

# JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2018

The House met pursuant to adjournment.

Speaker Pro Tem Haahr in the Chair.

Prayer by Representative Charlie Davis.

Gracious God and creator of all that is good, I thank You for loving us, even though we don't deserve it. I thank You for caring for us, even though we don't deserve it. I thank You for allowing us to take part in heaven, again, even though we don't deserve it. It's not because of who we are but because of what You've done; it's not because of what we've done but because of who You are that gives us hope. I pray, O God, Your blessing to be poured out upon this nation and the great state. Give our leaders wisdom and strength to make decisions that make us a stronger, more caring people. May You give us endurance for these last two weeks of this legislative session, that we will leave this place knowing we have done our best to do what is right for our people, for Your people.

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: Brandon Fisher, Lillian Rose Parker, and Jacob Coleman Parker.

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

AYES: 122

Adams	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Burns	Butler	Carpenter	Chipman
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Cross	Curtis	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Evans
Fitzwater	Francis	Franklin	Franks Jr	Frederick
Gray	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Higdon
Houghton	Houx	Hurst	Johnson	Justus
Kelly 141	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Love	Lynch
Marshall	Mathews	Matthiesen	May	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Muntzel	Neely	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Quade
Razer	Redmon	Reiboldt	Reisch	Remole

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Revis	Rhoads	Roberts	Rone	Ross
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Sommer	Stacy	Stephens 128	Stevens 46
Swan	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	White	Wiemann
Wilson	Wood			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 039

Alferman	Arthur	Barnes 60	Brattin	Brown 27
Brown 57	Burnett	Christofanelli	Curtman	Ellington
Engler	Fitzpatrick	Fraker	Gannon	Green
Henderson	Hill	Kelley 127	Kendrick	Lichtenegger
McCann Beatty	McCreery	Moon	Mosley	Peters
Plocher	Pogue	Rehder	Roden	Roeber
Rowland 155	Rowland 29	Smith 85	Smith 163	Spencer
Tate	Washington	Wessels	Mr. Speaker	

VACANCIES: 002

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

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 1797**, **as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS HB 1953**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 597**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

**Mr. Speaker:** Your Committee on Fiscal Review, to which was referred **SS SB 666**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Haefner, Morgan, Morris (140), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (1): Rowland (29)

Absent (4): Alferman, Anderson, Fraker and Swan

**Mr. Speaker:** Your Committee on Fiscal Review, to which was referred **HCS SCS SB 718, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Conway (104), Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Anderson, Fraker and Swan

**Mr. Speaker:** Your Committee on Fiscal Review, to which was referred **HCS SCS SB 769**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Wessels, Wiemann and Wood

Noes (1): Unsicker

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

**Mr. Speaker:** Your Committee on Fiscal Review, to which was referred **HCS SB 793**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Conway (104), Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (4): Alferman, Anderson, Fraker and Swan

**Mr. Speaker:** Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 807 & 577**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 871**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SB 882**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Conway (104), Morgan, Morris (140), Rowland (29), Smith (163), Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (5): Alferman, Anderson, Fraker, Haefner and Swan

## MOTION

Representative Vescovo moved that Rule 22 be suspended.

Which motion was adopted by the following vote:

AYES: 121

Alferman	Anderson	Andrews	Arthur	Austin
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Burnett	Burns	Butler	Chipman	Christofanelli
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Cross	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Evans	Fitzpatrick
Fitzwater	Francis	Franklin	Frederick	Gannon
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	Matthiesen
McCann Beatty	McDaniel	McGaugh	McGee	Messenger
Miller	Moon	Morgan	Morris 140	Morse 151
Muntzel	Neely	Newman	Nichols	Pfautsch
Phillips	Pietzman	Pike	Plocher	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roeber	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walker 74	Walsh	White	Wiemann	Wilson
Wood				

NOES: 020

Adams	Anders	Beck	Curtis	Curtman
Gray	Lavender	Marshall	McCreery	Meredith 71
Merideth 80	Mitten	Pierson Jr	Quade	Revis
Roberts	Stevens 46	Unsicker	Washington	Wessels

PRESENT: 001

Carpenter

ABSENT WITH LEAVE: 019

Barnes 60	Brattin	Brown 27	Brown 57	Ellington
Engler	Fraker	Franks Jr	Green	May
Mosley	Peters	Pogue	Roden	Rone
Rowland 29	Smith 85	Spencer	Mr. Speaker	

VACANCIES: 002

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 2019**, to appropriate money for planning and capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds herein designated for the fiscal period beginning July 1, 2018, and ending June 30, 2019, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **HCS HB 2019** was read the third time and passed by the following vote:

AYES: 146

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Cross
Curtis	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McDaniel	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Morgan	Morris 140	Morse 151	Muntzel
Neely	Newman	Nichols	Pfautsch	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer

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Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walker 74	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 004

Bahr	Hurst	Marshall	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 27	Brown 57	Ellington	Green
Mosley	Peters	Phillips	Pogue	Roden
Smith 85				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

**THIRD READING OF SENATE BILLS - INFORMAL**

**HCS SCS SB 718, as amended**, relating to health care, was taken up by Representative Rhoads.

On motion of Representative Rhoads, **HCS SCS SB 718, as amended**, was read the third time and passed by the following vote:

AYES: 133

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Burns	Chipman
Christofanelli	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Korman	Lant	Lauer	Lavender	Lichtenegger
Lynch	Mathews	Matthiesen	McGauth	McGee
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pike
Plocher	Quade	Razer	Redmon	Rehder

Reiboldt	Reisch	Remole	Revis	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 017

Andrews	Burnett	Butler	Curtis	Eggleston
Hurst	Marshall	May	McCann Beatty	McCreery
McDaniel	Moon	Morgan	Newman	Pietzman
Spencer	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 27	Brown 57	Carpenter	Ellington
Fraker	Green	Love	Peters	Pogue
Smith 85				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Adams	Alferman	Arthur	Austin	Bahr
Barnes 28	Basye	Beard	Bernskoetter	Berry
Bondon	Burnett	Carpenter	Chipman	Christofanelli
Cookson	Corlew	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Franklin	Frederick	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCann Beatty	McGaugh	McGee	Meredith 71
Messenger	Miller	Mitten	Morgan	Morris 140
Morse 151	Muntzel	Neely	Nichols	Pfausch
Phillips	Pierson Jr	Pike	Plocher	Quade
Razer	Rehder	Reiboldt	Reisch	Rhoads
Roberts	Roden	Rone	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	White	Wiemann
Mr. Speaker				

NOES: 039

Anders	Anderson	Andrews	Bangert	Baringer
Beck	Black	Burns	Butler	Conway 10
Conway 104	Cornejo	Curtis	Eggleston	Francis
Franks Jr	Gray	Harris	Hurst	Marshall
May	McCreery	McDaniel	Merideth 80	Moon
Mosley	Newman	Pietzman	Remole	Revis
Roeber	Runions	Smith 85	Spencer	Taylor
Washington	Wessels	Wilson	Wood	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes 60	Brattin	Brown 27	Brown 57	Ellington
Green	Higdon	Peters	Pogue	Redmon
Rowland 29				

VACANCIES: 002

**HCS SB 806**, relating to guardianship proceedings, was taken up by Representative Neely.

On motion of Representative Neely, the title of **HCS SB 806** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 806, Page 18, Section 475.075, Line 112, by deleting the words "**with such assistance**"; and

Further amend said bill, Page 23, Section 475.082, Line 28, by inserting immediately after the word "guardian;" the word "**and**"; and

Further amend said bill, page and section, Line 29, by deleting the number "**(9)**"; and

Further amend said bill, page and section, Line 30, by deleting said line; and

Further amend said bill, page and section, Lines 31-34, by deleting said lines and inserting in lieu thereof the following:

**"(9) A summarized plan for the coming year. If an individual support plan, treatment plan, or plan of care is in place, such plan may be submitted in lieu of the requirements of this subdivision."**; and

Further amend said bill, Page 27, Section 475.094, Lines 44-46, by deleting said lines and inserting in lieu thereof the following:

**"durable power of attorney of which the protectee is the principal."**; and

Further amend said bill, Page 28, Section 475.123, Lines 1-5, by deleting said lines and inserting in lieu thereof the following:



"1. No medical or surgical procedure shall be performed on any ward unless consent is obtained from the guardian of his person except as provided in subsections 2 and 3 hereof."; and

Further amend said bill and section, Pages 28-29, Lines 18-34, by deleting said lines; and

Further amend said bill and section, Page 29, Line 35, by deleting the number "(2)" and inserting in lieu thereof the number "5."; and

Further amend said bill, page and section, Line 38, by deleting the number "8." and inserting in lieu thereof the number "6."; and

Further amend said bill, Page 31, Section 475.130, Lines 61-63, by deleting said lines; and

Further amend said bill, page and section, Line 64, by deleting said line and inserting in lieu thereof the following:

"(12) **Deposit funds in a bank;**"; and

Further amend said bill, page and section, Lines 65-67, by deleting said lines; and

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

Further amend said bill and section, Page 32, Lines 70-73, by deleting said lines; and

Further amend said bill, page and section, Lines 75-76, by deleting said lines and inserting in lieu thereof the words "**protection of estate assets;**"; and

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

Further amend said bill, Page 33, Section 475.270, Lines 31-32, by deleting said lines and inserting in lieu thereof the following:

"(7) **A plan for the coming year; and**"; and

Further amend said bill, Pages 35-36, Section 475.322, Lines 1-46, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 37-38, Section 475.344, Lines 1-13, by deleting all of said section and lines from the bill; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 806, Page 10, Section 475.050, Lines 19-20, by deleting said lines and inserting in lieu thereof the following:

"**disabled person. If the incapacitated or disabled person is a minor under the care of the children's division and is entering adult guardianship or conservatorship, it shall be a rebuttable presumption that he or she has no relative suitable and willing to serve as guardian or conservator.**"; and

Further amend said bill, Page 16, Section 475.075, Lines 23-27, by deleting said lines from the bill; and  
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 806, Page 1, Section A, Line 9, by inserting after all of said section and line the following:

"473.397. All claims and statutory allowances against the estate of a decedent shall be divided into the following classes:

- (1) Costs;
- (2) Expenses of administration;
- (3) Exempt property, family and homestead allowances;
- (4) Funeral expenses;
- (5) Debts and taxes due the United States of America;
- (6) **Debts for medical assistance due to the state of Missouri under section 473.398;**
- (7) Expenses of the last sickness, wages of servants, claims for medicine and medical attendance during the last sickness, and the reasonable cost of a tombstone;

~~[(7)]~~ (8) Debts and taxes due the state of Missouri, any county, or any political subdivision of the state of Missouri;

~~[(8)]~~ (9) Judgments rendered against the decedent in his lifetime and judgments rendered upon attachments levied upon property of decedent during his lifetime;

~~[(9)]~~ (10) All other claims not barred by section 473.360.

473.398. 1. Upon the death of a person, who has been a participant of aid, assistance, care, services, or who has had moneys expended on his behalf by the department of health and senior services, department of social services, or the department of mental health, or by a county commission, the total amount paid to the decedent or expended upon his behalf after January 1, 1978, shall be a debt due the state or county, as the case may be, from the estate of the decedent. The debt shall be collected as provided by the probate code of Missouri, chapters 472, 473, 474 and 475.

2. Procedures for the allowance of such claims shall be in accordance with this chapter, and such claims shall be allowed as a claim of ~~[the seventh]~~ **either the sixth or eighth** class under ~~[subdivision (7)]~~ **subdivisions (6) and (8)** of section 473.397.

3. Such claim shall not be filed or allowed if it is determined that:

- (1) The cost of collection will exceed the amount of the claim;
- (2) The collection of the claim will adversely affect the need of the surviving spouse or dependents of the decedent to reasonable care and support from the estate.

4. Claims consisting of moneys paid on the behalf of a participant as defined in 42 U.S.C. 1396 shall be allowed, except as provided in subsection 3 of this section, upon the showing by the claimant of proof of moneys expended. Such proof may include but is not limited to ~~[the following items which are deemed to be competent and substantial evidence of payment:~~

~~———(1)]~~ computerized records maintained by any governmental entity as described in subsection 1 of this section of a request for payment for services rendered to the participant~~]; and~~

~~———(2) The certified statement of the treasurer or his designee that the payment was made],~~ **which shall be deemed to be competent and substantial evidence of payment.**

5. The provisions of this section shall not apply to any claims, adjustments or recoveries specifically prohibited by federal statutes or regulations duly promulgated thereunder. Further, the federal government shall receive from the amount recovered any portion to which it is entitled.

6. Before any probate estate may be closed under this chapter, with respect to a decedent who, at the time of death, was enrolled in MO HealthNet, the personal representative of the estate shall file with the clerk of the court

exercising probate jurisdiction a release from the MO HealthNet division evidencing payment of all MO HealthNet benefits, premiums, or other such costs due from the estate under law, unless waived by the MO HealthNet division."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 806, Page 1, Section A, Line 9, by inserting immediately after said section and line the following:

"211.211. 1. A child is entitled to be represented by counsel in all proceedings under subdivision (2) or (3) of subsection 1 of section 211.031 and by a guardian ad litem in all proceedings under subdivision (1) of subsection 1 of section 211.031.

2. The court shall appoint counsel for a child prior to the filing of a petition if a request is made therefor to the court and the court finds that the child is the subject of a juvenile court proceeding and that the child making the request is indigent.

3. **(1)** When a petition has been filed under subdivision (2) or (3) of subsection 1 of section 211.031, the court shall appoint counsel for the child except if private counsel has entered his or her appearance on behalf of the child or if counsel has been waived in accordance with law; **except that, counsel shall not be waived for any proceeding specified under subsection 10 of this section.**

**(2) If a child waives his or her right to counsel, such waiver shall be made in open court and be recorded and in writing. In determining whether a child has knowingly, intelligently, and voluntarily waived his or her right to counsel, the court shall look to the totality of the circumstances including, but not limited to, the child's age, intelligence, background, and experience generally and in the court system specifically; the child's emotional stability; and the complexity of the proceedings. No parent, guardian, custodian, or other person shall waive the child's right to counsel.**

4. When a petition has been filed and the child's custodian appears before the court without counsel, the court shall appoint counsel for the custodian if it finds:

- (1) That the custodian is indigent; and
- (2) That the custodian desires the appointment of counsel; and
- (3) That a full and fair hearing requires appointment of counsel for the custodian.

5. Counsel shall be allowed a reasonable time in which to prepare to represent his client.

6. Counsel shall serve for all stages of the proceedings, including appeal, unless relieved by the court for good cause shown. If no appeal is taken, services of counsel are terminated following the entry of an order of disposition.

7. The child and his custodian may be represented by the same counsel except where a conflict of interest exists. Where it appears to the court that a conflict exists, it shall order that the child and his custodian be represented by separate counsel, and it shall appoint counsel if required by subsection 3 or 4 of this section.

8. When a petition has been filed, a child may waive his **or her** right to counsel only with the approval of the court **and if such waiver is not prohibited under subsection 10 of this section. If a juvenile waives his or her right to counsel for any proceeding except proceedings under subsection 10 of this section, the waiver shall only apply to that proceeding. In any subsequent proceeding, the child shall be informed of his or her right to counsel.**

9. Waiver of counsel by a child may be withdrawn at any stage of the proceeding, in which event the court shall appoint counsel for the child if required by subsection 3 of this section.

**10. A child's right to be represented by counsel shall not be waived in any of the following proceedings:**

- (1) At a detention hearing under Missouri supreme court rule 127.08;**
- (2) At a certification hearing under section 211.071 or a dismissal hearing under Missouri supreme court rule 129.04;**

(3) **At an adjudication hearing under Missouri supreme court rule 128.02 for any misdemeanor or felony offense, including the acceptance of an admission;**

(4) **At a dispositional hearing under Missouri supreme court rule 128.03; or**

(5) **A hearing on a motion to modify or revoke supervision under subdivision (2) or (3) of subsection 1 of section 211.031.**

**11. Under no circumstances shall a child's right to a Miranda warning under section 211.059 be waived.";** and

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

**House Amendment No. 4** was withdrawn.

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 806, Page 25, Section 475.083, Line 59, by inserting immediately after said section and line the following:

**"475.084. If a guardian has been appointed for a minor under the provisions of subdivision (2) of subsection 4 of section 475.030, then a parent of the minor may petition the court for periods of visitation. The court may order visitation if visitation is in the best interest of the child.";** and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 806, Page 1, Section A, Line 9, by inserting immediately after all of said section and line the following:

"451.090. 1. No recorder shall, in any event except as herein provided, issue a license authorizing the marriage of any person under ~~[fifteen]~~ **seventeen** years of age; provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, such license being issued only ~~[for good cause shown and by reason of such unusual conditions as to]~~ **after a hearing has been held in which the parties present evidence to the court that would make such marriage advisable. The court, in its order, shall determine that there is no evidence of coercion or abuse of either person entering the marriage.**

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

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

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

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

On motion of Representative Neely, **HCS SB 806, as amended**, was adopted.

On motion of Representative Neely, **HCS SB 806, as amended**, was read the third time and passed by the following vote:

AYES: 140

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Conway 10	Conway 104	Corlew	Cornejo
Cross	Curtis	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Ellington
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Frederick	Gray	Green
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCann Beatty
McCreery	McGaugh	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Revis	Rhoads	Roberts	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stephens 128	Stevens 46
Swan	Tate	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 006

Hurst	Marshall	Moon	Remole	Stacy
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 27	Brown 57	Cookson	Curtman	Franks Jr
Gannon	Higdon	Houx	McDaniel	McGee
Peters	Phillips	Pierson Jr	Pogue	Roden

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

### THIRD READING OF SENATE BILLS

**HCS SS SCS SBs 603, 576 & 898, HCS SB 695, HCS SS SCS SB 843, SB 819 and HCS SS SB 881** were placed on the Informal Calendar.

**HCS SB 687**, relating to student transportation, was taken up by Representative Rowland (155).

On motion of Representative Rowland (155), the title of **HCS SB 687** was agreed to.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 687, Page 3, Section 160.530, Line 82, by inserting immediately after said line the following:

"162.064. **1.** Each school district shall have on file a statement from a medical examiner which indicates that the driver is physically qualified to operate a school bus for the purpose of transporting pupils. Such statement shall be made on an annual basis, **unless a statement is issued by a department of transportation certified medical examiner, in which case such examiner may issue a statement for up to a two-year duration, subject to rules promulgated by the department of transportation.** The term "medical examiner" includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic. For new drivers, such statement shall be on file prior to the driver's initial operation of a school bus. This section shall apply to drivers employed by the school district or under contract with the school district.

**2. The director of the department of transportation may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.**"; and

Further amend said bill, Page 4, Section 304.060, Line 34, by inserting immediately after said line the following:

"302.272. **1.** No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus endorsement under this section and complied with the pertinent rules and regulations of the department of revenue and any final rule issued by the secretary of the United States Department of Transportation or has a valid school bus endorsement on a valid commercial driver's license issued by another state. A school bus endorsement shall be issued to any applicant who meets the following qualifications:

- (1) The applicant has a valid state license issued under this chapter;
- (2) The applicant is at least twenty-one years of age; and
- (3) The applicant has successfully passed an examination for the operation of a school bus as prescribed by the director of revenue. The examination shall include any examinations prescribed by the secretary of the United States Department of Transportation, and a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to be driven. For purposes of this section classes of school buses shall comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570). For drivers who are at least seventy years of age, such examination, **excluding the pre-trip inspection portion of the commercial driver's license skills test**, shall be completed annually **to retain the school bus endorsement**.

2. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus endorsement to any applicant whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations.

3. The director may adopt any rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

4. Notwithstanding the requirements of this section, an applicant who resides in another state and possesses a valid driver's license from his or her state of residence with a valid school bus endorsement for the type of vehicle being operated shall not be required to obtain a Missouri driver's license with a school bus endorsement."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 687, Page 3, Section 160.530, Line 82, by inserting after all of said section and line the following:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the school district shall be responsible for conducting the criminal background check on drivers employed by the school district. For drivers employed by a pupil transportation company, **a municipality, or any other entity** under contract with the school district, the criminal background check shall be conducted pursuant to section 43.540 and conform to the requirements established in the National Child Protection Act of 1993, as amended by the Volunteers for Children Act. Personnel who have successfully undergone a criminal background check and a check of the family care safety registry as part of the professional license application process under section 168.021 and who have received clearance on the checks within one prior year of employment shall be considered to have completed the background check requirement. A criminal background check under this section shall include a search of any information publicly available in an electronic format through a public index or single case display.

2. In order to facilitate the criminal history background check, the applicant shall submit a set of fingerprints collected pursuant to standards determined by the Missouri highway patrol. The fingerprints shall be used by the highway patrol to search the criminal history repository and shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The department of elementary and secondary education shall facilitate an annual check of employed persons holding current active certificates under section 168.021 against criminal history records in the central repository under section 43.530, the sexual offender registry under sections 589.400 to ~~589.475~~ **589.426**, and child abuse central registry under sections 210.109 to 210.183. The department of elementary and secondary education

shall facilitate procedures for school districts to submit personnel information annually for persons employed by the school districts who do not hold a current valid certificate who are required by subsection 1 of this section to undergo a criminal background check, sexual offender registry check, and child abuse central registry check. The Missouri state highway patrol shall provide ongoing electronic updates to criminal history background checks of those persons previously submitted, both those who have an active certificate and those who do not have an active certificate, by the department of elementary and secondary education. This shall fulfill the annual check against the criminal history records in the central repository under section 43.530.

5. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530.

6. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

7. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

8. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

9. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one school district to another district. A school district may, in its discretion, conduct a new criminal background check and fingerprint collection under subsections 1 and 2 for a newly hired employee at the district's expense. A teacher's change in type of certification shall have no effect on the transferability or validity of such records.

10. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

11. The state board of education may promulgate rules for criminal history background checks made pursuant to 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 January 1, 2005, shall be invalid and void."; and

Further amend said bill, Page 4, Section 304.060, Line 25, by inserting after all of said line the following:

**"3. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri may contract with any municipality for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade. Such contract shall require the presence of an adult supervisor who is approved by the school board on any municipal vehicle while such vehicle is transporting children under this subsection. Any time school children are being transported by a municipal vehicle under this subsection, such vehicle shall include a section of seating designated solely for use by school children. Municipalities entering into any such contract shall comply with the requirements of this section and sections 162.064, 162.065, 168.133, and 307.375."; and**

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

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

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

On motion of Representative Rowland (155), **HCS SB 687, as amended**, was adopted.



On motion of Representative Rowland (155), **HCS SB 687, as amended**, was read the third time and passed by the following vote:

AYES: 114

Adams	Alferman	Anderson	Andrews	Austin
Bahr	Bangert	Baringer	Basye	Beard
Bernskoetter	Berry	Black	Bondon	Brattin
Chipman	Christofanelli	Conway 104	Cornejo	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Francis	Franklin	Franks Jr	Frederick	Green
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Henderson	Hill	Houghton
Houx	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeier	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Merideth 80	Messenger	Miller	Morris 140
Morse 151	Muntzel	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowland 155	Rowland 29	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Vescovo	Walker 3	Walsh	Washington
White	Wiemann	Wilson	Wood	

NOES: 031

Anders	Arthur	Barnes 28	Beck	Burnett
Burns	Butler	Carpenter	Conway 10	Corlew
Curtis	Ellington	Gray	Hurst	Lavender
Marshall	McDaniel	McGee	Meredith 71	Moon
Morgan	Mosley	Newman	Nichols	Revis
Roberts	Runions	Smith 85	Unsicker	Walker 74
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes 60	Brown 27	Brown 57	Cookson	Cross
Curtman	Fraker	Gannon	Helms	Higdon
Mitten	Peters	Pierson Jr	Pogue	Trent
Mr. Speaker				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

**SB 626, SB 708, HCS SCS SB 769, SS#2 SCS SB 590, HCS SCS SBs 807 & 577, HCS SS SCS SB 918, SCS SBs 999 & 1000, HCS SB 800, SS SCS SB 568, HCS SS SB 597, SS SB 882 and HCS SCS SB 598** were placed on the Informal Calendar.

**HCS SB 793**, relating to juvenile court proceedings, was taken up by Representative Schroer.

On motion of Representative Schroer, the title of **HCS SB 793** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 793, Page 22, Section 221.044, Line 5, by inserting immediately after said section and line the following:

"478.625. 1. Beginning on January 1, 2003, there shall be three circuit judges in the nineteenth judicial circuit consisting of the county of Cole.

2. One circuit judge shall be first elected in 1982. The second circuit judge shall be first elected in 1984. The third circuit judge shall be first elected in 2002.

3. Effective January 1, ~~[2003]~~ **2021, in compliance with section 478.320**, there shall be ~~[one less]~~ **two** associate circuit ~~[judge]~~ **judges** in Cole County ~~[than is provided pursuant to section 478.320]~~. **The second associate circuit judge shall be first elected in 2020.** "; and

Further amend said bill, Page 29, Section 1, Line 3, by inserting immediately after said section and line the following:

~~"[478.375. At such time as a new jail or law enforcement center is constructed within the sixth judicial circuit, a new circuit judgeship shall be added.]"; and~~

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 793, Page 29, Section 610.131, Line 20, by inserting after said section and line the following:

"610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was charged or found guilty of any offenses, violations, or infractions for an order to expunge records of such arrest, plea, trial, or conviction. Subject to the limitations of subsection 12 of this section, a person may apply to have one or more offenses, violations, or infractions expunged if such offense, violation, or infraction occurred within the state of Missouri and was prosecuted under the jurisdiction of a Missouri municipal, associate circuit, or circuit court, so long as such person lists all the offenses, violations, and infractions he or she is seeking to have expunged in the petition and so long as all such offenses, violations, and infractions are not excluded under subsection 2 of this section. If the offenses, violations, or infractions were charged as counts in the same indictment or information or were committed as part of the same course of criminal conduct, the person may include all the related offenses, violations, and infractions in the petition, regardless of the limits of subsection 12 of this section, and the petition shall only count as a petition for expungement of the highest level violation or offense contained in the petition for the purpose of determining future eligibility for expungement.

2. The following offenses, violations, and infractions shall not be eligible for expungement under this section:

- (1) Any class A felony offense;
- (2) Any dangerous felony as that term is defined in section 556.061;
- (3) Any offense that requires registration as a sex offender;

- (4) Any felony offense where death is an element of the offense;
- (5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;
- (6) Any offense listed, or previously listed, in chapter 566 or section 105.454, 105.478, 115.631, 130.028, 188.030, 188.080, 191.677, 194.425, 217.360, 217.385, 334.245, 375.991, 389.653, 455.085, 455.538, 557.035, 565.084, 565.085, 565.086, 565.095, 565.120, 565.130, 565.156, 565.200, 565.214, 566.093, 566.111, 566.115, 568.020, 568.030, 568.032, 568.045, 568.060, 568.065, 568.080, 568.090, 568.175, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.072, 569.100, 569.160, 570.025, 570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 571.150, 574.070, 574.105, 574.115, 574.120, 574.130, 575.040, 575.095, 575.153, 575.155, 575.157, 575.159, 575.195, 575.200, 575.210, 575.220, 575.230, 575.240, 575.350, 575.353, 577.078, 577.703, 577.706, 578.008, 578.305, 578.310, or 632.520;
- (7) Any offense eligible for expungement under section 577.054 or 610.130;
- (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 operation of motor vehicles when committed by an individual who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, municipal prosecuting attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses, violations, and infractions listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall include the following information:

- (1) The petitioner's:
  - (a) Full name;
  - (b) Sex;
  - (c) Race;
  - (d) Driver's license number, if applicable; and
  - (e) Current address;
- (2) Each offense, violation, or infraction for which the petitioner is requesting expungement;
- (3) The approximate date the petitioner was charged for each offense, violation, or infraction; and
- (4) The name of the county where the petitioner was charged for each offense, violation, or infraction and if any of the offenses, violations, or infractions occurred in a municipality, the name of the municipality for each offense, violation, or infraction; and
- (5) The case number and name of the court for each offense.

5. The clerk of the court shall give notice of the filing of the petition to the office of the prosecuting attorney, circuit attorney, or municipal prosecuting attorney that prosecuted the offenses, violations, or infractions listed in the petition. If the prosecuting attorney, circuit attorney, or municipal prosecuting attorney objects to the petition for expungement, he or she shall do so in writing within thirty days after receipt of service. Unless otherwise agreed upon by the parties, the court shall hold a hearing within sixty days after any written objection is filed, giving reasonable notice of the hearing to the petitioner. If no objection has been filed within thirty days after receipt of service, the court may set a hearing on the matter and shall give reasonable notice of the hearing to each entity named in the petition. At any hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses, violations, or infractions listed in the petition for expungement:

- (1) **At the time the petition is filed**, it has been at least seven years if the offense is a felony, or at least three years if the offense is a misdemeanor, municipal offense, or infraction, from the date the petitioner completed any authorized disposition imposed under section 557.011 for each offense, violation, or infraction listed in the petition;
- (2) The person has not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense, violation, or infraction in subdivision (1) of this subsection;

- (3) The person has satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;
- (4) The person does not have charges pending;
- (5) The petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and
- (6) The expungement is consistent with the public welfare and the interests of justice warrant the expungement.

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.

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 that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses, violations, or infractions listed in the petition for expungement, the court shall enter an order of expungement. In all cases under this section, the court shall issue an order of expungement or dismissal within six months of the filing of the petition. A copy of the order of expungement shall be provided to the petitioner and each entity possessing records subject to the order, and, upon receipt of the order, each entity shall close any record in its possession relating to any offense, violation, or infraction listed in the petition, in the manner established by section 610.120. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense, infraction, or violation ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

8. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense, violation, or infraction to any court when asked or upon being charged with any subsequent offense, violation, or infraction. The expunged offense, violation, or infraction may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

9. Notwithstanding the provisions of subsection 8 of this section to the contrary, a person granted an expungement shall disclose any expunged offense, violation, or infraction when the disclosure of such information is necessary to complete any application for:

- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
- (2) Any license issued under chapter 313 or permit issued under chapter 571;
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency;
- (4) Employment with any federally insured bank or savings institution or credit union or an affiliate of such institution or credit union for the purposes of compliance with 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.

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 the petitioner has not met the criteria for any of the offenses, violations, or infractions listed in the petition for expungement or the petitioner has knowingly provided false information in the petition, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

12. A person may be granted more than one expungement under this section provided that during his or her lifetime, the total number of offenses, violations, or infractions for which orders of expungement are granted to the person shall not exceed the following limits:

- (1) Not more than two misdemeanor offenses or ordinance violations that have an authorized term of imprisonment; and
- (2) Not more than one felony offense.

A person may be granted expungement under this section for any number of infractions. Nothing in this section shall prevent the court from maintaining records to ensure that an individual has not exceeded the limitations of this subsection. Nothing in this section shall be construed to limit or impair in any way the subsequent use of any record expunged under this section of any arrests or findings of guilt by a law enforcement agency, criminal justice agency, prosecuting attorney, circuit attorney, or municipal prosecuting attorney, including its use as a prior offense, violation, or infraction.

13. The court shall make available a form for pro se petitioners seeking expungement, which shall include the following statement: “I declare under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, information, and belief.”

14. Nothing in this section shall be construed to limit or restrict the availability of expungement to any person under any other law.”; and

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

Representative Corlew 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. 793, Page 1, Line 1, by deleting said line and inserting in lieu thereof the following:

"AMEND House Committee Substitute for Senate Bill No. 793, Page 22, Section 211.435, Line 7, by deleting the word "**used**" and inserting in lieu thereof the following:

**"distributed to the judicial circuits of the state based upon the increased workload created by sections 211.021 to 211.425";** and

Further amend said bill, Page 29, Section 610.131, Line 20,"; and

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

On motion of Representative Corlew, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Cornejo, **House Amendment No. 2, as amended**, was adopted.

Speaker Richardson assumed the Chair.

On motion of Representative Schroer, **HCS SB 793, as amended**, was adopted.

On motion of Representative Schroer, **HCS SB 793, as amended**, was read the third time and passed by the following vote:

AYES: 139

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Burnett
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Corlew	Cornejo	Cross	Curtis
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Ellington	Engler	Evans
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Love	Lynch
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roeber	Rone	Ross	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Taylor	Trent	Vescovo
Walker 3	Walsh	Washington	Wessels	White
Wiemann	Wilson	Wood	Mr. Speaker	

NOES: 004

Hurst	Marshall	McDaniel	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes 60	Brown 27	Brown 57	Conway 104	Cookson
Curtman	Fitzpatrick	Higdon	Lichtenegger	Peters

Phillips	Pogue	Roden	Rowland 155	Swan
Tate	Unsicker	Walker 74		

VACANCIES: 002

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 **HCS SB 659, as amended**, and has taken up and passed **HCS SB 659**.

**THIRD READING OF HOUSE CONCURRENT RESOLUTIONS**

**HCS HCR 77**, relating to the Bangert Island riverfront transformational project, was taken up by Representative Matthiesen.

On motion of Representative Matthiesen, **HCS HCR 77** was adopted.

On motion of Representative Matthiesen, **HCS HCR 77** was read the third time and passed by the following vote:

AYES: 137

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Burnett
Burns	Carpenter	Chipman	Christofanelli	Conway 10
Corlew	Cornejo	Cross	Curtis	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzwater	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCann Beatty	McCreery	McGaugh	Meredith 71
Merideth 80	Messenger	Mitten	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Newman
Nichols	Pfautsch	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 004

Marshall                      McDaniel                      Moon                      Shull 16

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes 60	Brown 27	Brown 57	Butler	Conway 104
Cookson	Curtman	Ellington	Fitzpatrick	Fraker
Higdon	May	McGee	Miller	Peters
Phillips	Pogue	Rowland 155	Smith 85	Walker 74

VACANCIES: 002

Speaker Richardson declared the bill passed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

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

**SCS SB 892:** Representatives Walker (3), Bondon, Taylor, Anders and Morgan

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 892, as amended.**

Senators: Walsh, Sifton, Munzlinger, Cunningham, Crawford

### **THIRD READING OF HOUSE BILLS**

**HCS#2 HB 1802** and **HCS HB 1577** were placed on the Informal Calendar.

**HB 2644**, relating to sheltered workshops, was taken up by Representative Rowland (29).

On motion of Representative Rowland (29), **HB 2644** was read the third time and passed by the following vote:

AYES: 142

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Burnett
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Corlew	Cornejo	Cross	Curtis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fitzwater



Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Gregory	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Newman
Nichols	Pfautsch	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 29	Runions	Ruth	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 000

PRESENT: 001

McDaniel

ABSENT WITH LEAVE: 018

Barnes 60	Brown 27	Brown 57	Conway 104	Cookson
Curtman	Davis	Fitzpatrick	Green	Haahr
Higdon	Peters	Phillips	Pogue	Rowland 155
Schroer	Smith 85	Walker 74		

VACANCIES: 002

Speaker Richardson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Corlew	Cornejo	Cross	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight

Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Matthiesen	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Miller	Mitten	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Neely
Newman	Nichols	Pfausch	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 29	Runions	Ruth	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walker 74
Walsh	Washington	Wessels	White	Wiemann
Wood	Mr. Speaker			

NOES: 003

Hurst	Moon	Wilson
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PRESENT: 001

McDaniel

ABSENT WITH LEAVE: 020

Brown 27	Brown 57	Burnett	Conway 104	Cookson
Curtis	Curtman	Fitzpatrick	Fitzwater	Haahr
Higdon	Marshall	Mathews	Peters	Phillips
Pogue	Rowland 155	Schroer	Smith 85	Unsicker

VACANCIES: 002

## PERFECTION OF HOUSE BILLS - INFORMAL

**HCS HB 2125**, relating to the right to shop act, was taken up by Representative Helms.

On motion of Representative Helms, the title of **HCS HB 2125** was agreed to.

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

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2125, Page 1, Section 103.185, Lines 5 and 6, by deleting said lines and inserting in lieu thereof the following:

**"a health care provider participating in the carrier's network or the amount the carrier is required to pay under the carrier's policy for out-of-network covered benefits"; and**

Further amend said bill and section, Pages 2 and 3, Lines 49 through 67, by deleting all of said lines; and

Further amend said section by renumbering accordingly; and

Further amend said bill and section, Page 3, Line 69, by deleting the word "**enrollees**" and inserting in lieu thereof the words "**health plan non-medicare primary members**"; and

Further amend said bill, page and section, Line 70, by inserting after the words "**five years**" the words "**and shall be implemented no later than the 2020 plan year**"; and

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

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

Representative Barnes (60) assumed the Chair.

Speaker Richardson resumed the Chair.

On motion of Representative Helms, **HCS HB 2125, as amended**, was adopted.

On motion of Representative Helms, **HCS HB 2125, as amended**, was ordered perfected and printed.

### BILLS IN CONFERENCE

**CCR SS HB 1858**, relating to the department of revenue, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, **CCR SS HB 1858** was adopted by the following vote:

AYES: 119

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bangert	Baringer	Barnes 60	Barnes 28
Basye	Beck	Bernskoetter	Berry	Bondon
Brattin	Burns	Chipman	Christofanelli	Corlew
Cornejo	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Engler	Evans	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Knight	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	Matthiesen	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Messenger
Moon	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Newman	Pfautsch	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Revis	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wood	Mr. Speaker	

NOES: 001

McDaniel

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PRESENT: 000

ABSENT WITH LEAVE: 041

Alferman	Bahr	Beard	Black	Brown 27
Brown 57	Burnett	Butler	Carpenter	Conway 10
Conway 104	Cookson	Cross	Curtis	Curtman
Ellebracht	Ellington	Fitzpatrick	Green	Higdon
Houx	Kendrick	Kidd	Lavender	May
Merideth 80	Miller	Mitten	Nichols	Peters
Phillips	Pierson Jr	Plocher	Pogue	Quade
Razer	Reisch	Rhoads	Schroer	Smith 85
Wilson				

VACANCIES: 002

On motion of Representative Christofanelli, **CCS SS HB 1858** was read the third time and passed by the following vote:

AYES: 120

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bangert	Baringer	Barnes 60	Barnes 28
Basye	Beck	Bernskoetter	Berry	Bondon
Brattin	Burns	Chipman	Christofanelli	Corlew
Cornejo	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Engler	Evans	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Knight	Kolkmeier	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	Mathews	Matthiesen	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Messenger	Moon
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Newman	Nichols	Pfautsch	Pietzman
Pike	Redmon	Rehder	Reiboldt	Remole
Revis	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 001

McDaniel

PRESENT: 000

ABSENT WITH LEAVE: 040

Alferman	Bahr	Beard	Black	Brown 27
Brown 57	Burnett	Butler	Carpenter	Conway 10
Conway 104	Cookson	Cross	Curtis	Curtman

Ellebracht	Ellington	Fitzpatrick	Green	Higdon
Houghton	Houx	Kendrick	Kidd	Lavender
May	Merideth 80	Miller	Mitten	Peters
Phillips	Pierson Jr	Plocher	Pogue	Quade
Razer	Reisch	Rhoads	Schroer	Smith 85

VACANCIES: 002

Speaker Richardson declared the bill passed.

**HB 1795, HCS HB 2157, HB 2632, HB 2607** and **HCS HB 2259** were placed back on the House Bills for Perfection Calendar.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 97** - Local Government  
**HCR 99** - Utilities  
**HCR 108** - Government Efficiency

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 69** - Ways and Means  
**HJR 79** - Economic Development  
**HJR 82** - Elections and Elected Officials  
**HJR 88** - Economic Development  
**HJR 103** - Economic Development

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1235** - Special Committee on Tourism  
**HB 1240** - Health and Mental Health Policy  
**HB 1258** - Health and Mental Health Policy  
**HB 1269** - Local Government  
**HB 1314** - General Laws  
**HB 1360** - General Laws  
**HB 1407** - Special Committee on Litigation Reform  
**HB 1433** - Crime Prevention and Public Safety  
**HB 1447** - Transportation  
**HB 1482** - Ways and Means  
**HB 1508** - Judiciary

- HB 1560** - Health and Mental Health Policy
- HB 1568** - Economic Development
- HB 1593** - Elementary and Secondary Education
- HB 1693** - Workforce Development
- HB 1724** - Insurance Policy
- HB 1764** - Transportation
- HB 1765** - Special Committee on Government Oversight
- HB 1810** - Crime Prevention and Public Safety
- HB 1827** - Agriculture Policy
- HB 1863** - Special Committee on Litigation Reform
- HB 1917** - Judiciary
- HB 2036** - Special Committee on Government Oversight
- HB 2100** - General Laws
- HB 2124** - Judiciary
- HB 2141** - General Laws
- HB 2142** - Elections and Elected Officials
- HB 2291** - Special Committee on Government Oversight
- HB 2345** - Utilities
- HB 2346** - Insurance Policy
- HB 2382** - Elementary and Secondary Education
- HB 2385** - Transportation
- HB 2387** - Special Committee on Litigation Reform
- HB 2389** - Ways and Means
- HB 2394** - Special Committee on Government Oversight
- HB 2402** - Special Committee on Government Oversight
- HB 2486** - Utilities
- HB 2510** - Crime Prevention and Public Safety
- HB 2575** - Economic Development
- HB 2598** - Crime Prevention and Public Safety
- HB 2619** - Elementary and Secondary Education
- HB 2659** - Professional Registration and Licensing
- HB 2674** - Health and Mental Health Policy
- HB 2675** - Health and Mental Health Policy
- HB 2677** - Local Government
- HB 2684** - Judiciary
- HB 2725** - Crime Prevention and Public Safety
- HB 2729** - Insurance Policy

#### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolution was referred to the Committee indicated:

- SCR 37** - Economic Development

## COMMITTEE REPORTS

### **Committee on Professional Registration and Licensing**, Chairman Ross reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 796**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Brown (27), Carpenter, Franklin, Helms, Mathews, Neely, Ross, Sommer and White

Noes (0)

Absent (3): Grier, McGee and Walker (74)

### **Special Committee on Homeland Security**, Chairman Higdon reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **SS SCS SB 586**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (8): Basye, Francis, Green, Higdon, Kidd, Lichtenegger, Meredith (71) and Roden

Noes (1): McDaniel

Absent (4): Curtis, Curtman, Ellington and Sommer

### **Committee on Rules - Legislative Oversight**, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HR 5612**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Bondon, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HCR 86**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Bondon, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (2): Butler and Curtis

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HJR 100**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Bondon, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Rhoads, Rone, Shull (16) and Shumake

Noes (2): Lavender and Wessels

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SCS SB 953**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as SCS SB 953** by the following vote:

Ayes (13): Bondon, Curtis, Eggleston, Fitzwater, Gregory, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (1): Butler

## COMMUNICATIONS

May 3, 2018

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
Missouri State Capitol, Room 317A  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

It has come to my attention that in the Journal of the House for Wednesday, May 2, 2018, on page 2314, Representative Clem Smith is listed as voting "no" on the third reading of HCS SS SCS SBs 894 & 921.

Since Representative Clem Smith was absent with leave from the House, and participated in no other votes on May 2 before or after the vote on HCS SS SCS SBs 894 & 921, I believe Representative Smith's vote on this bill was registered in error. Please take whatever corrective steps you deem appropriate.

Sincerely,

/s/ Gail McCann Beatty  
Minority Floor Leader  
District 26

## ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Tuesday, May 8, 2018.



## COMMITTEE HEARINGS

### CHILDREN AND FAMILIES

Tuesday, May 8, 2018, 5:00 PM or upon afternoon recess (whichever is later), House Hearing Room 7.

Executive session will be held: SS SB 982

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

### CONFERENCE COMMITTEE ON BUDGET

Tuesday, May 8, 2018, 8:30 AM, Senate Lounge.

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

Conference Committee on Budget for SCS HCS HB 2002, SCS HCS HB 2003, SCS HCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, as amended, SCS HCS HB 2007, as amended, SCS HCS HB 2008, SCS HCS HB 2009, SS SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013.

### CONSENT AND HOUSE PROCEDURE

Wednesday, May 9, 2018, 8:00 AM, House Hearing Room 4.

Public hearing will be held: HR 4835, HR 4899, HR 5034, HR 5461, HR 5755, HR 7584

Executive session will be held: HR 4835, HR 4899, HR 5034, HR 5461, HR 5755, HR 7584

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

Removing HR 4853, HR 4880, HR 4904, HR 4987, HR 5132, HR 5204, HR 5324, HR 5422, HR 5868 and HR 6104 because date requested for chamber use has passed.

AMENDED

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, May 8, 2018, 9:00 AM, House Hearing Room 5.

Public hearing will be held: SB 973

Executive session will be held: SB 973

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

### FISCAL REVIEW

Tuesday, May 8, 2018, 9:00 AM, House Hearing Room 4.

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

### FISCAL REVIEW

Wednesday, May 9, 2018, 9:00 AM, House Hearing Room 7.

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

### FISCAL REVIEW

Thursday, May 10, 2018, 9:00 AM, House Hearing Room 6.

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

### FISCAL REVIEW

Friday, May 11, 2018, 9:00 AM, House Hearing Room 7.

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

#### GENERAL LAWS

Tuesday, May 8, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 5.

Public hearing will be held: SB 954, SCS SB 1007

Executive session will be held: SB 954, SCS SB 1007

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

#### LOCAL GOVERNMENT

Wednesday, May 9, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 1.

Public hearing will be held: HB 1513, HCR 97

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

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 9, 2018, 12:30 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 6.

Public hearing will be held: SCS SB 846

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Tuesday, May 8, 2018, 5:40 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 6.

Executive session will be held: HCS SB 796

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Monday, May 14, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 6.

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Tuesday, May 15, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 6.

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, May 16, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 7.

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Thursday, May 17, 2018, 8:30 AM, House Hearing Room 7.

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Friday, May 18, 2018, 8:30 AM, House Hearing Room 6.

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

**RULES - LEGISLATIVE OVERSIGHT**

Wednesday, May 9, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 3.

Executive session will be held: HCS SB 655, HCS SB 773, SB 786, HCS SB 808, HCS SB 884,  
SS SCS SB 907, SB 981, HCS SCS SBs 946 & 947

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

**SPECIAL COMMITTEE ON INNOVATION AND TECHNOLOGY**

Wednesday, May 9, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 4.

Executive session will be held: HB 2634

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

**SUBCOMMITTEE ON CORRECTIONS WORKFORCE ENVIRONMENT AND CONDUCT**

Thursday, May 10, 2018, 9:00 AM, House Hearing Room 1.

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

Testimony from Missouri Department of Corrections Director Anne Precythe.

**UTILITIES**

Wednesday, May 9, 2018, 9:00 AM, House Hearing Room 6.

Public hearing will be held: HB 2596

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

**HOUSE CALENDAR**

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2018

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 61 - Shumake

HCS HJR 100 - Plocher

**HOUSE BILLS FOR PERFECTION - REVISION**

HRB 2 - Shaul (113)

**HOUSE BILLS FOR PERFECTION**

HCS HB 2257 - Redmon

HCS HB 2324 - Korman

HCS HB 2393 - Cookson

HB 2403 - Muntzel

HB 2425 - Alferman

HCS HB 2410 - Bernskoetter

HB 2480 - Rhoads

HCS HB 2580 - Bondon

HB 2681 - Corlew  
HCS HB 2247 - Roeber  
HB 2384 - Barnes (60)  
HB 1662 - Swan  
HCS HB 1857 - Shaul (113)  
HCS HB 1803 - Matthiesen  
HB 1397 - Shaul (113)  
HCS HB 2210 - Christofanelli  
HB 2460 - Vescovo  
HB 1590 - Smith (163)  
HB 2381 - Sommer  
HB 2352 - Fraker  
HB 1728 - Lant  
HB 1378 - Trent  
HCS HB 1424 - Roeber  
HB 1569 - Christofanelli  
HCS HB 1549 - Alferman  
HB 1626 - Morris (140)  
HCS HB 1363 - Kidd  
HB 1290 - Henderson  
HCS HB 1248 - Pike  
HCS HB 2364 - Bondon  
HCS HB 2356 - Haefner  
HB 1906 - Higdon  
HCS HB 2038 - Fraker  
HCS HB 1273 - Kendrick  
HCS HB 1870 - Barnes (60)  
HB 1901 - Cross  
HB 1972 - Wiemann  
HB 1431 - Barnes (28)  
HB 1454 - May  
HB 1795 - Bernskoetter  
HCS HB 2157 - Bahr  
HB 2632 - Dinkins  
HB 2607 - Knight  
HCS HB 2259 - Lichtenegger

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 2234 - Rehder  
HCS HB 1444 - Eggleston  
HCS HB 1722 - Moon  
HB 2211 - Kidd  
HB 2421 - Pfautsch  
HB 2159 - Hurst  
HB 1977 - Redmon

HB 2232 - Ross  
HCS HB 2233 - Ross  
HB 2409 - Fraker  
HCS HB 2295 - Helms  
HB 2334 - Shaul (113)  
HCS HB 2335 - Black  
HCS HB 2180 - Kolkmeier  
HB 2184 - Bondon  
HCS HB 1929 - Corlew  
HB 1837 - Rhoads  
HCS HB 2411 - Pike  
HB 2453 - Austin  
HB 2590 - Gregory  
HB 1811 - Smith (85)  
HCS HB 2397 - Dogan  
HCS HB 1457 - Lauer  
HB 1715 - Phillips  
HB 1470 - Kelley (127)  
HCS HB 1491 - Kelley (127)  
HB 1767 - Arthur  
HB 1966 - Cornejo  
HB 2139 - Morris (140)  
HB 1846 - Cornejo  
HB 1485 - Brown (57)  
HB 2549 - Morse (151)  
HCS HBs 2061 & 2219 - Kidd  
HCS HB 1260 - Schroer  
HB 1742 - Davis

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 55 - Basye  
HCR 87 - Black  
HCS HCR 105 - Fitzwater  
HCR 60 - Morris (140)  
HCS HCR 86 - Moon

**HOUSE COMMITTEE BILLS FOR THIRD READING**

HCB 15, (Fiscal Review 4/25/18), E.C. - Frederick

**HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS#2 HB 1802 - Miller  
HCS HB 1577, (Fiscal Review 5/3/18) - Wiemann

**SENATE BILLS FOR THIRD READING**

SCS SB 787 - Morris (140)  
SS SB 666 - Schroer  
SB 919 - Reiboldt  
SS SCS SB 752 - Ross  
HCS SB 871 - Trent  
SS SCS SB 652 - Engler

**SENATE BILLS FOR THIRD READING - INFORMAL**

SB 625 - Miller  
HCS SS SCS SB 547 - Curtman  
HCS SB 743 - Redmon  
SB 757, as amended, with HA 2, pending - Tate  
SCS SB 629 - Miller  
HCS SB 727, with HA 1, pending - Bondon  
HCS SB 681 - Ruth  
SB 649 - Engler  
SS SCS SB 549 - Rehder  
SS#5 SB 564, E.C. - Berry  
HCS SS SCS SBs 603, 576 & 898 - Bahr  
HCS SB 695 - Swan  
HCS SS SCS SB 843, E.C. - Ross  
SB 819 - Neely  
HCS SS SB 881 - Davis  
SB 626 - Kidd  
SB 708 - Fitzpatrick  
HCS SCS SB 769 - Fraker  
SS#2 SCS SB 590, E.C. - Rehder  
HCS SCS SBs 807 & 577 - Lichtenegger  
HCS SS SCS SB 918 - Houghton  
SCS SBs 999 & 1000 - Justus  
HCS SB 800 - Corlew  
SS SCS SB 568 - Fraker  
HCS SS SB 597 - Wiemann  
SS SB 882 - Bernskoetter  
HCS SCS SB 598 - Korman

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 43 - Black

**HOUSE BILLS WITH SENATE AMENDMENTS**

SCS HB 1797, as amended - Fitzwater  
SS HB 1953 - Neely

**BILLS IN CONFERENCE**

HCS SB 569, as amended - Fraker  
SCS HCS HB 2002 - Fitzpatrick  
SCS HCS HB 2003 - Fitzpatrick  
SCS HCS HB 2004 - Fitzpatrick  
SCS HCS HB 2005 - Fitzpatrick  
SCS HCS HB 2006, as amended - Fitzpatrick  
SCS HCS HB 2007, as amended - Fitzpatrick  
SCS HCS HB 2008 - Fitzpatrick  
SCS HCS HB 2009 - Fitzpatrick  
SS SCS HCS HB 2010 - Fitzpatrick  
SCS HCS HB 2011 - Fitzpatrick  
SCS HCS HB 2012 - Fitzpatrick  
SCS HCS HB 2013 - Fitzpatrick  
HCS SS SB 608 - Rhoads  
HCS SS SCS SB 826, as amended, E.C. - Ross  
SS SCS HCS HB 1879, as amended - Fraker  
HCS SS SB 870, as amended - Alferman  
HCS SS SCS SB 707, as amended - Engler  
HCS SS SCS SB 775, as amended - Fitzpatrick  
SCS SB 892, with HA 1, HA 2, HA 3, HA 4 & HA 5 - Walker (3)

**HOUSE RESOLUTIONS**

HR 4878 - Shaul (113)  
HR 5237 - Fraker  
HR 5612 - Justus

**ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 1 - Fitzpatrick  
CCS SCS HCS HB 2 - Fitzpatrick  
CCS SCS HCS HB 3 - Fitzpatrick  
CCS SCS HCS HB 4 - Fitzpatrick  
CCS SCS HCS HB 5 - Fitzpatrick  
CCS SCS HCS HB 6 - Fitzpatrick  
CCS SCS HCS HB 7 - Fitzpatrick  
CCS SCS HCS HB 8 - Fitzpatrick  
CCS SCS HCS HB 9 - Fitzpatrick  
CCS SCS HCS HB 10 - Fitzpatrick  
CCS SCS HCS HB 11 - Fitzpatrick  
CCS SCS HCS HB 12 - Fitzpatrick  
SCS HCS HB 13 - Fitzpatrick  
CCS SCS HCS HB 17 - Fitzpatrick  
SCS HCS HB 18 - Fitzpatrick

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