

JOURNAL OF THE HOUSE

FIRST EXTRAORDINARY SESSION OF THE FIRST REGULAR SESSION
100th GENERAL ASSEMBLY

THIRD DAY, WEDNESDAY, SEPTEMBER 11, 2019

The House met pursuant to adjournment.

Speaker Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

The Lord is my light and my salvation; whom shall I fear? (Psalm 27:1)

Eternal God, facing responsibilities that are above us like storm clouds and beyond our power to meet adequately, we humbly bow in Your presence, praying for the strengthening uplift of Your Holy Spirit. In quiet confidence we come with humble and contrite hearts.

As we face the tasks of this long day, help us to be conscious of Your presence and eager to do Your will and to work for the common good of our citizens.

On this September 11th we pray for those in our Armed Forces who are fighting for freedom and sacrificing their lives that the spirit of liberty may be kept alive in our world and in our great state. On this Patriot Day, give us a steadiness of purpose, a devotion to duty, and a determination to complete the legislative work we are called upon to do in the People's House. May God bless America!

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as printed by the following vote:

AYES: 133

Anderson	Andrews	Appelbaum	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Black 137
Black 7	Bondon	Bromley	Brown 27	Brown 70
Burnett	Burns	Busick	Butz	Carter
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurst	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeyer	Lavender	Lovasco	Love	Lynch
Mayhew	McCreery	McGaugh	McGirl	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Murphy	Neely	O'Donnell

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Patterson	Pfautsch	Pike	Plocher	Pogue
Polliitt 52	Pollock 123	Porter	Price	Proudie
Quade	Razer	Reedy	Rehder	Toalson Reisch
Remole	Richey	Riggs	Roberts 161	Rogers
Rone	Ross	Rowland	Runions	Ruth
Sauls	Schnelting	Schroer	Sharpe	Shaul 113
Shields	Shull 16	Simmons	Smith	Solon
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Tate	Taylor	Trent	Unsicker	Veit
Vescovo	Walsh	Washington	Wiemann	Wilson
Wood	Wright	Mr. Speaker		

NOES: 001

Moon

PRESENT: 010

Beck	Bland Manlove	Bosley	Gray	Green
Ingle	Mackey	Merideth	Pierson Jr.	Sain

ABSENT WITH LEAVE: 012

Allred	Billington	Carpenter	Chappelle-Nadal	Gregory
McDaniel	Pietzman	Roberts 77	Roden	Shawan
Swan	Windham			

VACANCIES: 007

The Journal of the second day was approved as printed.

There was a moment of silence in memory of Representative Rebecca Roeber.

HOUSE RESOLUTIONS

Representative Vescovo offered **HR 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the One Hundredth General Assembly, First Regular Session, inform the Senate that the House duly convened in the First Extraordinary Session of the First Regular Session on Monday, September 9, 2019, and is convened in full session and ready for consideration of its business.

On motion of Representative Vescovo, **HR 1** was adopted.

Representative Schnelting offered House Resolution No. 2.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 29, introduced by Representative Rowland, relating to the offense of unlawful use of weapons, with penalty provisions.

HB 30, introduced by Representative Mackey, relating to tax payments on certain items.

HB 31, introduced by Representative Mackey, relating to customer access to restrooms, with a penalty provision.

HB 32, introduced by Representative Sain, relating to the joint committee to investigate MO HealthNet.

HB 33, introduced by Representative Rowland, relating to property tax assessments.

HB 34, introduced by Representative Rowland, relating to property tax assessments.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolution was read the second time:

HCR 1, relating to the Firearm Owners Protection Act.

SECOND READING OF HOUSE BILLS

The following House Bills were read the second time:

HB 12, relating to sales and use tax.

HB 13, relating to unlawful possession of firearms, with penalty provisions and an emergency clause.

HB 14, relating to concealed firearms, with penalty provisions.

HB 15, relating to sales tax on trade-in purchases.

HB 16, to authorize the conveyance of certain state property.

HB 17, relating to sales tax on trade-in purchases.

HB 18, relating to the sale of firearms.

HB 19, relating to extreme risk protection orders, with penalty provisions.

HB 20, relating to firearms, with penalty provisions.

HB 21, relating to a reporting requirement for lost or stolen firearms, with penalty provisions.

HB 22, relating to the community police tax credit.

HB 23, relating to the sale and transfer of firearms, with penalty provisions.

HB 24, relating to the manufacture, import, possession, purchase, sale, or transfer of any assault weapon or large capacity magazine, with a penalty provision.

HB 25, relating to high capacity magazines, with penalty provisions.

HB 26, relating to high capacity magazines, with penalty provisions.

HB 27, relating to delinquent motor vehicle liabilities.

HB 28, relating to firearms, with penalty provisions.

MOTION

Representative Vescovo moved that Rule 44 be suspended.

Which motion was adopted by the following vote:

AYES: 105

Allred	Anderson	Andrews	Bailey	Baker
Barnes	Basye	Black 137	Black 7	Bondon
Bromley	Busick	Chipman	Christofanelli	Coleman 32
Coleman 97	Deaton	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Eslinger	Evans	Falkner III
Fishel	Fitzwater	Francis	Gannon	Grier
Griesheimer	Griffith	Haden	Haffner	Hannegan
Hansen	Helms	Henderson	Hicks	Houx
Hovis	Hudson	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Lovasco	Love
Lynch	Mayhew	McCreery	McGaugh	McGill
Messenger	Miller	Morris 140	Morse 151	Muntzel
Murphy	Neely	O'Donnell	Patterson	Pfautsch
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Reedy	Rehder	Toalson Reisch	Remole	Richey
Riggs	Roberts 161	Rone	Ross	Ruth
Schnelting	Schroer	Sharpe	Shaul 113	Shawan
Shields	Shull 16	Simmons	Smith	Solon
Sommer	Spencer	Stacy	Stephens 128	Tate
Taylor	Trent	Veit	Vescovo	Walsh
Wiemann	Wilson	Wood	Wright	Mr. Speaker

NOES: 035

Appelbaum	Bangert	Baringer	Beck	Bland Manlove
Bosley	Brown 27	Brown 70	Burnett	Burns
Butz	Clemens	Gray	Green	Hurst
Ingle	Lavender	Mackey	Mitten	Moon
Morgan	Mosley	Pierson Jr.	Pogue	Price
Quade	Razer	Rogers	Rowland	Runions
Sain	Sauls	Stevens 46	Unsicker	Washington

PRESENT: 006

Carpenter	Carter	Kendrick	Merideth	Proudie
Roden				

ABSENT WITH LEAVE: 010

Billington	Chappelle-Nadal	Ellebracht	Gregory	Hill
McDaniel	Pietzman	Roberts 77	Swan	Windham

VACANCIES: 007

PERFECTION OF HOUSE BILLS

HB 1, relating to sales and use tax allowances for certain items, was taken up by Representative Ruth.

On motion of Representative Ruth, the title of **HB 1** was agreed to.

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

House Amendment No. 1

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

"137.180. 1. Whenever any assessor shall increase the valuation of any real property he **or she** shall forthwith notify the record owner of **both the amount and the percent** of such increase, either in person[;] or by mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization ~~[whereat]~~ **where** the landowner shall be entitled to be heard, and the notice to the landowner shall so state.

2. Effective January 1, 2009, for all counties with a charter form of government, other than any county adopting a charter form of government after January 1, 2008, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of **both the amount and the percent** of such increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase, **both as a dollar amount and as the percentage by which the tax liability is projected to increase**, either in person[;] or by mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization ~~[whereat]~~ **where** the landowner shall be entitled to be heard, and the notice to the landowner shall so state. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

3. For all calendar years prior to the first day of January of the year following receipt of software necessary for the implementation of the requirements provided under subsections 4 and 5 of this section from the state tax commission, for any county not subject to the provisions of subsection 2 of this section or subsection 2 of section 137.355, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of the previous assessed value and **both the amount and the percent of** such increase either in person[;] or by mail directed to the last known address, and include in such notice a statement **of the projected tax liability likely to result from such an increase, both as a dollar amount and as the percentage by which the tax liability is projected to increase**, ~~[indicating that the change in assessed value may impact the record owner's tax liability]~~ and provide all processes and deadlines for appealing determinations of the assessed value of such property. Such notice shall be provided in a font and format sufficient to alert a record owner of the ~~[potential]~~ **projected** impact upon tax liability and the appellate processes available.

4. Effective January first of the year following receipt of software necessary for the implementation of the requirements provided under this subsection and subsection 5 of this section from the state tax commission, for all counties not subject to the provisions of subsection 2 of this section or subsection 2 of section 137.355, whenever any assessor shall increase the valuation of any real property, he or she shall forthwith notify the record owner on or before June fifteenth of **both the amount and the percent** of such increase and, in a year of general reassessment, the county shall notify the record owner of the projected tax liability likely to result from such an increase, **both as a dollar amount and as the percentage by which the tax liability is projected to increase**, either in person[;] or by

mail directed to the last known address; every such increase in assessed valuation made by the assessor shall be subject to review by the county board of equalization ~~[whereat]~~ **where** the landowner shall be entitled to be heard, and the notice to the landowner shall so state. Notice of the projected tax liability from the county shall accompany the notice of increased valuation from the assessor.

5. The notice of projected tax liability, required under subsections 2 and 4 of this section, from the county shall include:

- (1) The record owner's name, address, and the parcel number of the property;
- (2) A list of all political subdivisions levying a tax upon the property of the record owner;
- (3) The projected tax rate for each political subdivision levying a tax upon the property of the record owner, and the purpose for each levy of such political subdivisions;
- (4) The previous year's tax rates for each individual tax levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (5) The tax rate ceiling for each levy imposed by each political subdivision levying a tax upon the property of the record owner;
- (6) The contact information for each political subdivision levying a tax upon the property of the record owner;
- (7) A statement identifying any projected tax rates for political subdivisions levying a tax upon the property of the record owner, which were not calculated and provided by the political subdivision levying the tax; ~~[and]~~
- (8) The total projected property tax liability of the taxpayer;
- (9) A calculation of the dollar amount by which the property tax liability of the taxpayer is projected to increase from the previous tax year as a result of any increases in property valuation; and**
- (10) A calculation of the percentage by which the tax liability of the taxpayer is projected to increase from the previous tax year as a result of any increases in property valuation.**

6. In addition to the requirements provided under subsections 1, 2, and 5 of this section, effective January 1, 2011, in any county with a charter form of government and with more than one million inhabitants, whenever any assessor shall notify a record owner of any change in assessed value, such assessor shall provide notice that information regarding the assessment method and computation of value for such property is available on the assessor's website and provide the exact website address at which such information may be accessed. Such notification shall provide the assessor's contact information to enable taxpayers without internet access to request and receive information regarding the assessment method and computation of value for such property.

137.275. **1. ~~Every~~ Any person who ~~[thinks himself]~~ feels aggrieved by the assessment of his or her property may appeal to the county board of equalization, in person, by attorney or agent, or in writing. Such appeals shall be lodged with the county board of equalization on or before the second Monday in July.**

2. (1) Notwithstanding any provision of law to the contrary, whenever a county board of equalization receives an appeal as described under subsection 1 of this section that challenges an assessment of property that would increase the tax liability on such property by twenty-seven and one-half percent or more, such county board of equalization shall send a notice of the appeal to any mortgage holder on such property who receives escrow payments for such property.

(2) No mortgage holder, upon receiving such a notice, shall increase the amount of any escrow payments collected for property tax on any property referenced by the notice until the county board of equalization renders a final decision with respect to the appeal referenced by the notice. The county board of equalization shall promptly notify such a mortgage holder once a final decision has been rendered."; and

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

House Amendment No. 1 was withdrawn.

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

House Amendment No. 2

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

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the City of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this

section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method, or a computer program, the burden of proof, supported by clear, convincing, and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method, or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (5) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(a) For real property in subclass (1), nineteen percent;

(b) For real property in subclass (2), twelve percent; and

(c) For real property in subclass (3), thirty-two percent.

(2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property is changed after such property is assessed under the provisions of this chapter. If the assessor determines that such property shall be reclassified, he or she shall determine the assessment under this subsection based on the percentage of the tax year that such property was classified in each subclassification.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community, or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements

to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government **and** with more than ~~one million~~ **nine hundred fifty thousand** inhabitants **and in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.**

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 ~~[as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session]~~, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 ~~[as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session]~~, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 ~~[as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session]~~, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

17. Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444.

138.060. 1. The county board of equalization shall, in a summary way, determine all appeals from the valuation of property made by the assessor, and shall correct and adjust the assessment accordingly. There shall be no presumption that the assessor's valuation is correct. In any county with a charter form of government ~~[with a population greater than two hundred eighty thousand inhabitants but less than two hundred eighty five thousand]~~ **and with more than three hundred thousand but fewer than four hundred fifty thousand** inhabitants, ~~[and in]~~ any county with a charter form of government with ~~[greater than one million]~~ **greater than nine hundred fifty**

thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and [in] any city not within a county, the assessor shall have the burden to prove that the assessor's valuation does not exceed the true market value of the subject property. In such county or city, in the event a physical inspection of the subject property is required by subsection 10 of section 137.115, the assessor shall have the burden to establish the manner in which the physical inspection was performed and shall have the burden to prove that the physical inspection was performed in accordance with section 137.115. In such county or city, in the event the assessor fails to provide sufficient evidence to establish that the physical inspection was performed in accordance with section 137.115, the property owner shall prevail on the appeal as a matter of law. At any hearing before the state tax commission or a court of competent jurisdiction of an appeal of assessment from a first class charter county or a city not within a county, the assessor shall not advocate nor present evidence advocating a valuation higher than that value finally determined by the assessor or the value determined by the board of equalization, whichever is higher, for that assessment period.

2. The county clerk shall keep an accurate record of the proceedings and orders of the board, and the assessor shall correct all erroneous assessments, and the clerk shall adjust the tax book according to the orders of such board and the orders of the state tax commission, except that in adding or deducting such percent to each tract or parcel of real estate as required by such board or state tax commission, he shall add or deduct in each case any fractional sum of less than fifty cents, so that the value of any separate tract shall contain no fractions of a dollar."; and

Further amend said bill, Page 2, Section 144.025, Line 40, by inserting after said section and line the following:

"Section B. Because immediate action is necessary to address property tax assessment challenges in certain parts of this state, the repeal and reenactment of section 138.060 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 138.060 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Bailey raised a point of order that **House Amendment No. 2** was not timely distributed.

The Chair ruled the point of order well taken.

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

House Amendment No. 3

AMEND House Bill No. 1, Page 2, Section 144.025, Line 40, by inserting after said line the following:

"6. The provisions of subsections 1 and 5 of this section may be utilized only by persons who qualify for MO HealthNet, Temporary Assistance for Needy Families, food stamps, and by persons who live in zip codes where there has been at least one occurrence of a person taking the life of another person using a firearm within the previous twelve months."; and

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

Representative Schroer raised a point of order that **House Amendment No. 3** is not germane.

The Chair ruled the point of order well taken.

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

House Amendment No. 4

AMEND House Bill No. 1, Page 2, Section 144.025, Line 40, by inserting after said line the following:

"6. The provisions of subsection 1 of this section may be utilized only by individuals or businesses with less than twelve employees."; and

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

Representative Clemens moved that **House Amendment No. 4** be adopted.

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

AYES: 037

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Burnett	Burns
Butz	Carpenter	Carter	Clemens	Gray
Green	Ingle	Kendrick	Lavender	Mackey
McCreery	Merideth	Mitten	Morgan	Mosley
Pierson Jr.	Price	Quade	Razer	Rogers
Rowland	Runions	Sain	Sauls	Stevens 46
Unsicker	Washington			

NOES: 107

Allred	Anderson	Andrews	Bailey	Baker
Basye	Black 137	Black 7	Bondon	Bromley
Busick	Christofanelli	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Eslinger	Evans	Falkner III	Fishel	Fitzwater
Francis	Gannon	Grier	Griesheimer	Griffith
Haden	Haffner	Hannegan	Hansen	Helms
Henderson	Hicks	Hill	Houx	Hovis
Hudson	Hurst	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Lovasco	Love
Lynch	Mayhew	McDaniel	McGaugh	McGill
Messenger	Miller	Moon	Morris 140	Morse 151
Muntzel	Murphy	Neely	O'Donnell	Patterson
Pfautsch	Pike	Pogue	Pollitt 52	Pollock 123
Porter	Reedy	Rehder	Toalson Reisch	Remole
Richey	Riggs	Roberts 161	Roden	Rone
Ross	Ruth	Schnelting	Schroer	Sharpe
Shaul 113	Shawan	Shields	Shull 16	Simmons
Smith	Solon	Sommer	Spencer	Stacy
Stephens 128	Tate	Taylor	Trent	Veit
Vescovo	Walsh	Wiemann	Wilson	Wood
Wright	Mr. Speaker			

PRESENT: 003

Brown 70	Ellebracht	Proudie
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ABSENT WITH LEAVE: 009

Billington	Chappelle-Nadal	Chipman	Gregory	Pietzman
Plocher	Roberts 77	Swan	Windham	

VACANCIES: 007

Representative Roden offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 1, Page 1, Section 144.025, Line 6, by inserting after the word "exceeds" the word "**twice**"; and

Further amend said bill, page, and section, Line 12, by inserting after the word "Where" the word "**twice**"; and

Further amend said bill, page, and section, Line 14, by deleting the words "there shall be no sales or use tax owed" and inserting in lieu thereof the words "~~there shall be no sales or use tax owed~~ **the department of revenue shall reimburse the purchaser the tax liability difference**"; and

Further amend said bill and section, Page 2, Line 17, by deleting the words "within one hundred eighty days" and inserting in lieu thereof the words "~~within one hundred eighty days~~"; and

Further amend said bill, page, and section, Lines 21-27, by deleting all of said lines and inserting in lieu thereof the words:

"licensing. A copy of the bill of sale shall be left with the licensing office. ~~[Where the subsequent motor vehicle, trailer, boat, or outboard motor is titled more than one hundred eighty days after the sale of the original motor vehicle, trailer, boat, or outboard motor, the allowance pursuant to this section shall be made if the person titling such article establishes that the purchase or contract to purchase was finalized prior to the expiration of the one hundred eighty day period.]~~"; and

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

House Amendment No. 5 was withdrawn.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allred	Anderson	Andrews	Bailey	Baker
Basye	Black 137	Black 7	Bondon	Bromley
Busick	Christofanelli	Coleman 32	Coleman 97	Deaton
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Evans	Falkner III	Fishel	Fitzwater	Francis
Gannon	Grier	Griesheimer	Griffith	Haden
Haffner	Hannegan	Hansen	Helms	Henderson
Hill	Houx	Hovis	Hudson	Hurst
Justus	Kelley 127	Kelly 141	Kidd	Knight
Kolkmeyer	Lovasco	Love	Lynch	Mayhew
McDaniel	McGaugh	McGirl	Messenger	Miller
Moon	Morris 140	Morse 151	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pike

Pogue	Pollitt 52	Pollock 123	Porter	Reedy
Rehder	Remole	Richey	Riggs	Roberts 161
Roden	Rone	Ross	Ruth	Schnelting
Schroer	Sharpe	Shaul 113	Shawan	Shields
Shull 16	Simmons	Smith	Solon	Sommer
Spencer	Stacy	Stephens 128	Tate	Taylor
Trent	Veit	Vescovo	Walsh	Wiemann
Wilson	Wood	Wright	Mr. Speaker	

NOES: 039

Appelbaum	Bangert	Baringer	Barnes	Beck
Bland Manlove	Bosley	Brown 27	Brown 70	Burnett
Burns	Butz	Carpenter	Carter	Clemens
Ellebracht	Gray	Green	Ingle	Kendrick
Mackey	McCreery	Merideth	Mitten	Morgan
Mosley	Pierson Jr.	Price	Quade	Razer
Rogers	Rowland	Runions	Sain	Sauls
Stevens 46	Unsicker	Washington	Windham	

PRESENT: 000

ABSENT WITH LEAVE: 013

Billington	Chappelle-Nadal	Chipman	Eslinger	Gregory
Hicks	Lavender	Pietzman	Plocher	Proudie
Toalson Reisch	Roberts 77	Swan		

VACANCIES: 007

On motion of Representative Ruth, **HB 1** was ordered perfected and printed.

RECESS

On motion of Representative Vescovo, the House recessed until 1:30 p.m.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

HB 1 - Fiscal Review

SUPPLEMENTAL CALENDAR

THIRD DAY, WEDNESDAY, SEPTEMBER 11, 2019

HOUSE BILLS FOR THIRD READING

HB 1, (Fiscal Review 9/11/19) - Ruth

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Anderson, Houx, Walsh, Wiemann and Wood

Noes (3): Baringer, Burnett and Morgan

Absent (2): Deaton and Gregory

AFTERNOON SESSION

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 034

Baringer	Basye	Black 137	Black 7	Bondon
Brown 27	Burns	Busick	Butz	DeGroot
Eslinger	Francis	Haden	Haffner	Hurst
Justus	Kelley 127	Kelly 141	Lovasco	McDaniel
McGill	Morris 140	Morse 151	Patterson	Pogue
Reedy	Toalson Reisch	Remole	Riggs	Roberts 161
Shields	Taylor	Veit	Walsh	

NOES: 000

PRESENT: 070

Anderson	Andrews	Appelbaum	Baker	Barnes
Bromley	Burnett	Carter	Christofanelli	Coleman 97
Deaton	Dinkins	Dogan	Dohrman	Eggleston
Evans	Falkner III	Fishel	Fitzwater	Grier
Griesheimer	Griffith	Helms	Henderson	Hicks
Houx	Hovis	Hudson	Kendrick	Knight
Love	Lynch	Mayhew	McGaugh	Messenger
Miller	Mitten	Murphy	O'Donnell	Pfautsch
Pike	Plocher	Pollitt 52	Porter	Quade
Razer	Richey	Roden	Rogers	Ross
Runions	Ruth	Sain	Sharpe	Shaul 113
Shawan	Shull 16	Smith	Solon	Sommer
Stacy	Stephens 128	Tate	Trent	Vescovo
Wiemann	Wilson	Wood	Wright	Mr. Speaker

ABSENT WITH LEAVE: 052

Allred	Bailey	Bangert	Beck	Billington
Bland Manlove	Bosley	Brown 70	Carpenter	Chappelle-Nadal
Chipman	Clemens	Coleman 32	Ellebracht	Gannon

Gray	Green	Gregory	Hannegan	Hansen
Hill	Ingle	Kidd	Kolkmeyer	Lavender
Mackey	McCreery	Merideth	Moon	Morgan
Mosley	Muntzel	Neely	Pierson Jr.	Pietzman
Pollock 123	Price	Proudie	Rehder	Roberts 77
Rone	Rowland	Sauls	Schnelting	Schroer
Simmons	Spencer	Stevens 46	Swan	Unsicker
Washington	Windham			

VACANCIES: 007

THIRD READING OF HOUSE BILLS

HB 1, relating to sales and use tax allowances for certain items, was taken up by Representative Ruth.

On motion of Representative Ruth, **HB 1** was read the third time and passed by the following vote:

AYES: 126

Allred	Anderson	Andrews	Bailey	Baker
Bangert	Baringer	Barnes	Basye	Beck
Billington	Black 137	Black 7	Bondon	Bromley
Brown 27	Brown 70	Burns	Busick	Butz
Carter	Chipman	Christofanelli	Coleman 32	Coleman 97
Deaton	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Eslinger	Evans	Fishel
Fitzwater	Francis	Gannon	Grier	Griesheimer
Griffith	Haden	Haffner	Hannegan	Hansen
Helms	Henderson	Hicks	Houx	Hovis
Hudson	Hurst	Ingle	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeyer
Lovasco	Love	Lynch	Mayhew	McCreery
McGaugh	McGirl	Messenger	Miller	Moon
Morris 140	Morse 151	Mosley	Muntzel	Murphy
Neely	O'Donnell	Patterson	Pfautsch	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Reedy
Rehder	Toalson Reisch	Remole	Richey	Riggs
Roberts 161	Rogers	Rone	Ross	Rowland
Ruth	Sain	Sauls	Schnelting	Schroer
Sharpe	Shaul 113	Shawan	Shields	Shull 16
Simmons	Smith	Solon	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Tate	Taylor
Trent	Veit	Vescovo	Walsh	Washington
Wiemann	Wilson	Windham	Wood	Wright
Mr. Speaker				

NOES: 021

Appelbaum	Bland Manlove	Bosley	Burnett	Carpenter
Clemens	Gray	Green	Lavender	Mackey
McDaniel	Merideth	Mitten	Morgan	Pierson Jr.
Pogue	Price	Quade	Razer	Runions
Unsicker				

PRESENT: 002

Falkner III Roden

ABSENT WITH LEAVE: 007

Chappelle-Nadal Gregory Hill Pietzman Proudie
Roberts 77 Swan

VACANCIES: 007

Speaker Haahr declared the bill passed.

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 11:00 a.m., Monday, September 16, 2019.

COMMITTEE HEARINGS

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - PERSONNEL SUBCOMMITTEE

Wednesday, September 18, 2019, 9:00 AM, 324 - Pershing Conference Room.

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

Personnel issues.

This meeting will be closed pursuant to Section 610.021 (3).

TASK FORCE ON WIND ENERGY

Thursday, September 12, 2019, 2:00 PM or upon adjournment, Senate Committee Room 1.

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

Organizational meeting.

HOUSE CALENDAR

FOURTH DAY, MONDAY, SEPTEMBER 16, 2019

HOUSE BILLS FOR SECOND READING

HB 29 through HB 34