court of competent jurisdiction.**

**(2) All bonds required under this subsection shall be renewed at such time as the bondholder's license is renewed. The renewal may be accomplished through a continuation certificate issued by the surety."; and**

Further amend said amendment, Page 18, Lines 9-12, by deleting all of said lines; and

Further amend said amendment, Pages 18-19, by renumbering all subsequent subsections accordingly; and

Further amend said amendment, Page 32, Lines 43-48 and Page 33, Lines 1-3, by deleting all of said lines; and

Speaker Pro Tem Hoskins resumed the Chair.

Representative Colona moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

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

AYES: 078

Adams	Alferman	Allen	Anders	Arthur
Barnes	Basye	Black	Bondon	Brown 94
Burns	Butler	Carpenter	Chipman	Colona
Conway 10	Curtman	Dogan	Dunn	Ellington
English	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Gardner	Green	Haahr	Harris	Hicks

Higdon	Hinson	Hough	Houghton	Hubbard
Hummel	Jones	Kendrick	Kirkton	Koenig
Korman	Kratky	LaFaver	Lavender	Leara
Lichtenegger	May	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGaugh	McGee	McNeil
Meredith	Miller	Mims	Mitten	Montecillo
Morgan	Newman	Norr	Otto	Pace
Peters	Pierson	Plocher	Redmon	Rizzo
Roden	Rowden	Rowland 29	Sommer	Vescovo
Walton Gray	Webber	Zerr		

NOES: 078

Anderson	Andrews	Austin	Bahr	Beard
Bernskoetter	Berry	Brattin	Brown 57	Burlison
Cierpiot	Conway 104	Cookson	Corlew	Crawford
Cross	Curtis	Davis	Dohrman	Dugger
Eggleston	Engler	Entlicher	Fitzpatrick	Franklin
Frederick	Gannon	Haefner	Hansen	Hill
Hoskins	Hubrecht	Hurst	Johnson	Justus
Kelley	Kidd	King	Kolkmeier	Lair
Lant	Lauer	Love	Lynch	Marshall
Mathews	Messenger	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Roeber	Rone	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Spencer
Swan	Taylor 139	Taylor 145	Walker	White
Wiemann	Wilson	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 006

Cornejo	Nichols	Ross	Runions	Smith
Mr. Speaker				

VACANCIES: 001

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

*House Amendment No. 2*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 831, Page 6, Lines 40-48, by deleting all of said lines and inserting in lieu thereof the following:

**"(4) "Debilitating medical condition", cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease and the symptoms thereof, ulcerative colitis, agitation of Alzheimer's disease, epilepsy, multiple sclerosis, or the treatment of such conditions;"**; and

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

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

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

NOES: 042

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

PRESENT: 000

ABSENT WITH LEAVE: 011

Conway 104	Dugger	Fitzwater 144	Korman	Leara
Nichols	Ross	Runions	Shaul	Smith
Wood				

VACANCIES: 001

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

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

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AYES: 113

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Justus
Kelley	Kidd	King	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfausch
Phillips	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roeber	Rone	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: 043

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

PRESENT: 000

ABSENT WITH LEAVE: 006

Corlew	Jones	Leara	Nichols	Ross
Smith				

VACANCIES: 001

Representative Hinson moved that **House Amendment No. 2, as amended**, be adopted.

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

AYES: 071

Alferman	Allen	Anders	Arthur	Barnes
Basye	Black	Bondon	Brown 94	Butler
Carpenter	Chipman	Colona	Conway 10	Cookson
Cornejo	Curtman	Dogan	Dunn	Engler

Fitzwater 49	Flanigan	Fraker	Gannon	Gardner
Haahr	Hansen	Harris	Hicks	Higdon
Hinson	Hough	Hubbard	Hummel	Johnson
Kendrick	Kirkton	Koenig	Kratky	LaFaver
Lavender	Lichtenegger	McCaherty	McCann Beatty	McCreery
McDaniel	McDonald	McGee	McNeil	Meredith
Miller	Mims	Mitten	Morgan	Newman
Pace	Peters	Pierson	Plocher	Redmon
Rizzo	Roden	Rowden	Rowland 29	Shaul
Sommer	Vescovo	Walker	Walton Gray	Webber
Mr. Speaker				

NOES: 085

Adams	Anderson	Andrews	Austin	Bahr
Beard	Bernskoetter	Berry	Brattin	Brown 57
Burlison	Burns	Cierpiot	Conway 104	Crawford
Cross	Curtis	Davis	Dohrman	Dugger
Eggleston	Ellington	English	Entlicher	Fitzpatrick
Fitzwater 144	Franklin	Frederick	Green	Haefner
Hill	Hoskins	Houghton	Hubrecht	Hurst
Justus	Kelley	Kidd	King	Kolkmeier
Korman	Lair	Lant	Lauer	Love
Lynch	Marshall	Mathews	May	McGaugh
Messenger	Montecillo	Moon	Morris	Muntzel
Neely	Norr	Otto	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Roeber	Rone
Rowland 155	Runions	Ruth	Shull	Shumake
Solon	Spencer	Swan	Taylor 139	Taylor 145
White	Wiemann	Wilson	Wood	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 006

Corlew	Jones	Leara	Nichols	Ross
Smith				

VACANCIES: 001

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 831, Page 45, Section 334.1233, Line 10, by inserting after all of said section and line the following:

**"334.1500. As used in sections 334.1500 to 334.1539, the following terms mean:**

**(1) "Advanced emergency medical technician" or "AEMT", an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;**

**(2) "Adverse action", any administrative, civil, equitable, or criminal action permitted by a state's laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual's license, such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual's practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;**

- (3) "Certification", the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;
- (4) "Commission", the national administrative body of which all states that have enacted the compact are members;
- (5) "Emergency medical technician" or "EMT", an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;
- (6) "EMS", emergency medical services;
- (7) "Home state", a member state where an individual is licensed to practice emergency medical services;
- (8) "License", the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;
- (9) "Medical director", a physician licensed in a member state who is accountable for the care delivered by EMS personnel;
- (10) "Member state", a state that has enacted this compact;
- (11) "Paramedic", an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;
- (12) "Privilege to practice", an individual's authority to deliver emergency medical services in remote states as authorized under this compact;
- (13) "Remote state", a member state in which an individual is not licensed;
- (14) "Restricted", the outcome of an adverse action that limits a license or the privilege to practice;
- (15) "Rule", a written statement by the interstate commission promulgated under section 334.1530 of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;
- (16) "Scope of practice", defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;
- (17) "Significant investigatory information":
  - (a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or
  - (b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond.
- (18) "State", any state, commonwealth, district, or territory of the United States;
- (19) "State EMS authority", the board, office, or other agency with the legislative mandate to license EMS personnel.

**334.1503. 1.** Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

**2.** Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

**3.** A home state's license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

- (1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;
- (2) Has a mechanism in place for receiving and investigating complaints about individuals;
- (3) Notifies the commission in compliance with the terms herein of any adverse action or significant investigatory information regarding an individual;
- (4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 731 CFR 202, and submit documentation of such as promulgated in the rules of the commission; and
- (5) Complies with the rules of the commission.

**334.1506. 1.** Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 334.1503.

**2.** To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

- (1) Be at least eighteen years of age;
- (2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state recognized and licensed level with a scope of practice and authority between EMT and paramedic; and
- (3) Practice under the supervision of a medical director.

**3.** An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.

**4.** Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state's authority and laws. A remote state may, in accordance with due process and that state's laws, restrict, suspend, or revoke an individual's privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.

**5.** If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

**6.** If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

**334.1509.** An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

- (1) The individual originates a patient transport in a home state and transports the patient to a remote state;
- (2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;
- (3) The individual enters a remote state to provide patient care or transport within that remote state;
- (4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or
- (5) Other conditions as determined by rules promulgated by the commission.

**334.1512.** Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

**334.1515. 1.** Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure.

**2.** Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour or their spouses.

**3.** All individuals functioning with a privilege to practice under this section remain subject to the adverse actions provisions of section 334.1518.

**334.1518. 1.** A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

**2.** If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall investigate and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency known as the interstate commission for EMS personnel practice.

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1530.

- (4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:
- (a) Noncompliance of a member state with its obligations under the compact;
  - (b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;
  - (c) Current, threatened, or reasonably anticipated litigation;
  - (d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;
  - (e) Accusing any person of a crime or formally censuring any person;
  - (f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
  - (g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;
  - (h) Disclosure of investigatory records compiled for law enforcement purposes;
  - (i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or
  - (j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

- (1) Establishing the fiscal year of the commission;
- (2) Providing reasonable standards and procedures:
  - (a) For the establishment and meetings of other committees; and
  - (b) Governing any general or specific delegation of any authority or function of the commission;
- (3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;
- (4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;
- (5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;
- (6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;
- (7) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;
- (8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;
- (9) The commission shall maintain its financial records in accordance with the bylaws; and
- (10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

(1) The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

(5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;

(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, real, personal, or mixed; provided that at all times the commission shall strive to avoid any appearance of impropriety;

(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(9) To establish a budget and make expenditures;

(10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

334.1527. 1. The commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;
- (2) Licensure data;
- (3) Significant investigatory information;
- (4) Adverse actions against an individual's license;
- (5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;
- (6) Nonconfidential information related to alternative program participation;
- (7) Any denial of application for licensure and the reasons for such denial; and
- (8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission; and
- (2) On the website of each member state EMS authority or the publication in which each state would otherwise publish proposed rules.

5. The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting at which the rule will be considered and voted upon;

- (2) The text of the proposed rule or amendment and the reason for the proposed rule;
- (3) A request for comments on the proposed rule from any interested person; and
- (4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments which shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

- (1) At least twenty-five persons;
- (2) A governmental subdivision or agency; or
- (3) An association having at least twenty-five members.

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;
- (2) Prevent a loss of commission or member state funds;
- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) Protect public health and safety.

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1533. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and  
(2) Providing remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1539. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 831, Page 1, In the Title, Line 5, by deleting the phrase "the practice of professional licensees" and inserting in lieu thereof the phrase "health care"; and

Further amend said bill, Page 63, Section 376.1237, Line 18, by inserting immediately after all of said section and line the following:

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

(1) "Children's product", a product including, but not limited to, a crib, toddler bed, bed, car seat, chair, high chair, booster chair, bath seat, gate or other enclosure for confining a child, play yard, stationary activity center, carrier, stroller, swing, or toy or play equipment that is designed or intended for the care of or use by a child;

(2) "Commercial dealer", any person who deals in children's products or crib bumper pads or who otherwise by one's occupation holds oneself out as having knowledge or skill relating to children's products or crib bumper pads or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce children's products or crib bumper pads;

(3) "Crib bumper pad", a pad or pads of nonmesh material including, but not limited to, a roll of stuffed fabric that is designed for placement within a crib to cushion one or more of the crib's inner sides adjacent to the crib mattress. It does not include mesh liners;

(4) "Distributor" or "wholesaler", any person other than a manufacturer or retailer who sells or resells or otherwise places into the stream of commerce a children's product or crib bumper pad;

(5) "Importer", any person who brings into this country and places into the stream of commerce a children's product or crib bumper pad;

(6) "Manufacturer", any person who makes and places into the stream of commerce a children's product or crib bumper pad;

(7) "Retailer", any person other than a manufacturer, distributor, or wholesaler who sells, leases, or sublets children's products or crib bumper pads.

2. No commercial dealer, manufacturer, importer, distributor, wholesaler, or retailer shall sell, lease, offer for sale, or offer for lease in the state any crib bumper pad as an accessory to a crib or as a separate item.

3. Any violation of the provisions of this section shall result in a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense."; and

Further amend said bill, Page 73, Section B, Line 5, by inserting immediately after all of said section and line the following:

"Section C. The enactment of section 407.780 of section A of this act shall become effective on January 1, 2017."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 831, Page 1, Section A, Line 8, by inserting immediately after all of said section and line the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

a. Requests health records to be delivered electronically in a format of the health care provider's choice;  
b. The health care provider stores such records completely in an electronic health record; and  
c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

**6. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, and the deceased prior to death did not specifically object to disclosure of his or her records in writing, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative**

of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:

- (1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;
- (2) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;
- (3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;
- (4) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;
- (5) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or
- (6) A guardian ad litem of the deceased's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the deceased."; and

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

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

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

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

NOES: 040

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

PRESENT: 000

ABSENT WITH LEAVE: 024

Alferman	Barnes	Colona	Davis	Dugger
Entlicher	Hinson	Houghton	Kidd	Korman
LaFaver	Lant	Leara	Mitten	Montecillo
Nichols	Pietzman	Rhoads	Ross	Rowden
Shumake	Smith	White	Mr. Speaker	

VACANCIES: 001

On motion of Representative Burlison, **HCS SB 831, as amended**, was adopted.

On motion of Representative Burlison, **HCS SB 831, as amended**, was read the third time and passed by the following vote:

AYES: 131

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

NOES: 018

Cornejo	Ellington	Hurst	Kidd	Korman
Kratky	Marshall	May	McDonald	Meredith
Mims	Moon	Norr	Otto	Parkinson
Pogue	Spencer	Walton Gray		

PRESENT: 001

Lavender

ABSENT WITH LEAVE: 012

Bernskoetter	Colona	LaFaver	Leara	Mitten
Montecillo	Nichols	Rhoads	Ross	Rowland 29
Shumake	Smith			

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR SCS HCS HB 1584, 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 **SCS HCS HB 1599**, 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 **SCS HCS HB 1713, 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 **SS SCS HCS HB 2379, 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#2 HCS SS SCS SB 572, 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 625, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 663**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 15**.

#### *House Committee Amendment No. 15*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 51, Section 476.083, Line 5, by deleting the number "**2016**" and inserting in lieu thereof the number "**2017**"; and

Further amend said bill, Page 54, Section 478.330, Line 1, by deleting the word "**When**" and inserting in lieu thereof the words "**Beginning August 28, 2017, when**"; and

Further amend said bill, Page 121, Section 650.058, Line 15, by deleting the word "**Regardless**" and inserting in lieu thereof the words "**Beginning August 28, 2017, regardless**"; and

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SS SB 786, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 794**, 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 SCS SB 921, with House Amendment No. 1, as amended, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6, 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 994, 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 **SB 1025**, 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 **SS#2 HCS HB 1717**, entitled:

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

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for House Committee Substitute for House Bill No. 1717, Page 5, Section 640.136, Line 22, by striking all of said line and inserting in lieu thereof the following:

**“return the fluoridation of its water supply to its previous level until proper”.**

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 **SS SCS HCS HB 2380** entitled:

An act to repeal sections 301.010, 301.067, 301.130, 301.134, 301.144, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.475, 301.477, 301.481, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116,

301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, and 301.3170, RSMo, and to enact in lieu thereof one hundred twelve new sections relating to license plates.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2380, Page 61, Section 301.473, Line 28 of said page, by inserting an opening bracket “[” immediately before the word “which”; and

Further amend said bill and section, Page 62, Line 2 of said page, by inserting a closing bracket “]” after “plate,”; and

Further amend Line 6 of said page, by inserting an opening bracket “[” immediately before the word “Once”; and

Further amend Line 13 of said page, by inserting a closing bracket “]” after “plates.”.

In which the concurrence of the House is respectfully requested.

**REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**SS#2 HCS HB 1717, as amended** - Fiscal Review  
**SS SCS HCS HB 2380, as amended** - Fiscal Review

On motion of Representative Austin, the House recessed until 2:30 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Richardson.

Representative Jones assumed the Chair.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SS HCS HB 2381, as amended**, relating to mine property, was taken up by Representative Redmon.

On motion of Representative Redmon, **SS HCS HB 2381, as amended**, was adopted by the following vote:

AYES: 136

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Barnes	Basye	Bernskoetter	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison

Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
Engler	English	Entlicher	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gardner	Green
Haahr	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Hummel	Hurst	Johnson
Jones	Justus	Kelley	Kendrick	Kidd
King	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Lavender	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews
May	McCaherty	McCann Beatty	McCreery	McGaugh
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Moon	Morgan	Morris	Muntzel
Neely	Nichols	Norr	Pace	Peters
Pfautsch	Phillips	Pierson	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Rizzo	Roden	Roeber	Rone
Rowden	Rowland 155	Rowland 29	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Vescovo	Walker	Walton Gray
Webber	White	Wiemann	Wilson	Wood
Zerr				

NOES: 011

Anders	Conway 10	Ellington	Kirkton	Kratky
McDaniel	Montecillo	Newman	Otto	Pogue
Runions				

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Bahr	Beard	Berry	Fitzpatrick
Fitzwater 144	Flanigan	Haefner	McDonald	McGee
Parkinson	Ross	Smith	Taylor 145	Mr. Speaker

VACANCIES: 001

On motion of Representative Redmon, **SS HCS HB 2381, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 137

Alferman	Anderson	Andrews	Arthur	Austin
Barnes	Basye	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Colona	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Dunn	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon

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Gardner	Green	Haahr	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	King	Koenig	Kolkmeyer	Korman
LaFaver	Lair	Lant	Lauer	Lavender
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McCreery
McGaugh	McGee	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Moon	Morgan
Morris	Muntzel	Neely	Nichols	Norr
Pace	Peters	Pfautsch	Phillips	Pierson
Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Rowden	Rowland 155	Rowland 29	Ruth
Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr			

NOES: 011

Anders	Conway 10	Ellington	Kirkton	Kratky
McDaniel	Montecillo	Newman	Otto	Pogue
Runions				

PRESENT: 000

ABSENT WITH LEAVE: 014

Adams	Allen	Bahr	Beard	Fitzwater 144
Haefner	Kidd	McDonald	Parkinson	Plocher
Ross	Smith	Taylor 145	Mr. Speaker	

VACANCIES: 001

Representative Jones declared the bill passed.

**SCS HCS HB 1599**, relating to birth certificates, was taken up by Representative Phillips.

Speaker Richardson resumed the Chair.

On motion of Representative Phillips, **SCS HCS HB 1599** was adopted by the following vote:

AYES: 129

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Berry	Black	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Conway 10	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Ellington	Engler	English	Entlicher
Fitzpatrick	Fitzwater 49	Flanigan	Fraker	Franklin

Gannon	Green	Haahr	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hummel	Johnson
Justus	Kelley	Kendrick	King	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Lavender	Leara	Lichtenegger
Love	Lynch	Marshall	Mathews	May
McCaherty	McDaniel	McDonald	McNeil	Messenger
Miller	Morgan	Morris	Muntzel	Neely
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Rowden
Rowland 155	Rowland 29	Runions	Ruth	Shaul
Shull	Shumake	Sommer	Spencer	Swan
Taylor 139	Vescovo	Walker	Webber	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 027

Bernskoetter	Bondon	Colona	Conway 104	Dunn
Frederick	Gardner	Haefner	Hurst	Kidd
LaFaver	McCann Beatty	McCreery	McGaugh	McGee
Meredith	Mims	Mitten	Montecillo	Moon
Newman	Nichols	Pogue	Rizzo	Solon
Walton Gray	White			

PRESENT: 000

ABSENT WITH LEAVE: 006

Fitzwater 144	Hill	Jones	Ross	Smith
Taylor 145				

VACANCIES: 001

On motion of Representative Phillips, **SCS HCS HB 1599** was truly agreed to and finally passed by the following vote:

AYES: 127

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Basye
Beard	Berry	Black	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter
Chipman	Cierpiot	Conway 10	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston
Ellington	Engler	English	Entlicher	Fitzpatrick
Fitzwater 49	Flanigan	Fraker	Franklin	Gannon
Green	Haahr	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubbard	Hubrecht	Hummel	Johnson
Justus	Kelley	Kendrick	King	Kirkton
Koenig	Kolkmeyer	Kratky	Lair	Lant
Lauer	Lavender	Leara	Lichtenegger	Love

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Lynch	Marshall	Mathews	May	McCaherty
McDaniel	McDonald	McNeil	Messenger	Miller
Morgan	Morris	Muntzel	Neely	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pietzman	Pike	Plocher	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Sommer	Spencer	Swan	Taylor 139	Vescovo
Walker	Webber	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 028

Barnes	Bernskoetter	Bondon	Colona	Conway 104
Dunn	Frederick	Gardner	Haefner	Hurst
Kidd	LaFaver	McCann Beatty	McCreery	McGaugh
McGee	Meredith	Mims	Mitten	Montecillo
Moon	Newman	Nichols	Pogue	Rizzo
Solon	Walton Gray	White		

PRESENT: 000

ABSENT WITH LEAVE: 007

Fitzwater 144	Jones	Korman	Peters	Ross
Smith	Taylor 145			

VACANCIES: 001

Speaker Richardson declared the bill passed.

**SCS HCS HB 1713, as amended**, relating to water systems, was taken up by Representative Remole.

Speaker Pro Tem Hoskins resumed the Chair.

On motion of Representative Remole, **SCS HCS HB 1713, as amended**, was adopted by the following vote:

AYES: 107

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Colona
Conway 104	Cookson	Corlew	Cornejo	Crawford
Curtis	Curtman	Davis	Dogan	Dohrman
Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Hurst	Johnson
Justus	Kelley	Koenig	Kolkmeyer	Korman
LaFaver	Lair	Lant	Lauer	Lera

Lichtenegger	Love	Lynch	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Muntzel
Neely	Peters	Pfautsch	Phillips	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139
Vescovo	Walker	White	Wiemann	Wood
Zerr	Mr. Speaker			

NOES: 040

Adams	Anders	Arthur	Burns	Butler
Carpenter	Dunn	Ellington	Gardner	Green
Hummel	Kendrick	Kidd	Kirkton	Kratky
Lavender	Marshall	May	McCann Beatty	McCreery
McDonald	McNeil	Meredith	Mims	Montecillo
Moon	Morgan	Morris	Newman	Nichols
Norr	Otto	Pace	Pierson	Plocher
Pogue	Rizzo	Runions	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 10	Cross	Dugger	Fitzwater 144	Hubbard
Jones	King	McGee	Mitten	Parkinson
Ross	Rowland 29	Smith	Taylor 145	Wilson

VACANCIES: 001

Speaker Richardson resumed the Chair.

On motion of Representative Remole, **SCS HCS HB 1713, as amended**, was truly agreed to and finally passed 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	Colona	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Muntzel	Neely	Peters
Pfautsch	Phillips	Pietzman	Pike	Redmon

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Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Rowden	Rowland 155	Rowland 29
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Vescovo
Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker			

NOES: 037

Adams	Anders	Arthur	Burns	Butler
Carpenter	Dunn	Ellington	Gardner	Green
Hummel	Kendrick	Kidd	Kirkton	Kratky
Lavender	Marshall	May	McCann Beatty	McCreery
McDonald	McNeil	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Newman	Nichols
Otto	Pierson	Plocher	Pogue	Rizzo
Runions	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 57	Fitzwater 144	Hubbard	King	McGee
Meredith	Norr	Pace	Parkinson	Ross
Smith	Taylor 145	Walton Gray		

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Black	Bondon	Brattin	Brown 94	Burlison
Chipman	Cierpiot	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis
Curtman	Davis	Dogan	Dohrman	Eggleston
English	Entlicher	Fitzpatrick	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haahr
Haefner	Hansen	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Peters	Pfautsch	Phillips	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 042

Adams	Anders	Arthur	Berry	Burns
Butler	Carpenter	Colona	Dunn	Ellington
Gardner	Green	Harris	Hummel	Kendrick
Kirkton	Kratky	LaFaver	Lavender	Marshall
May	McCann Beatty	McCreery	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Pogue	Rizzo	Rowland 29	Runions
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 57	Dugger	Engler	Fitzwater 144	Hubbard
King	McGee	Parkinson	Ross	Smith
Taylor 145				

VACANCIES: 001

### BILLS IN CONFERENCE

**CCR SCS HCS HB 1584, as amended**, relating to private entities providing public safety services, was taken up by Representative Hill.

On motion of Representative Hill, **CCR SCS HCS HB 1584, as amended**, was adopted by the following vote:

AYES: 137

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Burns	Butler	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dunn	Eggleston	English	Entlicher
Fitzpatrick	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Harris	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Justus	Kelley	Kendrick
Kidd	King	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
May	McCaherty	McCann Beatty	McCreery	McDaniel
McDonald	McGaugh	McNeil	Meredith	Messenger
Miller	Mitten	Moon	Morgan	Morris
Neely	Newman	Nichols	Norr	Pace
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Plocher	Redmon	Rehder	Remole
Rhoads	Rizzo	Roden	Roeber	Rone

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Ross	Rowden	Rowland 155	Rowland 29	Runions
Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Vescovo
Walker	Webber	White	Wiemann	Wood
Zerr	Mr. Speaker			

NOES: 008

Curtis	Gardner	Kirkton	Marshall	Mims
Montecillo	Pogue	Walton Gray		

PRESENT: 001

Colona

ABSENT WITH LEAVE: 016

Dugger	Ellington	Engler	Fitzwater 144	Green
Hicks	Jones	Leara	McGee	Muntzel
Otto	Parkinson	Reiboldt	Smith	Taylor 145
Wilson				

VACANCIES: 001

On motion of Representative Hill, **CCS SCS HCS HB 1584** was read the third time and passed by the following vote:

AYES: 141

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

NOES: 007

Curtis	Ellington	Kirkton	Marshall	Montecillo
Pogue	Walton Gray			

PRESENT: 001

Colona

ABSENT WITH LEAVE: 013

Corlew	Fitzwater 144	Flanigan	Gardner	Hicks
Jones	Leara	Muntzel	Parkinson	Reiboldt
Smith	Taylor 145	Wilson		

VACANCIES: 001

Speaker Richardson declared the bill passed.

### COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HBs 1434 & 1600**, 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 **SS SCS HB 1816**, 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 **SS SCS HCS HB 1941**, 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 **SS HCS HB 2029**, 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 **SS SCS HCS HB 2194**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 588, 603 & 942**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 704**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 3**.

#### *House Committee Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 704, Page 4, Section 620.1878, Line 3, by inserting immediately after the phrase " **Appropriate measure**," the phrase "**beginning August 28, 2017**,"; and

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SCS SB 973, 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 has taken up and passed **HCS HB 2150**.

### THIRD READING OF SENATE BILLS

**HCS SCS SBs 588, 603 & 942**, relating to petitions for the expungement of records, was taken up by Representative Barnes.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 1, Section 488.650, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"488.650. There shall be assessed as costs a surcharge in the amount of [one] **two hundred fifty**"; and

Further amend said bill, page and section, Line 3, by deleting the word "**when**" and inserting in lieu thereof the word "**if**"; and

Further amend said bill and page, Section 610.140, Line 5, by deleting the number "**10**" and inserting in lieu thereof the number "**12**"; and

Further amend said bill, page and section, Line 6, by deleting the word "**when**" and inserting in lieu thereof the word "**if**"; and

Further amend said bill and section, Page 2, Line 14, by deleting the number "**10**" and inserting in lieu thereof the number "**12**"; and

Further amend said bill, page and section, Lines 32 and 33, by deleting all of said lines and inserting in lieu thereof the following:

**"(5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;"**; and

Further amend said bill, page and section, Line 36, by inserting immediately after the number "**389.653**," the number "**455.085**"; and

Further amend said bill, page and section, Line 39, by inserting immediately after the number "**569.072**," the number "**569.100**"; and

Further amend said bill, page, section and line, by inserting immediately after the number "**570.025**," the numbers "**570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310**"; and

Further amend said bill, page and section, Line 40, by inserting immediately after the number "**574.070**," the number "**574.105**"; and

Further amend said bill, page, section and line, by inserting immediately after the number "**574.130**," the number "**575.040**"; and

Further amend said bill, page and section, Lines 44 to 46, by deleting all of said lines and inserting in lieu thereof the following:

**"(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;**

**(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section; and**

**(10) Any violations of any state law or county or municipal ordinance regulating the"; and**

Further amend said bill and section, Page 3, Lines 69 to 74, by deleting all of said lines and inserting in lieu thereof the following:

"municipality, the name of the municipality for each offense, **violation, or infraction; and**

(5) [The name of the agency that arrested the petitioner for each offense;

(6)] The case number and name of the court for each offense[; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner]."; and

Further amend said bill and section, Page 4, Line 87, by deleting all of said line and inserting in lieu thereof the following:

"(1) It has been at least [twenty] **seven** years if the offense is a felony, or at least [ten] **three**"; and

Further amend said bill, page and section, Line 102, by inserting brackets around the word "and"; and

Further amend said bill, page and section, Line 103, by inserting immediately after the number "(5)" the following:

**"The petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and**

**(6)"; and**

Further amend said bill, page and section, Lines 106-111, by deleting all of said lines and inserting in lieu thereof the following:

**"A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim's testimony. The prosecuting attorney, circuit attorney, or municipal prosecuting attorney shall have the burden of proving that the petitioner does not meet the requirements of this section."; and**

Further amend said bill, page and section, Line 112, by deleting all of said line and inserting in lieu thereof the following:

**"6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the**

county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.

7. If the court determines [at the conclusion of the hearing] that such person meets all"; and

Further amend said bill and section, Page 5, Line 129, by deleting all of said line and inserting in lieu thereof the following:

"[7.] **8.** The order shall not limit any of the petitioner's rights that were restricted as a collateral"; and

Further amend said bill, page and section Line 140, by inserting immediately after the first occurrence of the word "offense" the following:

", **violation, or infraction**"; and

Further amend said bill, page and section, Line 142, by deleting all of said line and inserting in lieu thereof the following:

"[8.] **9.** Notwithstanding the provisions of subsection [7] **8** of this section to the contrary, a person"; and

Further amend said bill, page and section, Line 147, by inserting immediately after the number "313" the phrase "**or permit issued under chapter 571**"; and

Further amend said bill and section, Pages 5 and 6, Lines 153 to 158, by deleting all of said lines and inserting in lieu thereof the following:

**"12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;**

**(5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or**

**(6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.**

**An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection.**

Notwithstanding any provision of law to the contrary, an expunged offense, **violation, or infraction** shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; **except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.**

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

**11.** If the court determines that [such person] **the petitioner** has not met the criteria for"; and

Further amend said bill and section, Page 6, Line 164, by deleting all of said line and inserting in lieu thereof the following:

"[10.] **12.** A person may be granted more than one expungement under this section provided"; and

Further amend said bill, page and section, Line 181, by deleting the number "**11.**" and inserting in lieu thereof the number "**13.**"; and

Further amend said bill, page and section, Lines 185 to 190, by deleting all of said lines from the bill; and

Further amend said bill and section, Page 7, Line 191, by deleting the number "**13.**" and inserting in lieu thereof the number "**14.**"; and

Further amend said bill, page and section, Lines 193 to 215, by deleting all of said lines; and

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

**House Amendment No. 1** was withdrawn.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 1, Section 488.650, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"488.650. There shall be assessed as costs a surcharge in the amount of [one] **two hundred fifty**"; and

Further amend said bill, page and section, Line 3, by deleting the word "**when**" and inserting in lieu thereof the word "**if**"; and

Further amend said bill and page, Section 610.140, Line 5, by deleting the number "**10**" and inserting in lieu thereof the number "**12**"; and

Further amend said bill, page and section, Line 6, by deleting the word "**when**" and inserting in lieu thereof the word "**if**"; and

Further amend said bill and section, Page 2, Line 14, by deleting the number "**10**" and inserting in lieu thereof the number "**12**"; and

Further amend said bill, page and section, Lines 32 and 33, by deleting all of said lines and inserting in lieu thereof the following:

**"(5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;"**; and

Further amend said bill, page and section, Line 36, by inserting immediately after the number "**389.653,**" the number "**455.085,**"; and

Further amend said bill, page and section, Line 39, by inserting immediately after the number "**569.072,**" the number "**569.100,**"; and

Further amend said bill, page, section and line, by inserting immediately after the number "**570.025,**" the numbers "**570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310,**"; and

Further amend said bill, page and section, Line 40, by inserting immediately after the number "**574.070,**" the number "**574.105,**"; and

Further amend said bill, page, section and line, by inserting immediately after the number "**574.130,**" the number "**575.040,**"; and

Further amend said bill, page and section, Lines 44 to 46, by deleting all of said lines and inserting in lieu thereof the following:

**"(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;**

**(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section; and**

**(10) Any violations of any state law or county or municipal ordinance regulating the"; and**

Further amend said bill and section, Page 3, Lines 69 to 74, by deleting all of said lines and inserting in lieu thereof the following:

**"municipality, the name of the municipality for each offense, violation, or infraction; and**

**(5) [The name of the agency that arrested the petitioner for each offense;**

**(6)] The case number and name of the court for each offense[; and**

**(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner]."; and**

Further amend said bill and section, Page 4, Line 87, by deleting all of said line and inserting in lieu thereof the following:

**"(1) It has been at least [twenty] seven years if the offense is a felony, or at least [ten] three"; and**

Further amend said bill, page and section, Line 102, by inserting brackets around the word "and"; and

Further amend said bill, page and section, Line 103, by inserting immediately after the number "(5)" the following:

**"The petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and**

**(6)"; and**

Further amend said bill, page and section, Lines 106-111, by deleting all of said lines and inserting in lieu thereof the following:

**"A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. The burden shall shift to the prosecuting attorney, circuit attorney, or municipal prosecuting attorney to rebut the presumption. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim's testimony."; and**

Further amend said bill, page and section, Line 112, by deleting all of said line and inserting in lieu thereof the following:

**"6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.**

**7. If the court determines [at the conclusion of the hearing] that such person meets all"; and**

Further amend said bill and section, Page 5, Line 129, by deleting all of said line and inserting in lieu thereof the following:

"[7.] **8.** The order shall not limit any of the petitioner's rights that were restricted as a collateral"; and

Further amend said bill, page and section, Line 140, by inserting immediately after the first occurrence of the word "offense" the following:

", **violation, or infraction**"; and

Further amend said bill, page and section, Line 142, by deleting all of said line and inserting in lieu thereof the following:

"[8.] **9.** Notwithstanding the provisions of subsection [7] **8** of this section to the contrary, a person"; and

Further amend said bill, page and section, Line 147, by inserting immediately after the number "313" the phrase "**or permit issued under chapter 571**"; and

Further amend said bill and section, Pages 5 and 6, Lines 153 to 158, by deleting all of said lines and inserting in lieu thereof the following:

"**12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;**

**(5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or**

**(6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.**

**An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection.**

Notwithstanding any provision of law to the contrary, an expunged offense, **violation, or infraction** shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; **except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.**

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

**11. If the court determines that [such person] the petitioner has not met the criteria for"; and**

Further amend said bill and section, Page 6, Line 164, by deleting all of said line and inserting in lieu thereof the following:

"[10.] **12.** A person may be granted more than one expungement under this section provided"; and

Further amend said bill, page and section, Line 181, by deleting the number "**11.**" and inserting in lieu thereof the number "**13.**"; and

Further amend said bill, page and section, Lines 184 to 190, by deleting all of said lines and inserting in lieu thereof the following:

"**information, and belief.**."; and

Further amend said bill and section, Page 7, Line 191, by deleting the number "**13.**" and inserting in lieu thereof the number "**14.**"; and

Further amend said bill, page and section, Lines 193 to 215, by deleting all of said lines; and

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

Representative Jones resumed the Chair.

Speaker Richardson resumed the Chair.

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

On motion of Representative Barnes, **HCS SCS SBs 588, 603 & 942, as amended**, was adopted.

On motion of Representative Barnes, **HCS SCS SBs 588, 603 & 942, as amended**, was read the third time and passed by the following vote:

AYES: 143

Adams	Alferman	Allen	Anders	Anderson
Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Brattin	Brown 94	Burns	Butler	Carpenter
Chipman	Cierpiot	Colona	Conway 10	Cookson
Corlew	Cornejo	Crawford	Curtis	Curtman
Davis	Dogan	Dugger	Dunn	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Gardner	Green	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Lavender	Leara	Lichtenegger	Love
Lynch	Mathews	May	McCaherty	McCann Beatty
McDonald	McGaugh	McGee	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	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	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake
Solon	Spencer	Swan	Taylor 139	Vescovo
Walker	Walton Gray	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 012

Burlison	Conway 104	Dohrman	Ellington	Jones
LaFaver	Marshall	McCreery	McDaniel	Pogue
Ross	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bondon	Brown 57	Cross	Fitzwater 144	Smith
Sommer	Taylor 145			

VACANCIES: 001

Speaker Richardson declared the bill passed.

### 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 adopted the Conference Committee Report on **HCS SB 607, as amended**, and has taken up and passed **CCS HCS SB 607**.

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 SB 625, as amended**, and has taken up and passed **CCS HCS SB 625**.

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 SB 635, as amended**, and has taken up and passed **CCS HCS SB 635**.

Emergency clause adopted.

On motion of Representative Cierpiot, the House recessed until 7:15 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Hoskins.

### MESSAGES FROM THE SENATE

Mr. Speaker, I am instructed by the Senate to inform the House of Representatives that the Senate requests that the House grant the Senate further conference on **SCS SB 650, as amended**.

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 SB 867, as amended**, and has taken up and passed **CCS HCS SB 867**.

### THIRD READING OF SENATE BILLS

**HCS SB 873**, relating to the science, technology, engineering and mathematics fund, was taken up by Representative Cookson.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the phrase "the science, technology, engineering and mathematics fund" and inserting in lieu thereof the phrase "higher education"; and

Further amend said bill, Page 3, Section 173.670, Line 67, 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. 1** was adopted.

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the words, "the science, technology, engineering and mathematics fund" and inserting in lieu thereof the words, "higher education"; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said line the following:

**"620.806. 1. The Missouri job development fund, formerly established in the state treasury by section 620.478, shall now be known as the "Missouri Works Job Development Fund" and shall be administered by the department for the training program. The fund shall consist of all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, or bequests received from federal, private or other sources, including, but not limited to, any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure, development, and human resource investment programs which may be provided by the federal government or other sources.**

**2. The department may provide financial assistance through the training program to qualified companies that create new jobs which will result in the need for training, or that make new capital investment relating directly to the retention of jobs in an amount at least five times greater than the amount of any financial assistance. Financial**

assistance may also be provided to a consortium of a **majority of** qualified companies organized to provide common training to the consortium members' employees. Funds in the Missouri works job development fund shall be appropriated, for financial assistance through the training program, by the general assembly to the department and shall be administered by a local educational agency certified by the department for such purpose. Except for state-sponsored preemployment training, no qualified company shall receive more than fifty percent of its training program costs from the Missouri works job development fund. No funds shall be awarded or reimbursed to any qualified company for the training, retraining, or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage. Upon approval by the department, training project costs, except the purchase of training equipment and training facilities, shall be eligible for reimbursement with funds from the Missouri works job development fund. Notwithstanding any provision of law to the contrary, no qualified company within a service industry shall be eligible for assistance under this subsection unless such qualified company provides services in interstate commerce, which shall mean that the qualified company derives a majority of its annual revenues from out of the state.

3. The department may provide assistance, through appropriations made from the Missouri works job development fund, to business and technology centers. Such assistance shall not include the lending of the state's credit for the payment of any liability of the fund. Such centers may be established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries as determined by current labor market information.

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

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

Representative Taylor (139) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the words "the science, technology, engineering and mathematics fund" and inserting in lieu thereof the words "higher education"; and

Further amend said bill. Page 3, Section 173.670, Line 67, by inserting after said section and line the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[(15)] (16) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

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

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

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

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

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

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

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

**6. (1) Notwithstanding any other provision of law, a public higher education institution shall be allowed to adopt rules and policies regarding the possession of concealed firearms on its premises, subject to the limits set forth in this subsection. Such rules and policies may restrict the possession of concealed firearms on campus as expressly provided in subdivisions (2) to (4) of this subsection; any additional restrictions shall not conflict with subdivisions (5) and (6) of this subsection and shall be based on specific, enhanced safety considerations demonstrated by the public higher education institution, subject to de novo judicial review under section 536.050, appertaining to the conduct being regulated. Adopted rules and policies shall be published on the public higher education institution's website where other collected rules and regulations are posted.**

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

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

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

- (a) The possession or storage of a concealed firearm; or
- (b) The firearm condition or readiness of a firearm when carried concealed.
- (5) Rules and policies adopted under this subsection shall not prohibit and shall not have the effect of prohibiting, lawful possession or storage of a firearm in a vehicle on the premises of a public higher education institution.
- (6) Rules and policies adopted under this subsection shall not restrict the type of firearm that may be carried concealed at such institution.
- (7) Rules and policies adopted under this subsection shall not limit or interpret the rights afforded employees under subsection 6 of section 571.030.
- 7. A public higher education institution shall not impose any taxes, fees, or other monetary charges as a condition for the lawful possession or carry of concealed firearms. If a private person seeks the return of a firearm in the possession of a public higher education institution that such person is entitled to possess, the public higher education institution shall make it available for return within two days following written demand for such firearm.
- 8. Any person aggrieved by a deprivation of, or a threatened deprivation of, a concealed firearm or ammunition at a public higher education institution in violation of this section, or aggrieved by a denial of, or a threatened denial of, access to any portion of a public higher education in violation of this section, may, in addition to any other remedy available, maintain a claim in small claims court. The court shall have the authority to award equitable relief to such aggrieved person in addition to any other remedy available in such court. Entitlement to a remedy shall not depend on the extent to which the person responsible for the deprivation or denial was aware that the deprivation or denial was a violation."; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after said section and line the following:

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

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

Representative Newman raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 94	Burlison
Cierpiot	Conway 104	Cookson	Corlew	Crawford
Cross	Curtman	Dogan	Dohrman	Eggleston
Entlicher	Fitzpatrick	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haefner	Hansen
Hicks	Higdon	Hill	Hoskins	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeier	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McGaugh

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Messenger	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Swan	Taylor 139
Vescovo	Walker	White	Wiemann	Wood
Zerr				

NOES: 039

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

PRESENT: 000

ABSENT WITH LEAVE: 032

Barnes	Brown 57	Chipman	Conway 10	Comejo
Davis	Dugger	Ellington	Engler	English
Fitzwater 144	Gardner	Haahr	Hinson	Hough
Houghton	Korman	McDaniel	McGee	Miller
Pietzman	Plocher	Remole	Rhoads	Roden
Rowland 29	Smith	Sommer	Spencer	Taylor 145
Wilson	Mr. Speaker			

VACANCIES: 001

On motion of Representative Taylor (139), **House Amendment No. 3** was adopted.

Representative Fitzwater (49) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the phrase "the science, technology, engineering and mathematics fund" and inserting in lieu thereof the phrase "higher education"; and

Further amend said bill, Page 3, Section 173.670, Line 67, 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 from Missouri public institutions 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."; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after all of said section and line the following:

"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.

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

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

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 873, Page 1, Line 3, by inserting after all of said line the following:

"Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

- (1) All students be graduated from school;
- (2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and
- (3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

- (1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and
- (2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and
- (3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and
- (4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and
- (5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

**3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that**

**applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.**

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

[4.] 5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

[5.] 6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

[6.] 7. For any school year, grants authorized by subsections 1, 2, and [4] 5 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection [7] 8 of this section.

[7.] 8. The department of higher education shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [9] 10 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a [public] high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are dependents of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

[8.] 9. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] 10. For a two-year private vocational or technical school to obtain reimbursements under subsection [7] 8 of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.""; and "; and

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

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

On motion of Representative Fitzwater (49), **House Amendment No. 4, as amended**, was adopted.

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by removing the phrase “the science, technology, engineering and mathematics fund” and insert in lieu thereof the phrase “student welfare”; and

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

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

(1) ["Blind persons", individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity] "**Assessment**", **the National Reading Media Assessment or another research-based assessment or series of research-based assessments authorized under the Individuals with Disabilities Education Act that determines a student’s reading and writing skills, needs, and appropriate reading and writing media and addresses the student’s academic and functional strengths, deficits, as well as the student's current and future educational needs;**

(2) "Braille", the system of reading and writing through touch [commonly known as standard English Braille];

(3) "Student", any student who [is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142] **is eligible for special education services under the Individuals with Disabilities Education Act and who:**

(a) **Has an impairment in vision that, even with correction, adversely affects a child’s educational performance;**

(b) **Has a reasonable expectation of visual deterioration; or**

(c) **Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity or field.**

2. All students [may] **shall** receive instruction in Braille reading and writing as part of their individualized education plan **unless, as a result of an assessment, instruction in Braille or the use of Braille is determined not**

**appropriate for the student.** No student shall be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Instruction in Braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

- (1) How Braille will be implemented as the primary mode for learning through integration with normal classroom activities. If Braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;
- (2) The date on which Braille instruction will commence;
- (3) The level of competency in Braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and
- (4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing Braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

**5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963, parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have the right to:**

- (1) An independent evaluation at public expense for any agency evaluation, including the assessment established under subdivision (1) of subsection 1 of section 167.225;**
- (2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams determination of the need for Braille instruction;**
- (3) File a due process complaint with the department of elementary and secondary education concerning the proposed action of the agency regarding provision of Braille instruction or any other matter related to the provision of a free appropriate public education to the student which will be forwarded to the Administrative Hearing Commission for an impartial hearing; and**
- (4) A resolution meeting convened by the school with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process complaint to discuss the due process complaint and the facts that form the basis of the complaint so that the school and parent have the opportunity to resolve the dispute.";** 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: 097

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 94	Burlison	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Crawford
Cross	Curtman	Dogan	Dohrman	Dugger
Eggleston	Engler	English	Entlicher	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Haefner
Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Hubrecht	Hurst	Johnson
Jones	Justus	Kelley	Kidd	King
Koenig	Kolkmeyer	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	McCaherty
McGaugh	Messenger	Moon	Morris	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone

Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Spencer	Swan	Taylor 139
Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr			

NOES: 043

Adams	Anders	Arthur	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Ellington
Gardner	Green	Harris	Hubbard	Hummel
Kendrick	Kirkton	Kratky	LaFaver	Lavender
May	McCann Beatty	McCreery	McDonald	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: 022

Allen	Barnes	Brown 57	Colona	Cornejo
Davis	Fitzpatrick	Fitzwater 144	Flanigan	Haahr
Houghton	Korman	Leara	Marshall	McDaniel
Miller	Muntzel	Ross	Smith	Sommer
Taylor 145	Mr. Speaker			

VACANCIES: 001

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

Representative Johnson assumed the Chair.

On motion of Representative Cookson, **HCS SB 873, as amended**, was adopted.

On motion of Representative Cookson, **HCS SB 873, as amended**, was read the third time and passed 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	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haahr
Haefner	Hansen	Harris	Hicks	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht
Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Lair	Lauer
Lichtenegger	Love	Lynch	Mathews	McCaherty
McGaugh	Messenger	Morris	Neely	Parkinson

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Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Spencer
Swan	Taylor 139	Vescovo	Walker	Webber
White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 048

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Conway 10	Corlew	Dunn
Ellington	Gardner	Green	Higdon	Hubbard
Hummel	Hurst	Kendrick	Kirkton	Kratky
Lant	Lavender	Marshall	May	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Reiboldt	Rizzo
Rowland 29	Runions	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 013

Cornejo	Dugger	Fitzwater 144	Korman	LaFaver
Leara	McDaniel	Miller	Muntzel	Rehder
Smith	Sommer	Taylor 145		

VACANCIES: 001

Representative Johnson declared the bill passed.

**SB 897**, relating to payments due by collectors, was taken up by Representative Crawford.

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

*House Amendment No. 1*

AMEND Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "to property tax."; and

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

"137.016. 1. As used in Section 4(b) of Article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include **hotel, motel, or tourist courts as defined in section 66.500** or other similar facilities used primarily for transient housing. **Residential property that is not primarily used for transient housing shall be assessed at the commercial rate for those days actually rented to transient guests.** For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in Subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to Article X of the State Constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to Article X, Subsection 2 of Section 6 of the Constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;
- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in Section 4(b) of Article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution."; and

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

Speaker Pro Tem Hoskins resumed the Chair.

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 897, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase "to financial transactions."; and

Further amend said bill and page, Section A, Line 2, 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 Alferman offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND Senate Bill No. 897, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) "Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars **who makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more local government officials;**

(2) "Executive lobbyist", any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

- (a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person's employer; or
- (b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or
- (c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- (d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the executive branch of state government in connection with such activity.

An "executive lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

- a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;
- b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;
- c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;
- d. Participating in public hearings or public proceedings on rules, grants, or other matters;
- e. Responding to any request for information made by any public official or employee of the executive branch of government;
- f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;
- g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or
- h. Testifying as a witness before a state board, commission or agency of the executive branch;

(3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term "expenditure" shall not include the following:

- (a) Any item, service or thing of value transferred to any person within the third degree of consanguinity **or affinity** of the transferor which is unrelated to any activity of the transferor as a lobbyist;

(b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person's official duties, or souvenirs or mementos valued at less than ten dollars;

(c) Contributions to the public official's campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130;

(d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person's or entity's business to persons who are not public officials;

(e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient's status as a public official or staff member, employee, spouse or dependent child of a public official;

(f) The transfer of any item, provision of any service, or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service, or opportunity is necessary for a public official or employee to perform his or her duty in his or her official capacity, including but not limited to entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;

(g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

**(h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment not to exceed fifty dollars in value;**

(4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary.

A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;

b. Participating in public hearings or public proceedings on rules, grants, or other matters;

c. Responding to any request for information made by any judge or employee of the judicial branch of government;

d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

(5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

- (a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or
- (b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or
- (c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- (d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

- a. Responding to any request for information made by any public official or employee of the legislative branch of government;
  - b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;
  - c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;
  - d. Testifying as a witness before the general assembly or any committee thereof;
- (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;
- (7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;
- (8) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the direct supervision of a state senator;

b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or

lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; [honoraria;] meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when [any] all of the following are invited **seventy-two hours in advance using the same communication medium and** in writing:

- a. [All members of the senate;
- b. All members of the house of representatives;
- c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or
- d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] **All members of the general assembly, which may or may not include staff and employees under the direct supervision of a member of the general assembly; and**

**b. All statewide officials, which may or may not include staff and employees under the direct supervision of a statewide official;**

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.

**14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure for any public official of the state, local government official or school district board member, his or her staff or employees, or his or her spouse or dependent children, except for expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.**

[105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial

interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

- (1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
- (2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
- (3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;
- (4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;
- (5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;
- (6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;
- (7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;
- (8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions

otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall

be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

- (1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:
  - (a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;
  - (b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;
- (2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;
- (3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;
- (4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

- (1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
- (2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
- (3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income

during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of [five] **two hundred fifty** dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of [five] **two hundred fifty** dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours."; 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** goes beyond the scope of the bill.

**House Amendment No. 3** was withdrawn.

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

*House Amendment No. 4*

AMEND Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "collection of public money"; and

Further amend said bill, Section A, Line 2, 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 Love offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting the words "payments due by collectors" and inserting in lieu thereof the words "financial transactions"; and

Further amend said bill and page, Section A, Line 2, 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. 5** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Alferman	Anderson	Andrews	Austin	Barnes
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew
Crawford	Cross	Curtman	Davis	Dohrman
Eggleston	Engler	English	Entlicher	Fitzwater 49
Fraker	Franklin	Frederick	Gannon	Hansen
Hicks	Higdon	Hoskins	Hough	Hubrecht
Hurst	Johnson	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Lair	Lant
Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Neely	Parkinson	Pfautsch
Phillips	Plocher	Pogue	Redmon	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Shaul	Shull
Shumake	Solon	Swan	Taylor 139	Walker
White	Wilson	Wood	Zerr	Mr. Speaker

NOES: 036

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

PRESENT: 000

ABSENT WITH LEAVE: 036

Allen	Bahr	Carpenter	Cornejo	Dogan
Dugger	Fitzpatrick	Fitzwater 144	Flanigan	Gardner
Haahr	Haefner	Hill	Hinson	Houghton
Hummel	Jones	Korman	Lauer	McCreery
McDaniel	McDonald	McGee	Muntzel	Peters
Pietzman	Pike	Rehder	Ruth	Smith
Sommer	Spencer	Taylor 145	Vescovo	Walton Gray
Wiemann				

VACANCIES: 001

On motion of Representative Crawford, **SB 897, as amended**, was read the third time and passed by the following vote:

AYES: 125

Alferman	Allen	Anderson	Andrews	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
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haefner
Hansen	Harris	Hicks	Higdon	Hill
Hoskins	Hough	Houghton	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	LaFaver	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mathews
McCaherty	McCann Beatty	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Mitten	Montecillo
Moon	Morris	Neely	Nichols	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Spencer	Swan
Taylor 139	Vescovo	Walker	Webber	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 023

Adams	Anders	Arthur	Burns	Dunn
Ellington	Green	Hubbard	Kratky	Lavender
Marshall	May	Mims	Morgan	Newman
Norr	Otto	Pace	Pogue	Rizzo
Rowland 29	Runions	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 014

Colona	Dugger	Fitzwater 144	Gardner	Haahr
Hinson	Lair	McCreery	McDaniel	McDonald
Muntzel	Smith	Sommer	Taylor 145	

VACANCIES: 001

Speaker Pro Tem Hoskins declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 093

Alferman	Allen	Anderson	Andrews	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter
Black	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 104	Cookson
Cornejo	Crawford	Curtman	Davis	Dogan
Dohrman	Eggleston	Entlicher	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haefner
Hicks	Hill	Hoskins	Hough	Houghton
Hubbard	Hubrecht	Johnson	Jones	Justus
Kelley	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McGaugh	Messenger
Miller	Morris	Neely	Nichols	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Spencer	Swan
Taylor 139	Vescovo	Walker	White	Wiemann
Wood	Zerr	Mr. Speaker		

NOES: 058

Adams	Anders	Arthur	Berry	Burns
Butler	Carpenter	Colona	Conway 10	Corlew
Cross	Curtis	Dunn	Ellington	Engler
English	Fitzpatrick	Gardner	Green	Hansen
Harris	Higdon	Hummel	Hurst	Kendrick
Kidd	King	Kirkton	Kratky	LaFaver
Lavender	Marshall	May	McCann Beatty	McGee
McNeil	Meredith	Mims	Mitten	Montecillo
Moon	Morgan	Newman	Norr	Otto
Pace	Parkinson	Peters	Pierson	Plocher
Pogue	Rizzo	Ross	Rowland 29	Runions
Walton Gray	Webber	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 011

Dugger	Fitzwater 144	Haahr	Hinson	McCreery
McDaniel	McDonald	Muntzel	Smith	Sommer
Taylor 145				

VACANCIES: 001

Speaker Richardson resumed the Chair.

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 937**, 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 **SS HJR 53** entitled:

Joint resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

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 **HCS SCS SBs 588, 603 & 942, as amended**, and has taken up and passed **HCS SCS SBs 588, 603 & 942, amended**.

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 **SCS SB 638, as amended**, and has taken up and passed **CCS SCS SB 638**.

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 861, as amended**, and has taken up and passed **CCS HCS SCS SB 861**.

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 986, as amended**, and has taken up and passed **CCS HCS SS SCS SB 986**.

Emergency clause adopted.

## REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolution was referred to the Committee indicated:

**SS HJR 53** - Fiscal Review

## THIRD READING OF SENATE BILLS

**HCS SS SB 937**, relating to political subdivisions, was taken up by Representative Eggleston.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Pages 22-28, Section 99.820, Lines 1-210, by deleting all of said section and line; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 28, Section 99.820, Line 210, by inserting after all of said section and line the following:

"105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) "Elected local government official lobbyist", any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars **who makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more local government officials;**

(2) "Executive lobbyist", any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person's employer; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the executive branch of state government in connection with such activity.

An "executive lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;

b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;

c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;

d. Participating in public hearings or public proceedings on rules, grants, or other matters;

e. Responding to any request for information made by any public official or employee of the executive branch of government;

f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or

h. Testifying as a witness before a state board, commission or agency of the executive branch;

(3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term "expenditure" shall not include the following:

- (a) Any item, service or thing of value transferred to any person within the third degree of consanguinity **or affinity** of the transferor which is unrelated to any activity of the transferor as a lobbyist;
  - (b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person's official duties, or souvenirs or mementos valued at less than ten dollars;
  - (c) Contributions to the public official's campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130;
  - (d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person's or entity's business to persons who are not public officials;
  - (e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient's status as a public official or staff member, employee, spouse or dependent child of a public official;
  - (f) The transfer of any item, provision of any service, or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service, or opportunity is necessary for a public official or employee to perform his or her duty in his or her official capacity, including but not limited to entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;
  - (g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;
  - (h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment not to exceed fifty dollars in value;**
- (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:
- (a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or
  - (b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or
  - (c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or
  - (d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary.

A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

- a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;
- b. Participating in public hearings or public proceedings on rules, grants, or other matters;
- c. Responding to any request for information made by any judge or employee of the judicial branch of government;
- d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or
- e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

(5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

- (a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or
- (b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or
- (c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- (d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

- a. Responding to any request for information made by any public official or employee of the legislative branch of government;
  - b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;
  - c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;
  - d. Testifying as a witness before the general assembly or any committee thereof;
- (6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;
- (7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;
- (8) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the direct supervision of a state senator;

b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed

pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to

the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; [honoraria;] meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when [any] **all** of the following are invited **seventy-two hours in advance using the same communication medium and in writing**:

a. [All members of the senate;  
b. All members of the house of representatives;  
c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] **All members of the general assembly, which may or may not include staff and employees under the direct supervision of a member of the general assembly; and**

**b. All statewide officials, which may or may not include staff and employees under the direct supervision of a statewide official;**

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.

**14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure for any public official of the state, local government official or school district board member, his or her staff or employees, or his or her spouse or dependent children, except for expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.**

[105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section

concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

- (1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;
- (2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
- (3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;
- (4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;
- (5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;
- (6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;
- (7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which

the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of [five] **two hundred fifty** dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of [five] **two hundred fifty** dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours."; 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. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Alferman	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	Engler
English	Entlicher	Fitzpatrick	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Haefner	Hansen
Hicks	Higdon	Hill	Hoskins	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	Mathews	McGaugh	Messenger
Miller	Moon	Morris	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher
Pogue	Redmon	Rehder	Reiboldt	Remole
Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon
Spencer	Swan	Taylor 139	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker				

NOES: 039

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

PRESENT: 000

ABSENT WITH LEAVE: 022

Allen	Colona	Conway 10	Dugger	Fitzwater 144
Flanigan	Haahr	Hinson	Hough	Houghton
Kratky	Lichtenegger	McCaherty	McDaniel	McDonald

Muntzel	Norr	Rhoads	Roden	Smith
Sommer	Taylor 145			

VACANCIES: 001

On motion of Representative Alferman, **House Amendment No. 2** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 134

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Barnes	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtman	Davis
Dogan	Dohrman	Dunn	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 49	Fraker
Franklin	Frederick	Gannon	Gardner	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hoskins	Houghton	Hubbard	Hubrecht
Hummel	Hurst	Johnson	Jones	Justus
Kelley	Kendrick	Kidd	King	Kirkton
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Lavender	Love	Lynch
Marshall	Mathews	May	McCaherty	McCann Beatty
McCreery	McGaugh	McGee	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Neely	Newman
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Roerber	Rone	Ross	Rowden
Rowland 155	Rowland 29	Runions	Ruth	Shaul
Shull	Shumake	Solon	Swan	Taylor 139
Vescovo	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker	

NOES: 011

Bahr	Colona	Curtis	Ellington	Green
LaFaver	Leara	Nichols	Pogue	Spencer
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Conway 10	Crawford	Dugger	Fitzwater 144
Flanigan	Hinson	Hough	Lichtenegger	McDaniel
McDonald	Muntzel	Norr	Roden	Smith
Sommer	Taylor 145			

VACANCIES: 001

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

**"256.720. 1. Notwithstanding the provisions of subsection 2 of this section, no rule, regulation, order, or ordinance of any political subdivision shall apply to prevent a property owner from constructing a private domestic well if the construction is allowed under state law.**

**2. If the department of natural resources can provide evidence of water contamination in an area of the state designated by the department as a special or sensitive area, any political subdivision in such area may regulate private domestic well construction in order to protect water quality. Any political subdivision in such area may require that a water filtration system be installed in any new well construction as a condition of receiving a permit.";** and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 19, Section 94.860, Line 77, by inserting immediately after all of said line the following:

"94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

**(b) Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

~~[(c)]~~ **(d)** Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

~~[(d)]~~ **(e)** Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

~~[(e)]~~ **(f)** Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

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 submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department 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 city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 17, Section 67.1790, Line 129, by inserting after all of said section and line the following:

**"67.5110. 1. As used in this section, the following terms mean:**

- (1) "Facilitation platform", an intermediary that facilitates the rental of a residential dwelling rental and collects payment from a transient guest, but not including an entity that acts solely as a property manager;
- (2) "Marketing platform", an intermediary that facilitates the rental of a residential dwelling rental, but does not collect payment from a transient guest;
- (3) "Owner", a person who offers a residential dwelling rental to transient guests;
- (4) "Political subdivision", any county, city, town, village, or township;
- (5) "Residential dwelling", any building, structure, or part of the building or structure, that is used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging to it or enjoyed with it. This definition shall not include time share units as the term "time share unit" is defined in section 407.600;
- (6) "Residential dwelling rental", a residential dwelling or any part thereof that is offered for rent to transient guests. This definition shall not include time share units as the term "time share unit" is defined in section 407.600;
- (7) "Transient guest", any person who rents and occupies a guest room in a residential dwelling rental for a period of less than thirty-one days in any calendar quarter; provided, however, that "transient guest" shall not mean an occupant under a lease agreement.

2. A political subdivision may not enact or enforce an ordinance that prohibits or unreasonably restricts residential dwelling rentals, or that regulates or otherwise restricts residential dwelling rentals based solely on their classification, use, or occupancy as a residential dwelling unit.

3. The provisions of subsection 2 of this section shall not prohibit a political subdivision from applying and enforcing any ordinance in effect prior to August 28, 2016.

4. Nothing in this section limits the authority of a political subdivision to enact or enforce an ordinance that imposes reasonable restrictions on residential dwelling rentals in any of the following areas:

- (1) Protection of the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation and traffic control, solid and hazardous wastes, and pollution control;
- (2) Local taxes that may be imposed on residential dwelling rentals to transient guests;
- (3) A requirement that any person who rents out his or her residential dwellings shall obtain a business license and pay an annual license fee;
- (4) The imposition or payment of inspection fees for residential dwellings;
- (5) Posting requirements for licenses, certificates, or registrations as well as emergency procedures;
- (6) Response time periods for complaints and short-term renter concerns;
- (7) Nuisances related to residential dwellings;
- (8) Age requirements for renters;
- (9) Off-street parking requirements; or
- (10) Zoning requirements.

5. A transient guest shall pay and an owner shall collect and remit any applicable taxes on the occupancy of a residential dwelling rental imposed by the state or by the municipality, county, or local taxing entity in which the residential dwelling is located, whether the tax imposed be a sales tax, hotel tax, occupancy tax, or otherwise. When an owner uses a facilitation platform, the facilitation platform shall collect and remit on behalf of the owner any such applicable taxes on the occupancy of a residential dwelling rental by a transient guest. A marketing platform shall:

- (1) Disclose in its terms of service the obligation to pay any applicable taxes to both the transient guest and the owner of the residential dwelling;

(2) Require as a term of service that the transient guest and the owner of the residential dwelling acknowledge the obligation to pay any applicable taxes; and

(3) Maintain records of any rentals facilitated for a period of three years for audits requested by a tax administrator and conducted during normal business hours.

6. For purposes of the collection and remittance by a facilitation platform of any state sales tax on the occupancy of a residential dwelling rental, the provisions of sections 32.010 to 32.096, sections 136.101 to 136.380, and sections 144.010 to 144.525 shall apply.

7. Prior to facilitating a residential dwelling rental to a transient guest, a facilitation platform and a marketing platform shall require as a term of service that the owner of a residential dwelling rental certifies that the residential dwelling rental meets all applicable state and local requirements, and local requirements as described in subsection 4 of this section."; and

Further amend said bill, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

"315.005. As used in sections 315.005 to 315.065, unless the context clearly indicates otherwise, the following terms mean:

(1) "Code", the standards relating to fire safety, sanitation, electrical wiring, fuel-burning appliances, plumbing, swimming pools and spas, sewage and waste treatment and disposal as adopted by the department. The department in its discretion, may incorporate, in whole or in part, the standards or codes promulgated by the National Fire Protection Association, Building Officials and Code Administration International, Inc., Great Lakes Upper Mississippi River Board of State Sanitary Engineers, and American Society of Sanitary Engineers;

(2) "Department", the director of the department of health and senior services or an agent of the director of the department of health and senior services;

(3) "Guest room", any room or unit where sleeping accommodations are regularly furnished to the public;

(4) "Lodging establishment", any building, group of buildings, structure, facility, place, or places of business where five or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests;

(5) "Owner", the person responsible for obtaining a license from the department for operating the lodging establishment;

(6) "Permanent guest", any person who rents and occupies a guest room in a lodging establishment for a period of thirty-one days or more;

(7) "Person", any individual, partnership, corporation, association, organization, firm, or federal, state, county, city, village, or municipal association or corporation;

(8) "Transient guest", any person who rents and occupies a guest room in a lodging establishment for a period of less than thirty-one days **in any calendar quarter**."; and

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

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

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Alferman	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry
Bondon	Brattin	Brown 57	Brown 94	Burlison
Cierpiot	Cookson	Cornejo	Cross	Curtman
Davis	Dogan	Dohrman	Eggleston	English

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Entlicher	Fitzpatrick	Fitzwater 49	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen
Hicks	Higdon	Hoskins	Hough	Hubrecht
Hurst	Johnson	Jones	Justus	Kidd
King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	Mathews	Messenger	Miller	Moon
Morris	Neely	Pfautsch	Phillips	Pietzman
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Rowden
Rowland 155	Ruth	Shaul	Shull	Shumake
Solon	Spencer	Swan	Taylor 139	Walker
White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 035

Adams	Anders	Arthur	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Green
Harris	Hubbard	Hummel	Kendrick	Kirkton
Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McGee	McNeil	Meredith	Mims
Morgan	Newman	Nichols	Otto	Pace
Pierson	Rizzo	Rowland 29	Runions	Webber

PRESENT: 000

ABSENT WITH LEAVE: 036

Allen	Black	Chipman	Conway 10	Conway 104
Corlew	Crawford	Dugger	Ellington	Engler
Fitzwater 144	Flanigan	Gardner	Hill	Hinson
Houghton	Kelley	Lichtenegger	McCaherty	McDaniel
McDonald	McGaugh	Mitten	Montecillo	Muntzel
Norr	Parkinson	Peters	Plocher	Rehder
Ross	Smith	Sommer	Taylor 145	Vescovo

Walton Gray

VACANCIES: 001

On motion of Representative Eggleston, **HCS SS SB 937, as amended**, was adopted.

On motion of Representative Eggleston, **HCS SS SB 937, as amended**, was read the third time and passed by the following vote:

AYES: 093

Alferman	Allen	Anders	Anderson	Andrews
Austin	Barnes	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94
Burns	Carpenter	Cierpiot	Conway 10	Cookson
Cornejo	Cross	Davis	Dogan	Dohrman
Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Harris	Higdon
Hill	Hoskins	Hough	Houghton	Hubrecht
Johnson	Jones	Justus	Kelley	Kendrick

King	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mathews
McNeil	Messenger	Miller	Morris	Neely
Peters	Pfautsch	Phillips	Pike	Plocher
Redmon	Reiboldt	Remole	Rhoads	Rizzo
Roden	Rone	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Swan
Walker	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker		

NOES: 050

Adams	Arthur	Bahr	Basye	Burlison
Butler	Chipman	Colona	Curtis	Curtman
Dunn	Ellington	Green	Hicks	Hinson
Hubbard	Hummel	Hurst	Kidd	Kirkton
Koenig	Korman	Kratky	LaFaver	Lavender
Marshall	May	McCann Beatty	McCreery	McGee
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Newman	Nichols	Otto	Pace
Pierson	Pietzman	Pogue	Roeber	Ross
Rowland 29	Runions	Spencer	Taylor 139	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 019

Conway 104	Corlew	Crawford	Dugger	English
Fitzwater 144	Gardner	McCaherty	McDaniel	McDonald
McGaugh	Muntzel	Norr	Parkinson	Rehder
Smith	Sommer	Taylor 145	Vescovo	

VACANCIES: 001

Speaker Richardson declared the bill passed.

### **BILLS CARRYING REQUEST MESSAGES**

**SCS SB 650, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, as amended, and House Amendment No. 9**, relating to higher education financial aid eligibility, was taken up by Representative Cookson.

Representative Cookson moved that the House grant the Senate further conference on **SCS SB 650, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, as amended, and House Amendment No. 9**.

Which motion was adopted.

### 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 adopted the Conference Committee Report on **HCS SS SB 786, as amended**, and has taken up and passed **CCS HCS SS SB 786**.

Emergency clause adopted.

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 973, as amended**, and has taken up and passed **CCS HCS SCS SB 973**.

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 SB 994, as amended**, and has taken up and passed **CCS HCS SB 994**.

### THIRD READING OF SENATE BILLS

**HCS SB 573**, relating to investment policies of the state, was taken up by Representative Jones.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 573, Page 1, Section 30.267, Line 5, by inserting immediately after the word "**operations**" on said line the following: "**in strategic industries**"; and

Further amend said page and section, Lines 15-17, by deleting said lines and inserting in lieu thereof the following:

- "4. For purposes of this section, "strategic industries" shall include:**
- (1) Military equipment such as:**
    - (a) Weapons;**
    - (b) Arms;**
    - (c) Military supplies; and**
    - (d) Equipment, including but not limited to, radar systems, or military-grade transport vehicles, that readily may be used for military purposes;**
  - (2) Mineral extraction activities including:**
    - (a) Exploring;**
    - (b) Extracting;**
    - (c) Processing;**
    - (d) Transporting;**
    - (e) Wholesale selling or trading of elemental minerals or associated metal alloys or oxides, also known as ore, including gold, copper, chromium, chromite, diamonds, iron, iron ore, silver, tungsten, uranium, and zinc;**
    - (f) Includes facilitating such activities, including by providing supplies or services in support of such activities;**
  - (3) Oil-related activities including but not limited to:**
    - (a) Owning rights to oil blocks;**
    - (b) Exporting, extracting, producing, refining, processing, exploring for, transporting, selling, or trading of oil;**

- (c) Constructing, maintaining, or operating a pipeline, refinery, or other oil-field infrastructure; or
- (d) Facilitating such activities, including by providing supplies or services in support of such activities, including by providing supplies or services in support of such activities.

"Oil-related activities" does not mean engaging in only the retail sale of gasoline and related consumer products;

- (4) Petroleum resources such as petroleum, petroleum byproducts, or natural gas;
- (5) Power production including any business operation that involves a project commissioned by the national electricity corporation of the designated country or other similar entity of the government of the designated county whose purpose is to facilitate power generation and delivery, including but not limited to:
  - (a) Establishing power-generating plants or hydroelectric dams;
  - (b) Selling or installing components for a project;
  - (c) Providing service contracts related to the installation or maintenance of a project; or
  - (d) Facilitating any of these activities, including by providing supplies or services in support of such activities."; and

Further amend said bill, Page 2, Section B, Line 6, by inserting immediately after all of said section and line the following:

"Section C. Shall Missouri law be amended to prohibit the state, its political subdivisions, and public retirement systems from investing in corporations doing business in countries currently designated as state sponsors of terrorism, including Iran, Syria and Sudan, in certain strategic industries?"; and

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

Representative Cornejo resumed the Chair.

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

On motion of Representative Jones, **HCS SB 573, as amended**, was adopted.

On motion of Representative Jones, **HCS SB 573, as amended**, was read the third time and passed by the following vote:

AYES: 116

Alferman	Allen	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns
Carpenter	Chipman	Cierpiot	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Hansen
Harris	Hicks	Higdon	Hill	Hinson
Hoskins	Houghton	Hubbard	Hubrecht	Johnson
Jones	Justus	Kelley	Kendrick	Kidd
King	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	McCreery	McGaugh
McNeil	Messenger	Miller	Morris	Neely
Otto	Parkinson	Peters	Pfautsch	Phillips

Pietzman	Pike	Plocher	Redmon	Reiboldt
Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Spencer
Swan	Taylor 139	Vescovo	Walker	Webber
White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 030

Adams	Butler	Colona	Conway 10	Dunn
Ellington	Gardner	Green	Hummel	Hurst
Kirkton	Kratky	Lavender	May	McCann Beatty
McGee	Meredith	Mims	Mitten	Montecillo
Moon	Morgan	Newman	Nichols	Pace
Pierson	Pogue	Rowland 29	Runions	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 016

Conway 104	Cookson	Dugger	Fitzwater 144	Haefner
Hough	Leara	McCaherty	McDaniel	McDonald
Muntzel	Norr	Rehder	Smith	Sommer

Taylor 145

VACANCIES: 001

Representative Cornejo declared the bill passed.

Speaker Richardson resumed the Chair.

## COMMITTEE REPORTS

**Committee on Administration and Accounts**, Chairman Leara reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 3511**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule be referred to the .

**Select Committee on General Laws**, Chairman Jones reporting:

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

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

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 1940**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 2587**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **HB 2630**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Select Committee on Labor and Industrial Relations, to which was referred **SCS SB 613**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 613** - Fiscal Review  
**HCS SS SB 623** - Fiscal Review  
**HCS SB 899** - Fiscal Review  
**SCS SB 968** - Fiscal Review

### **COMMUNICATIONS**

May 11, 2016

Chief Clerk Adam Crumbliss  
Missouri House of Representatives  
201 West Capitol Avenue  
Jefferson City, Missouri 65101

Dear Chief Clerk Crumbliss:

I voted present on SB 831 on May 11, 2016 due to a conflict of interest related to my occupation.

Thank you for your consideration of this matter.

Please feel free to contact me with any concerns you may have.

Respectfully submitted,

/s/ Deb Lavender  
State Representative  
District 90

May 11, 2016

Chief Clerk Adam Crumbliss  
Missouri House of Representatives  
201 West Capitol Avenue  
Jefferson City, Missouri 65101

Dear Chief Clerk Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a practicing physical therapist in Kirkwood, MO.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Sincerely,

/s/ Deb Lavender  
State Representative  
District 90

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE BILL NO. 627**

The Conference Committee appointed on Senate Bill No. 627, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment Nos. 5 and 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 Senate Bill No. 627, as amended;
2. That the Senate recede from its position on Senate Bill No. 627;
3. That the attached Conference Committee Substitute for Senate Bill No. 627 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jamilah Nasheed  
/s/ Jill Schupp  
/s/ David Pearce  
/s/ Gary Romine  
/s/ Jeanie Riddle

FOR THE HOUSE:

/s/ Keith English  
/s/ Sheila Solon  
/s/ Keith Frederick  
/s/ Randy Dunn  
/s/ Bonnaye Mims

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 635**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3, 5, and 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment Nos. 8, 9, 10, 11, 12, and 13, House Amendment No. 1 to House Amendment No. 14, and House Amendment No. 14, 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 Bill No. 635, as amended;
2. That the Senate recede from its position on Senate Bill No. 635;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman  
/s/ Dan Brown  
/s/ Jay Wasson  
/s/ Jill Schupp  
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo  
/s/ Sue Allen  
/s/ Marsha Haefner  
/s/ Jeremy LaFaver  
/s/ Jon Carpenter

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 639**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 639, with House Amendment Nos. 1, 2, & 3, House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, 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 Bill No. 639, as amended;
2. That the Senate recede from its position on Senate Bill No. 639;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 639, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle  
/s/ Paul Wieland  
/s/ Bob Onder  
/s/ Joseph Keaveny  
/s/ Jill Schupp

FOR THE HOUSE:

/s/ Nathan Walker  
/s/ Mike Leara  
/s/ Paul Fitzwater (144)  
/s/ Mike Colona  
/s/ Ira Anders

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 640**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 640, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 1 & 2 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5, 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 Bill No. 640, as amended;
2. That the Senate recede from its position on Senate Bill No. 640;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 640 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz  
/s/ Mike Parson  
/s/ Doug Libla

FOR THE HOUSE:

/s/ Rick Brattin  
/s/ Elijah Haahr  
/s/ Kirk Mathews

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 735**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 735, with House Amendment No. 1, 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 Bill No. 735, as amended;
2. That the Senate recede from its position on Senate Bill No. 735;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 735, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon  
/s/ David Pearce  
/s/ Ryan Silvey  
/s/ Jill Schupp  
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo  
/s/ Joe Don McGaugh  
/s/ Elijah Haahr  
/s/ Mike Colona  
/s/ Gina Mitten

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 765**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, with House Amendment No. 1, House Amendment Nos. 1 and 2 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9, as amended, House Amendment Nos. 10 and 11, House Amendment Nos. 1, 2, and 3 to House Amendment No. 12, and House Amendment No. 12, 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. 765, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 765;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt  
/s/ Mike Cunningham  
/s/ Bob Dixon  
/s/ Joseph Keaveny  
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Robert Cornejo  
/s/ Joe Don McGaugh  
/s/ Paul Curtman  
/s/ Tracy McCreery  
/s/ Joe Adams

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 799**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 799, with House Amendment Nos. 2, 3, 4, House Amendment No. 6 to Part 2, House Amendment No. 8 to Part 2, House Amendment No. 9 to Part 2, and Part 2 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 Substitute for Senate Bill No. 799, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 799;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 799, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus  
/s/ Ed Emery  
/s/ Wayne Wallingford  
/s/ Jill Schupp  
/s/ Gina Walsh

FOR THE HOUSE:

/s/ John McCaherty  
/s/ Lyndall Fraker  
/s/ Kathryn Swan  
/s/ John Rizzo  
/s/ Mary Nichols

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 823**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, with House Amendment Nos. 1 and 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. 823, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 823;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus  
/s/ Wayne Wallingford  
/s/ Ed Emery  
/s/ Joseph P. Keaveny  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Ann Zerr  
/s/ Eric Burlison  
/s/ Joe Don McGaugh  
/s/ Michael Butler  
/s/ Jon Carpenter

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 833**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 833, with House Amendment Nos. 1, 2, 3, 4, and 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 Bill No. 833, as amended;
2. That the Senate recede from its position on Senate Bill No. 833;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 833 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jamilah Nasheed  
/s/ Jason Holsman  
/s/ Mike Cunningham  
/s/ Wayne Wallingford  
/s/ Ryan Silvey

FOR THE HOUSE:

/s/ Travis Fitzwater (49)  
/s/ Joe Don McGaugh  
/s/ Justin Hill

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE BILL NO. 852**

The Conference Committee appointed on Senate Bill No. 852, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 852, as amended;
2. That the Senate recede from its position on Senate Bill No. 852;
3. That the attached Conference Committee Substitute for Senate Bill No. 852, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown  
/s/ Doug Libla  
/s/ Paul Wieland  
/s/ Shalonn "Kiki" Curls  
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Jason Chipman  
/s/ Travis Fitzwater (49)  
/s/ Charlie Davis  
/s/ Rochelle Walton Gray  
/s/ Joe Adams

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 861**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, and House Amendment Nos. 4, 5, 6, & 7, 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. 861, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 861;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Paul Wieland  
/s/ Brian Munzlinger  
/s/ Ryan Silvey  
/s/ Joseph P. Keaveny  
/s/ Gina Walsh

FOR THE HOUSE:

/s/ John McCaherty  
/s/ Lincoln Hough  
/s/ John Rizzo  
/s/ Jeremy LaFaver

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 867**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 867, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, House Amendment No. 1 to House Amendment No. 19, and House Amendment No. 19, 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 Bill No. 867, as amended;
2. That the Senate recede from its position on Senate Bill No. 867;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater  
/s/ Jeanie Riddle  
/s/ Joseph P. Keaveny  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Scott Fitzpatrick  
/s/ Caleb Jones  
/s/ Caleb Rowden  
/s/ Tracy McCreery  
/s/ Michael Butler

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 986**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, with House Amendment No. 1, 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. 986, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 986;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown  
/s/ Rob Schaaf  
/s/ Paul Wieland  
/s/ Jason Holsman  
/s/ Jill Schupp

FOR THE HOUSE:

/s/ John Wiemann  
/s/ Pat Conway (10)  
/s/ Kip Kendrick

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE BILL NO. 988**

The Conference Committee appointed on Senate Bill No. 988, with House Amendment Nos. 1, 2, & 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 988, as amended;
2. That the Senate recede from its position on Senate Bill No. 988;
3. That the attached Conference Committee Substitute for Senate Bill No. 988 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus  
/s/ Dan Brown  
/s/ Bob Onder  
/s/ Scott Sifton  
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Keith Frederick  
/s/ Jim Neely  
/s/ Bill White  
/s/ Jeanne Kirkton  
/s/ Lauren Arthur

**REFERRAL OF CONFERENCE COMMITTEE REPORTS**

The following Conference Committee Reports were referred to the Committee indicated:

**CCR SB 627, as amended** - Fiscal Review  
**CCR HCS SB 635, as amended** - Fiscal Review  
**CCR HCS SB 639, as amended** - Fiscal Review  
**CCR HCS SB 640, as amended** - Fiscal Review  
**CCR HCS SB 735, as amended** - Fiscal Review  
**CCR HCS SCS SB 765, as amended** - Fiscal Review  
**CCR HCS SS SB 799, as amended** - Fiscal Review  
**CCR HCS SCS SB 823, as amended** - Fiscal Review

**CCR HCS SB 833, as amended** - Fiscal Review  
**CCR SB 852, as amended** - Fiscal Review  
**CCR HCS SCS SB 861, as amended** - Fiscal Review  
**CCR HCS SB 867, as amended** - Fiscal Review  
**CCR HCS SS SCS SB 986, as amended** - Fiscal Review  
**CCR SB 988, as amended** - Fiscal Review

### **COMMITTEE REPORTS**

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SB 635, 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 639, 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 SCS SB 823, 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 867, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **RECESS**

On motion of Representative Cierpiot, the House will stand in recess until such time as **CCR SCS SB 638** and **CCR HCS SB 997** are distributed, and then stand adjourned until 10:00 a.m., Thursday, May 12, 2016.

### **CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 638**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 638, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8, 9, and 10, 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. 638, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 638;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 638 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle  
/s/ Bob Onder  
/s/ Ed Emery  
/s/ Jason Holsman  
/s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Kathryn Swann  
/s/ Lyle Rowland (155)  
/s/ Elijah Haahr  
/s/ Jeremy LaFaver  
/s/ Genise Montecillo

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 997**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 997, with House Amendment Nos. 1, 2, 3, 4, and 5, 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 Bill No. 997, as amended;
2. That the Senate recede from its position on Senate Bill No. 997;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 997, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce  
/s/ Ed Emery  
/s/ Gary Romine  
/s/ Maria Chappelle-Nadal  
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Steve Cookson  
/s/ Dean Dohrman  
/s/ Donna Lichtenegger  
/s/ Kip Kendrick  
/s/ Lauren Arthur

## **REFERRAL OF CONFERENCE COMMITTEE REPORTS**

The following Conference Committee Reports were referred to the Committee indicated:

**CCR SCS SB 638, as amended** - Fiscal Review  
**CCR HCS SB 997, as amended** - Fiscal Review

## **ADJOURNMENT**

Pursuant to the motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, May 12, 2016.

## **COMMITTEE HEARINGS**

### **FISCAL REVIEW**

Thursday, May 12, 2016, 9:00 AM, South Gallery.

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

CORRECTED

### **FISCAL REVIEW**

Friday, May 13, 2016, 9:00 AM, South Gallery.

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

### **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**

SEVENTIETH DAY, THURSDAY, MAY 12, 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  
HB 1656 - Dunn

**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 SB 909 - Fitzpatrick  
HCS SCS SB 618 - Hicks  
HCS SS SCS SB 698 - Cornejo  
HCS SCS SB 804 - Cornejo  
SB 1025 - Koenig  
HCS SCS SB 794 - Koenig  
HCS SB 577 - Cornejo  
HCS SB 869 - Solon  
HCS SCS SB 836 - Burlison  
HCS SB 738 - Love  
HCS SB 835 - Haahr  
HCS SCS SB 904 - Swan  
HCS SB 682, E.C. - Ross  
HCS SCS SB 781 - Jones  
HCS SB 888 - Jones  
HCS SB 941, (Fiscal Review 5/9/16) - Haahr  
HCS SS SCS SB 919 - Cornejo  
HCS SS SCS SB 704, with HCA 3 - Rowden  
SB 576 - Cornejo  
HCS SS#2 SCS SB 590, E.C. - Cornejo  
HCS SS SCS SB 663, with HCA 15, E.C. - Corlew  
HCS SB 899, (Fiscal Review 5/11/16) - Cookson  
HCS SS SB 659 - Davis  
HCS SS SB 623, (Fiscal Review 5/11/16) - Kolkmeier  
SB 1139 - Corlew  
SCS SB 968, (Fiscal Review 5/11/16), E.C. - Davis  
HCS SB 681 - Rowland (155)  
SCS SB 613, (Fiscal Review 5/11/16) - Brown (57)  
HCS SCS SBs 661, 726 & 741, E.C. - Jones

#### **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**

SCS HB 1582 - Kelley  
SS#2 SCS HCS HB 1432 - Vescovo  
SS SCS HCS HB 1862, as amended, - Cross  
SCS HB 2335 - Houghton  
SCS HB 2591, HB 1958 and HB 2369 - Richardson

SCS HCS HB 2453, E.C. - Johnson  
SCS HB 1851 - Alferman  
SS SCS HCS HB 2194 - Hoskins  
SS HCS HB 2029 - Hoskins  
SS SCS HCS HB 2379, as amended - Swan  
SS SCS HB 1816 - Koenig  
SCS HCS HB 1696, (Fiscal Review 5/11/16) - Rowland (155)  
SS SCS HCS HB 1941 - Fitzpatrick  
SCS HCS HBs 1434 & 1600 - Koenig  
SS SCS HCS HB 2376, as amended, (Fiscal Review 5/11/16) - Hough  
SS#2 HCS HB 1717, as amended, (Fiscal Review 5/11/16), E.C. - Lichtenegger  
SS SCS HCS HB 2380, as amended, (Fiscal Review 5/11/16) - Kolkmeyer  
SS HJR 53, (Fiscal Review 5/11/16) - Dugger

### **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 - Haefner  
CCR HCS SB 639, as amended, E.C. - Walker  
HCS SS SB 608, as amended - Allen  
CCR HCS SS SB 732, as amended, E.C. - Rhoads  
CCR SCS SB 921, HA 1, as amended, HA 2, HA 3, HA 4, HA 5 and HA 6, as amended - Franklin  
CCR HCS SCS SB 765, as amended, (Fiscal Review 5/11/16) - Cornejo  
CCR HCS SB 635, as amended, E.C. - Cornejo  
CCR HCS SB 867, as amended - Fitzpatrick  
CCR 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 (Fiscal Review 5/11/16) - Swan  
CCR HCS SCS SB 973, as amended - Jones  
CCR HCS SB 864, as amended, (Fiscal Review 5/10/16) - Morris  
CCR HCS SCS SB 823, as amended - Zerr  
CCR SB 852, with HA 1, HA 2, as amended, & HA 3 (Fiscal Review 5/11/16) - Chipman  
CCR SB 988, with HA 1, HA 2, HA 3, HA 4, as amended, & HA 5 (Fiscal Review 5/11/16), E.C. - Frederick  
CCR HCS SS SB 786, as amended, E.C. - Dugger  
HCS SB 656, as amended, E.C. - Burlison  
HCS SCS SB 703, as amended - Reiboldt  
CCR HCS SB 994, as amended - Alferman  
CCR HCS SB 625, as amended - Pierson  
CCR HCS SB 640, as amended, (Fiscal Review 5/11/16) - Brattin  
CCR#2 HCS SS SCS SB 572, as amended - Cornejo  
CCR SB 627, with HA 1, HA 2, HA 3, HA 4, as amended, HA 5 and HA 6 (Fiscal Review 5/11/16), E.C. - English  
CCR HCS SB 833, as amended, (Fiscal Review 5/11/16) - Fitzwater (49)  
CCR HCS SS SB 799, as amended, (Fiscal Review 5/11/16) - McCaherty

CCR HCS SCS SB 861, as amended, (Fiscal Review 5/11/16) - McCaherty  
CCR HCS SB 735, as amended, (Fiscal Review 5/11/16) - Cornejo  
CCR HCS SB 997, as amended, (Fiscal Review 5/11/16), E.C. - Cookson  
CCR HCS SS SCS SB 986, as amended, (Fiscal Review 5/11/16), E.C. - Wiemann  
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

## **HOUSE RESOLUTIONS**

HR 1103 - Richardson  
HR 3511 - Leara

## **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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