

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 124
99TH GENERAL ASSEMBLY

0554H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 1.100, 50.1190, 52.290, 67.547, 94.900, 94.902, 108.170, 137.280, 137.345, 140.100, 173.260, 190.103, 190.142, 190.144, 190.165, 287.243, 301.010, 301.062, 321.242, 321.246, 451.090, 479.020, and 479.353, RSMo, and to enact in lieu thereof twenty-six new sections relating to political subdivisions, with a delayed effective date for certain sections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 1.100, 50.1190, 52.290, 67.547, 94.900, 94.902, 108.170, 137.280, 137.345, 140.100, 173.260, 190.103, 190.142, 190.144, 190.165, 287.243, 301.010, 301.062, 321.242, 321.246, 451.090, 479.020, and 479.353, RSMo, are repealed and twenty-six new sections enacted in lieu thereof, to be known as sections 1.100, 50.1190, 52.290, 67.142, 67.547, 94.900, 94.902, 94.903, 108.170, 137.280, 137.345, 140.100, 173.260, 190.103, 190.142, 190.144, 190.165, 287.243, 301.010, 301.062, 321.242, 321.246, 451.090, 479.020, 479.353, and 479.354, to read as follows:

1.100. 1. The population of any political subdivision of the state for the purpose of representation or other matters including the ascertainment of the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants is determined on the basis of the last previous decennial census of the United States. For the purposes of this section the effective date of the 1960 decennial census of the United States is July 1, 1961, and the effective date of each succeeding decennial census of the United States is July first of each tenth year after 1961; except that for the purposes of ascertaining the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants the effective date of the 1960

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 decennial census of the United States is January 1, 1961, and the effective date of each
11 succeeding decennial census is January first of each tenth year after 1961.

12 2. Any law which is limited in its operation to counties, cities or other political
13 subdivisions having a specified population or a specified assessed valuation shall be deemed to
14 include all counties, cities or political subdivisions which thereafter acquire such population or
15 assessed valuation as well as those in that category at the time the law passed. Once a city ~~[not~~
16 ~~located in a]~~ , county, **or political subdivision** has come under the operation of such a law a
17 subsequent ~~[loss of]~~ **change in** population shall not remove that city, **county, or political**
18 **subdivision** from the operation of that law **regardless of whether the city, county, or political**
19 **subdivision comes under the operation of the law after the law was passed.** No person
20 whose compensation is set by a statutory formula, which is based in part on a population factor,
21 shall have his compensation reduced due solely to an increase in the population factor.

50.1190. In addition to the fees collected under chapter 59, **the county recorder of**
2 **deeds shall collect one additional dollar on the recording of any instrument specified in**
3 **subdivisions (1) and (2) of subsection 1 of section 59.330, which shall be deposited to the**
4 **statutory county recorders fund established in subsection 2 of section 59.800. Additionally,**
5 the county recorder of deeds in all counties, except in counties of the first classification having
6 a charter form of government and any city not within a county, shall collect a ~~[six-dollar]~~ **nine-**
7 **dollar** fee on all documents recorded or filed. The recorder shall transfer monthly all such fees
8 and interest to the county treasurer. The treasurer shall forthwith transmit such fees and interest
9 to the board for deposit in the county employees' retirement fund.

52.290. 1. In all counties except counties having a charter form of government before
2 January 1, 2008, and any city not within a county, the collector shall collect on behalf of the
3 county a fee for the collection of delinquent and back taxes of ~~[seven]~~ **nine** percent on all sums
4 collected to be added to the face of the tax bill and collected from the party paying the tax. Two-
5 ~~[sevenths]~~ **ninths** of the fees collected pursuant to the provisions of this section shall be paid into
6 the county general fund, two-~~[sevenths]~~ **ninths** of the fees collected pursuant to the provisions
7 of this section shall be paid into the tax maintenance fund of the county as required by section
8 52.312, and ~~[three-sevenths]~~ **five-ninths** of the fees collected pursuant to the provisions of this
9 section shall be paid into the county employees' retirement fund created by sections 50.1000 to
10 50.1200. Notwithstanding provisions of law to the contrary, an authorization for collection of
11 a fee for the collection of delinquent and back taxes in a county's charter, at a rate different than
12 the rate allowed by law, shall control.

13 2. In all counties having a charter form of government, other than any county adopting
14 a charter form of government after January 1, 2008, and any city not within a county, the
15 collector shall collect on behalf of the county and pay into the county general fund a fee for the

16 collection of delinquent and back taxes of two percent on all sums collected to be added to the
 17 face of the tax bill and collected from the party paying the tax except that in a county with a
 18 charter form of government and with more than two hundred fifty thousand but less than seven
 19 hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the
 20 collection of delinquent and back taxes of three percent on all sums collected to be added to the
 21 face of the tax bill and collected from the party paying the tax. If a county is required by section
 22 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection
 23 shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection
 24 shall be paid into the county general fund.

25 3. Such county collector may accept credit cards as proper form of payment of
 26 outstanding delinquent and back taxes due. No county collector may charge a surcharge for
 27 payment by credit card.

**67.142. 1. Nothing in this chapter shall be construed to limit in any manner the
 2 authority of any village, town, or city, including any home rule city, to prohibit dogs from
 3 running at large or to further control or regulate dogs within its boundaries, provided that
 4 no such ordinance, order, policy, or regulation is specific to breed.**

**5 2. The general assembly hereby occupies and preempts the entire field of legislation
 6 touching in any way the control or regulation of specific breeds of dogs to the complete
 7 exclusion of any order, ordinance, policy, or regulation by any village, town, or city,
 8 including any home rule city, in this state. Any existing or future order, ordinance, policy,
 9 or regulation in this field is or shall be null and void.**

67.547. 1. In addition to the tax authorized by section 67.505, any county **as defined**
 2 **in 67.750** may, by a majority vote of its governing body, impose an additional county sales tax
 3 on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525.
 4 The tax authorized by this section shall be in addition to any and all other sales tax allowed by
 5 law; except that no ordinance or order imposing a sales tax under the provisions of this section
 6 shall be effective unless the governing body of the county submits to the voters of the county,
 7 at a county or state general, primary or special election, a proposal to authorize the governing
 8 body of the county to impose such tax.

9 2. The ballot of submission shall contain, but need not be limited to the following
 10 language:

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

13 YES NO

14

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

17

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

25 3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one
26 percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at
27 retail of all tangible personal property or taxable services at retail within any county adopting
28 such tax, if such property and services are subject to taxation by the state of Missouri under the
29 provisions of sections 144.010 to 144.525. **Beginning August 28, 2017, no county shall**
30 **submit to the voters any proposal that results in a combined rate of sales taxes adopted**
31 **under this section in excess of one percent.**

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

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

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

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

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

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

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

7 **(b) Any city of the third classification with more than five thousand but fewer than**
8 **six thousand inhabitants and located in any county of the third classification without a**
9 **township form of government and with more than fourteen thousand but fewer than**
10 **sixteen thousand inhabitants;**

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

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

17 **(d) Any city of the fourth classification with more than four thousand five hundred**
18 **but fewer than five thousand inhabitants;**

19 (e) Any city of the fourth classification with more than thirteen thousand five
20 hundred but fewer than sixteen thousand inhabitants;

21 (f) Any city of the fourth classification with more than seven thousand but fewer
22 than eight thousand inhabitants;

23 (g) Any home rule city with more than forty-eight thousand but fewer than forty-nine
24 thousand inhabitants; or

25 [(e)] (h) Any home rule city with more than seventy-three thousand but fewer than
26 seventy-five thousand inhabitants.

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

37 2. [H] (1) Except as otherwise provided in subdivision (2) of this section, if the
38 proposal submitted involves only authorization to impose the tax authorized by this section, the
39 ballot of submission shall contain, but need not be limited to, the following language:

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

42 YES NO

43

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

46

47 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
48 of the proposal submitted pursuant to this subsection, then the ordinance or order and any
49 amendments thereto shall be in effect on the first day of the second calendar quarter after the
50 director of revenue receives notification of adoption of the local sales tax. If a proposal receives
51 less than the required majority, then the governing body of the city shall have no power to
52 impose the sales tax herein authorized unless and until the governing body of the city shall again
53 have submitted another proposal to authorize the governing body of the city to impose the sales
54 tax authorized by this section and such proposal is approved by the required majority of the

55 qualified voters voting thereon. However, in no event shall a proposal pursuant to this section
56 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant
57 to this section.

58 **(2) For any city described in paragraph (b) of subdivision (1) of subsection 1 of this**
59 **section, if the proposal submitted involves only authorization to impose the tax authorized**
60 **by this section, the ballot of submission shall contain, but need not be limited to, the**
61 **following language:**

62 **Shall the city of (city's name) impose a citywide sales tax**
63 **of (insert amount) for a period of ten years from the date on which the tax is first**
64 **imposed for the purpose of improving the public safety of the city?**

65 YES NO

66

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

69

70 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are in**
71 **favor of the proposal submitted pursuant to this subdivision, then the ordinance or order**
72 **and any amendments thereto shall be in effect on the first day of the second calendar**
73 **quarter after the director of revenue receives notification of adoption of the local sales tax.**
74 **If a proposal receives less than the required majority, then the governing body of the city**
75 **shall have no power to impose the sales tax herein authorized and the authorization is**
76 **repealed.**

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

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

85 5. All sales taxes collected by the director of the department of revenue under this
86 section on behalf of any city, less one percent for cost of collection which shall be deposited in
87 the state's general revenue fund after payment of premiums for surety bonds as provided in
88 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known
89 as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be
90 deemed to be state funds and shall not be commingled with any funds of the state. The

91 provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be
92 transferred and placed to the credit of the general revenue fund. The director of the department
93 of revenue shall keep accurate records of the amount of money in the trust and which was
94 collected in each city imposing a sales tax pursuant to this section, and the records shall be open
95 to the inspection of officers of the city and the public. Not later than the tenth day of each month
96 the director of the department of revenue shall distribute all moneys deposited in the trust fund
97 during the preceding month to the city which levied the tax; such funds shall be deposited with
98 the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall
99 be by an appropriation act to be enacted by the governing body of each such city. Expenditures
100 may be made from the fund for any functions authorized in the ordinance or order adopted by
101 the governing body submitting the tax to the voters.

102 6. The director of the department of revenue may make refunds from the amounts in the
103 trust fund and credited to any city for erroneous payments and overpayments made, and may
104 redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes
105 the tax, the city shall notify the director of the department of revenue of the action at least ninety
106 days prior to the effective date of the repeal and the director of the department of revenue may
107 order retention in the trust fund, for a period of one year, of two percent of the amount collected
108 after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem
109 dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed
110 after the effective date of abolition of the tax in such city, the director of the department of
111 revenue shall remit the balance in the account to the city and close the account of that city. The
112 director of the department of revenue shall notify each city of each instance of any amount
113 refunded or any check redeemed from receipts due the city.

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

94.902. 1. The governing bodies of the following cities may impose a tax as provided
2 in this section:

3 (1) Any city of the third classification with more than twenty-six thousand three hundred
4 but less than twenty-six thousand seven hundred inhabitants;

5 (2) Any city of the fourth classification with more than thirty thousand three hundred but
6 fewer than thirty thousand seven hundred inhabitants;

7 (3) Any city of the fourth classification with more than twenty-four thousand eight
8 hundred but fewer than twenty-five thousand inhabitants;

9 (4) Any special charter city with more than twenty-nine thousand but fewer than thirty-
10 two thousand inhabitants; ~~or~~

11 (5) Any city of the third classification with more than four thousand but fewer than four
12 thousand five hundred inhabitants and located in any county of the first classification with more
13 than two hundred thousand but fewer than two hundred sixty thousand inhabitants; or

14 (6) Any city of the fourth classification with more than nine thousand five hundred
15 but fewer than ten thousand eight hundred inhabitants.

16 2. The governing body of any city listed in subsection 1 of this section may impose, by
17 order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation
18 under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-
19 half of one percent, and shall be imposed solely for the purpose of improving the public safety
20 for such city, including but not limited to expenditures on equipment, city employee salaries and
21 benefits, and facilities for police, fire and emergency medical providers. The tax authorized in
22 this section shall be in addition to all other sales taxes imposed by law, and shall be stated
23 separately from all other charges and taxes. The order or ordinance imposing a sales tax under
24 this section shall not become effective unless the governing body of the city submits to the voters
25 residing within the city, at a county or state general, primary, or special election, a proposal to
26 authorize the governing body of the city to impose a tax under this section.

27 3. (1) Except as otherwise provided in subdivision (2) of this subsection, the ballot
28 of submission for the tax authorized in this section shall be in substantially the following form:

29 Shall the city of (city's name) impose a citywide sales tax at
30 a rate of (insert rate of percent) percent for the purpose of improving the public safety of
31 the city?

32 YES NO

33
34 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
35 to the question, place an "X" in the box opposite "NO".

36
37 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
38 of the proposal, then the ordinance or order and any amendments to the order or ordinance shall
39 become effective on the first day of the second calendar quarter after the director of revenue
40 receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal
41 by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become
42 effective unless the proposal is resubmitted under this section to the qualified voters and such
43 proposal is approved by a majority of the qualified voters voting on the proposal. However, in
44 no event shall a proposal under this section be submitted to the voters sooner than twelve months
45 from the date of the last proposal under this section.

46 **(2) For any city described under subdivision (6) of subsection 1 of this section, the**
47 **ballot of submission for the tax authorized in this section shall be in substantially the**
48 **following form:**

49 **Shall the city of (city's name) impose a citywide sales tax**
50 **at a rate of (insert rate of percent) percent until December 31, 2038, for the purpose**
51 **of improving the public safety of the city?**

52 **YES** **NO**

53

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

56

57 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are in**
58 **favor of the proposal, then the ordinance or order and any amendments to the order or**
59 **ordinance shall become effective on the first day of the second calendar quarter after the**
60 **director of revenue receives notice of the adoption of the sales tax. If a majority of the**
61 **votes cast on the proposal by the qualified voters voting thereon are opposed to the**
62 **proposal, then the tax shall not become effective unless the proposal is resubmitted under**
63 **this section to the qualified voters and such proposal is approved by a majority of the**
64 **qualified voters voting on the proposal. However, in no event shall a proposal under this**
65 **section be submitted to the voters sooner than twelve months from the date of the last**
66 **proposal under this section.**

67 4. Any sales tax imposed under this section shall be administered, collected, enforced,
68 and operated as required in section 32.087. All sales taxes collected by the director of the
69 department of revenue under this section on behalf of any city, less one percent for cost of
70 collection which shall be deposited in the state's general revenue fund after payment of premiums
71 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which
72 is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust
73 Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be
74 commingled with any funds of the state. The provisions of section 33.080 to the contrary
75 notwithstanding, money in this fund shall not be transferred and placed to the credit of the
76 general revenue fund. The director shall keep accurate records of the amount of money in the
77 trust fund and which was collected in each city imposing a sales tax under this section, and the
78 records shall be open to the inspection of officers of the city and the public. Not later than the
79 tenth day of each month the director shall distribute all moneys deposited in the trust fund during
80 the preceding month to the city which levied the tax. Such funds shall be deposited with the city
81 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by

82 an appropriation act to be enacted by the governing body of each such city. Expenditures may
 83 be made from the fund for any functions authorized in the ordinance or order adopted by the
 84 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the
 85 special trust fund shall continue to be used solely for the designated purposes. Any funds in the
 86 special trust fund which are not needed for current expenditures shall be invested in the same
 87 manner as other funds are invested. Any interest and moneys earned on such investments shall
 88 be credited to the fund.

89 5. The director of the department of revenue may authorize the state treasurer to make
 90 refunds from the amounts in the trust fund and credited to any city for erroneous payments and
 91 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
 92 such cities. If any city abolishes the tax, the city shall notify the director of the action at least
 93 ninety days before the effective date of the repeal, and the director may order retention in the
 94 trust fund, for a period of one year, of two percent of the amount collected after receipt of such
 95 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and
 96 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date
 97 of abolition of the tax in such city, the director shall remit the balance in the account to the city
 98 and close the account of that city. The director shall notify each city of each instance of any
 99 amount refunded or any check redeemed from receipts due the city.

100 6. The governing body of any city that has adopted the sales tax authorized in this section
 101 may submit the question of repeal of the tax to the voters on any date available for elections for
 102 the city. The ballot of submission shall be in substantially the following form:

103 Shall (insert the name of the city) repeal the sales tax
 104 imposed at a rate of (insert rate of percent) percent for the purpose of improving the public
 105 safety of the city?

106 YES NO

107

108 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become
 109 effective on December thirty-first of the calendar year in which such repeal was approved. If a
 110 majority of the votes cast on the question by the qualified voters voting thereon are opposed to
 111 the repeal, then the sales tax authorized in this section shall remain effective until the question
 112 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority
 113 of the qualified voters voting on the question.

114 7. Whenever the governing body of any city that has adopted the sales tax authorized in
 115 this section receives a petition, signed by ten percent of the registered voters of the city voting
 116 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this
 117 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If

118 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
119 the repeal, that repeal shall become effective on December thirty-first of the calendar year in
120 which such repeal was approved. If a majority of the votes cast on the question by the qualified
121 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the
122 question is resubmitted under this section to the qualified voters and the repeal is approved by
123 a majority of the qualified voters voting on the question.

124 **8. Any sales tax imposed under this section by a city described under subdivision**
125 **(6) of subsection 1 of this section that is in effect as of December 31, 2038, shall**
126 **automatically expire. No city described under subdivision (6) of subsection 1 of this section**
127 **shall collect a sales tax pursuant to this section after January 1, 2039. Subsection 7 of this**
128 **section shall not apply to a sales tax imposed under this section by a city described under**
129 **subdivision (6) of subsection 1 of this section.**

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

94.903. 1. The governing body of any city of the fourth classification with more
2 **than nine thousand five hundred but fewer than ten thousand eight hundred inhabitants**
3 **may impose, by order or ordinance, a sales tax on all retail sales made in the city that are**
4 **subject to taxation under chapter 144. The tax authorized under this section may be**
5 **imposed in an amount of up to one-half of one percent and shall be imposed solely for the**
6 **purpose of improving the public safety for such city including, but not limited to,**
7 **expenditures on equipment, city public safety employee salaries and benefits, and facilities**
8 **for police, fire, and emergency medical providers. The tax authorized under this section**
9 **shall be in addition to all other sales taxes imposed by law and shall be stated separately**
10 **from all other charges and taxes. The order or ordinance imposing a sales tax under this**
11 **section shall not become effective unless the governing body of the city submits to the**
12 **voters residing within the city, at a county or state general, primary, or special election, a**
13 **proposal to authorize the governing body of the city to impose a tax under this section.**

14 **2. The ballot language for the tax authorized under this section shall be in**
15 **substantially the following form:**

16 **Shall the city of (insert name of city) impose a citywide sales tax at a rate**
17 **of (insert rate) percent for the purpose of improving the public safety of the city?**

18 **YES** **NO**

19

20 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are in**
21 **favor of the proposal, then the order or ordinance and any amendments to the order or**
22 **ordinance shall become effective on the first day of the second calendar quarter after the**

23 director of revenue receives notice of the adoption of the sales tax. If a majority of the
24 votes cast on the proposal by the qualified voters voting thereon are opposed to the
25 proposal, then the tax shall not become effective unless the proposal is resubmitted under
26 this section to the qualified voters and such proposal is approved by a majority of the
27 qualified voters voting on the proposal. However, in no event shall a proposal under this
28 section be resubmitted to the voters sooner than twelve months from the date of the first
29 proposal under this section. If the resubmitted proposal receives less than the required
30 majority, then the governing body of the city shall have no power to impose the sales tax
31 herein authorized and the authorization is repealed.

32 3. Any sales tax imposed under this section shall be administered, collected,
33 enforced, and operated as required under section 32.087. All sales taxes collected by the
34 director of revenue under this section on behalf of any city, less one percent for cost of
35 collection, which shall be deposited in the state's general revenue fund after payment of
36 premiums for surety bonds, as provided in section 32.087, shall be deposited in a special
37 trust fund, which is hereby created in the state treasury, to be known as the "City Public
38 Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be
39 state funds and shall not be commingled with any funds of the state. The provisions of
40 section 33.080 to the contrary notwithstanding, moneys in this fund shall not be transferred
41 and placed to the credit of the general revenue fund. The director shall keep accurate
42 records of the amount of moneys in the trust fund and the amount that was collected in
43 each city imposing a sales tax under this section, and the records shall be open to the
44 inspection of officers of the city and the public. No later than the tenth day of each month,
45 the director shall distribute all moneys deposited in the trust fund during the preceding
46 month to the city which levied the tax. Such funds shall be deposited with the city
47 treasurer of each such city, and all expenditures of funds arising from the trust fund shall
48 be by an appropriation act to be enacted by the governing body of each such city.
49 Expenditures may be made from the fund for any functions authorized in the ordinance
50 or order adopted by the governing body submitting the tax to the voters. If the tax is
51 repealed, all funds remaining in the special trust fund shall continue to be used solely for
52 the designated purposes. Any funds in the special trust fund that are not needed for
53 current expenditures shall be invested in the same manner as other funds are invested.
54 Any interest and moneys earned on such investments shall be credited to the fund.

55 4. The director of revenue may make refunds from the amounts in the trust fund
56 and credited to any city for erroneous payments and overpayments made and may redeem
57 dishonored checks and drafts deposited to the credit of such cities. If any city repeals the
58 tax, the city shall notify the director of the action at least ninety days before the effective

59 date of the repeal, and the director may order retention in the trust fund, for a period of
 60 one year, of two percent of the amount collected after receipt of such notice to cover
 61 possible refunds or overpayment of the tax and to redeem dishonored checks and drafts
 62 deposited to the credit of such accounts. After one year has elapsed after the effective date
 63 of abolition of the tax in such city, the director shall remit the balance in the account to the
 64 city and close the account of that city. The director shall notify each city of each instance
 65 of any amount refunded or any check redeemed from receipts due to the city.

66 5. The governing body of any city that has adopted the sales tax authorized under
 67 this section may submit the question of repeal of the tax to the voters on any date available
 68 for elections for the city. The ballot language shall be in substantially the following form:

69 Shall the city of (insert name of city) repeal the sales tax imposed at a rate
 70 of (insert rate) percent for the purpose of improving the public safety of the city?

71 YES NO

72

73 If a majority of the votes cast on the question by the qualified voters voting thereon are in
 74 favor of repeal, that repeal shall become effective on December thirty-first of the calendar
 75 year in which such repeal was approved. If a majority of the votes cast on the question by
 76 the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized
 77 under this section shall remain effective until the question is resubmitted and approved
 78 under this section.

79 6. The governing body of any city that has adopted the sales tax authorized under
 80 this section shall submit the question of the continuation of the tax to the voters twenty-five
 81 years from the date of its inception and every twenty-five years thereafter on a date
 82 available for elections for the city. The ballot language shall be in substantially the
 83 following form:

84 Shall (insert name of city) continue collecting a sales tax imposed at a rate
 85 of (insert rate) percent for the purpose of providing revenues for the operation of
 86 public safety departments of the city?

87 YES NO

88

89 If a majority of the votes cast on the question by the qualified voters voting thereon are
 90 opposed to continuation, the repeal shall become effective on December thirty-first of the
 91 calendar year in which such continuation failed to be approved. If a majority of the votes
 92 cast on the question by the qualified voters voting thereon are in favor of continuation,
 93 then the sales tax authorized under this section shall remain effective until the question is

94 **resubmitted under this section to the qualified voters and continuation fails to be approved**
95 **by a majority of the qualified voters voting on the question.**

96 **7. Except as modified under this section, all provisions of sections 32.085 and 32.087**
97 **shall apply to the tax imposed under this section.**

108.170. 1. Notwithstanding any other provisions of any law or charter to the contrary,
2 any issue of bonds, notes, or other evidences of indebtedness, including bonds, notes, or other
3 evidences of indebtedness payable solely from revenues derived from any revenue-producing
4 facility, hereafter issued under any law of this state by any county, city, town, village, school
5 district, educational institution, drainage district, levee district, nursing home district, hospital
6 district, library district, road district, fire protection district, water supply district, sewer district,
7 housing authority, land clearance for redevelopment authority, special authority created under
8 section 64.920, authority created pursuant to the provisions of chapter 238, or other municipality,
9 political subdivision or district of this state shall be negotiable, may be issued in bearer form or
10 registered form with or without coupons to evidence interest payable thereon, may be issued in
11 any denomination, and may bear interest at a rate not exceeding ten percent per annum, and may
12 be sold, at any sale, at the best price obtainable, not less than ninety-five percent of the par value
13 thereof, anything in any proceedings heretofore had authorizing such bonds, notes, or other
14 evidence of indebtedness, or in any law of this state or charter provision to the contrary
15 notwithstanding. Such issue of bonds, notes, or other evidence of indebtedness may bear interest
16 at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable
17 notice of such sale, at the best price obtainable, not less than ninety-five percent of the par value
18 thereof; provided, that such bonds, notes, or other evidence of indebtedness may be sold to any
19 agency or corporate or other instrumentality of the state of Missouri or of the federal government
20 at private sale at a rate not exceeding fourteen percent per annum. **Any political subdivision**
21 **that maintains a credit rating by a nationally recognized bond rating agency of A, AA, or**
22 **AAA issuing more than ten million dollars debt in a calendar year shall issue such debt**
23 **through a competitive process unless the political subdivision employs the services of a**
24 **municipal advisor, at which point the political subdivision may use a negotiated or**
25 **competitive process. A municipal advisor shall not be allowed to profit financially or**
26 **otherwise, either directly or indirectly, from the underwriter of a negotiated bond issuance.**

27 2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the sale
28 of bonds, notes, or other evidence of indebtedness issued by the state board of public buildings
29 created under section 8.010, the state board of fund commissioners created under section 33.300,
30 any port authority created under section 68.010, the bi-state metropolitan development district
31 authorized under section 70.370, any special business district created under section 71.790, any
32 county, as defined in section 108.465, exercising the powers granted by sections 108.450 to

33 108.470, the industrial development board created under section 100.265, any planned industrial
34 expansion authority created under section 100.320, the higher education loan authority created
35 under section 173.360, the Missouri housing development commission created under section
36 215.020, the state environmental improvement and energy resources authority created under
37 section 260.010, the agricultural and small business development authority created under section
38 348.020, any industrial development corporation created under section 349.035, or the health and
39 educational facilities authority created under section 360.020 shall, with respect to the sales
40 price, manner of sale and interest rate, be governed by the specific sections applicable to each
41 of these entities.

42 **3. Any person who is engaged as a municipal advisor by a political corporation or**
43 **subdivision with respect to a particular issue of securities shall be independent of the**
44 **underwriter of that issue of securities. For the purposes of this section, "municipal**
45 **advisor" shall mean a person registered as a municipal advisor under the rules of the**
46 **United States Securities and Exchange Commission, and "independent" shall have the**
47 **same meaning as defined by the rules of the United States Securities and Exchange**
48 **Commission. In determining the individuals or entities that may serve as a municipal**
49 **advisor, nothing in this section shall be construed to be more restrictive than the definition**
50 **of a municipal advisor as established by the United States Securities and Exchange**
51 **Commission.**

52 **4.** Notwithstanding other provisions of this section or other law, the sale of bonds, notes
53 or other evidence of indebtedness issued by any housing authority created under section 99.040
54 may be sold at any sale, at the best price obtainable, not less than ninety-five percent of the par
55 value thereof, and may bear interest at a rate not exceeding fourteen percent per annum. The sale
56 shall be a public sale unless the issuing jurisdiction adopts a resolution setting forth clear
57 justification why the sale should be a private sale except that private activity bonds may be sold
58 either at public or private sale.

59 ~~[4.]~~ **5.** Notwithstanding other provisions of this section or law, industrial development
60 revenue bonds may be sold at private sale and bear interest at a rate not exceeding fourteen
61 percent per annum at the best price obtainable, not less than ninety-five percent of the par value
62 thereof.

63 ~~[5.]~~ **6.** Notwithstanding other provisions in subsection 1 of this section to the contrary,
64 revenue bonds issued for airport purposes by any constitutional charter city in this state which
65 now has or may hereafter acquire a population of more than three hundred thousand but less than
66 six hundred thousand inhabitants, according to the last federal decennial census, may bear
67 interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving

68 reasonable notice, at the best price obtainable, not less than ninety-five percent of the par value
69 thereof.

70 ~~[6.]~~ 7. For purposes of the interest rate limitations set forth in this section, the interest
71 rate on bonds, notes or other evidence of indebtedness described in this section means the rate
72 at which the present value of the debt service payments on an issue of bonds, notes or other
73 evidence of indebtedness, discounted to the date of issuance, equals the original price at which
74 such bonds, notes or other evidence of indebtedness are sold by the issuer. Interest on bonds,
75 notes or other evidence of indebtedness may be paid periodically at such times as shall be
76 determined by the governing body of the issuer and may be compounded in accordance with
77 section 408.080.

78 ~~[7.]~~ 8. Notwithstanding any provision of law or charter to the contrary:

79 (1) Any entity referenced in subsection 1 or 2 of this section and any other political
80 corporation of the state which entity or political corporation has an annual operating budget for
81 the current year exceeding twenty-five million dollars may, in connection with managing the cost
82 to such entity or political corporation of purchasing fuel, electricity, natural gas, and other
83 commodities used in the ordinary course of its lawful operations, enter into agreements providing
84 for fixing the cost of such commodity, including without limitation agreements commonly
85 referred to as hedges, futures, and options; provided that as of the date of such agreement, such
86 entity or political corporation shall have complied with subdivision (3) of this subsection; and
87 further provided that no eligible school, as defined in section 393.310, shall be authorized by this
88 subsection to enter into such agreements in connection with the purchase of natural gas while the
89 tariffs required under section 393.310 are in effect;

90 (2) Any entity referenced in subsection 1 or 2 of this section and any other political
91 corporation of the state may, in connection with its bonds, notes, or other obligations then
92 outstanding or to be issued and bearing interest at a fixed or variable rate, enter into agreements
93 providing for payments based on levels of or changes in interest rates, including without
94 limitation certain derivative agreements commonly referred to as interest rate swaps, hedges,
95 caps, floors, and collars, provided that:

96 (a) As of the date of issuance of the bonds, notes, or other obligations to which such
97 agreement relates, such entity or political corporation will have bonds, notes, or other obligations
98 outstanding in an aggregate principal amount of at least fifty million dollars; and

99 (b) As of the date of such agreement, such entity's or political corporation's bonds, notes,
100 or other obligations then outstanding or to be issued have received a stand-alone credit rating in
101 one of the two highest categories, without regard to any gradation within such categories, from
102 at least one nationally recognized credit rating agency, or such entity or political corporation has
103 an issuer or general credit rating, in one of the two highest categories, without regard to any

104 gradation within such categories, from at least one nationally recognized credit rating agency;
105 and

106 (c) As of the date of such agreement, such entity or political corporation shall have
107 complied with subdivision (3) of this subsection;

108 (3) Prior to entering into any agreements pursuant to subdivision (1) or (2) of this
109 subsection, the governing body of the entity or political corporations entering into such
110 agreements shall have adopted a written policy governing such agreements. Such policy shall
111 be prepared by integrating the recommended practices published by the Government Finance
112 Officers Association or comparable nationally recognized professional organization and shall
113 provide guidance with respect to the permitted purposes, authorization process, mitigation of risk
114 factors, ongoing oversight responsibilities, market disclosure, financial strategy, and any other
115 factors in connection with such agreements determined to be relevant by the governing body of
116 such entity or political corporation. Such entity or political corporation may enter into such
117 agreements at such times and such agreements may contain such payment, security, default,
118 remedy, and other terms and conditions as shall be consistent with the written policy adopted
119 under this subdivision and as may be approved by the governing body of such entity or other
120 obligated party, including any rating by any nationally recognized rating agency and any other
121 criteria as may be appropriate;

122 (4) Nothing in this subsection shall be applied or interpreted to authorize any such entity
123 or political corporation to enter into any such agreement for investment purposes or to diminish
124 or alter the special or general power any such entity or political corporation may otherwise have
125 under any other provisions of law including the special or general power of any interstate
126 transportation authority.

127 **9. The state treasurer shall make available to municipalities, political subdivisions,**
128 **or districts listed under subsection 1 of this section relevant information regarding debt**
129 **issuance and bidding processes, including best practices resources published by a national**
130 **association of government finance officers on debt issuance, to aid such entities with the**
131 **process of issuing debt and awarding bonds to the best bidder.**

137.280. 1. Taxpayers' personal property lists, except those of merchants and
2 manufacturers, and except those of railroads, public utilities, pipeline companies or any other
3 person or corporation subject to special statutory requirements, such as chapter 151, who shall
4 return and file their assessments on locally assessed property no later than April first, shall be
5 delivered to the office of the assessor of the county between the first day of January and the first
6 day of March each year and shall be signed and certified by the taxpayer as being a true and
7 complete list or statement of all the taxable tangible personal property. If any person shall fail
8 to deliver the required list to the assessor by the first day of March, the owner of the property

9 which ought to have been listed shall be assessed a penalty added to the tax bill, based on the
 10 assessed value of the property that was not reported, as follows:

11	Assessed Valuation	Penalty
12	0 - \$1,000	[\$10.00] \$15.00
13	\$1,001 - \$2,000	[\$20.00] \$25.00
14	\$2,001 - \$3,000	[\$30.00] \$35.00
15	\$3,001 - \$4,000	[\$40.00] \$45.00
16	\$4,001 - \$5,000	[\$50.00] \$55.00
17	\$5,001 - \$6,000	[\$60.00] \$65.00
18	\$6,001 - \$7,000	[\$70.00] \$75.00
19	\$7,001 - \$8,000	[\$80.00] \$85.00
20	\$8,001 - \$9,000	[\$90.00] \$95.00
21	\$9,001 and above	[\$100.00] \$105.00

22
 23 The assessor in any county of the first classification without a charter form of government with
 24 a population of one hundred thousand or more inhabitants which contains all or part of a city
 25 with a population of three hundred fifty thousand or more inhabitants shall omit assessing the
 26 penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls
 27 into one of the following categories. The assessor in all other political subdivisions shall omit
 28 assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one
 29 of the following categories:

- 30 (1) The taxpayer is in military service and is outside the state;
- 31 (2) The taxpayer filed timely, but in the wrong county;
- 32 (3) There was a loss of records due to fire or flood;
- 33 (4) The taxpayer can show the list was mailed timely as evidenced by the date of
 34 postmark; ~~[or]~~
- 35 (5) The assessor determines that no form for listing personal property was mailed to the
 36 taxpayer for that tax year; or
- 37 (6) The neglect occurred as a direct result of the actions or inactions of the county or its
 38 employees or contractors.

39 2. Between March first and April first, the assessor shall send to each taxpayer who was
 40 sent an assessment list for the current tax year, and said list was not returned to the assessor, a
 41 second notice that statutes require the assessment list be returned immediately. In the event the
 42 taxpayer returns the assessment list to the assessor before May first, the penalty described in
 43 subsection 1 of this section shall not apply. If said assessment list is not returned before May
 44 first by the taxpayer, the penalty shall apply.

45 3. It shall be the duty of the county commission and assessor to place on the assessment
 46 rolls for the year all personal property discovered in the calendar year which was taxable on
 47 January first of that year.

48 **4. By December thirty-first of each year, the assessor shall transmit to the county**
 49 **employees' retirement fund an electronic or paper copy of the log maintained under**
 50 **subsection 3 of section 50.1020 for the current calendar year and the previous calendar**
 51 **year. The assessor shall also report to the county employees' retirement fund the dollar**
 52 **amount associated with any penalty waiver granted by the assessor. The county**
 53 **employees' retirement fund shall provide an analysis of expected revenue from assessed**
 54 **penalties compared to the actual revenue from assessed penalties to the joint committee on**
 55 **public employee retirement.**

137.345. 1. If any person, corporation, partnership or association neglects or refuses to
 2 deliver an itemized statement or list of all the taxable tangible personal property signed and
 3 certified by the taxpayer, as required by section 137.340, by the first day of March, ~~they~~ **the**
 4 **taxpayer** shall be assessed a penalty added to the tax bill, based on the assessed value of the
 5 property that was not reported, as follows:

Assessed Valuation	Penalty
0 - \$1,000	[\$10.00] \$15.00
\$1,001 - \$2,000	[\$20.00] \$25.00
\$2,001 - \$3,000	[\$30.00] \$35.00
\$3,001 - \$4,000	[\$40.00] \$45.00
\$4,001 - \$5,000	[\$50.00] \$55.00
\$5,001 - \$6,000	[\$60.00] \$65.00
\$6,001 - \$7,000	[\$70.00] \$75.00
\$7,001 - \$8,000	[\$80.00] \$85.00
\$8,001 - \$9,000	[\$90.00] \$95.00
\$9,001 and above	[\$100.00] \$105.00

17
 18 The assessor in any county of the first classification without a charter form of government with
 19 a population of one hundred thousand or more inhabitants which contains all or part of a city
 20 with a population of three hundred fifty thousand or more inhabitants shall omit assessing the
 21 penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls
 22 into one of the following categories. The assessor in all other political subdivisions shall omit
 23 assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one
 24 of the following categories:

- 25 (1) The taxpayer is in military service and is outside the state;

- 26 (2) The taxpayer filed timely, but in the wrong county;
27 (3) There was a loss of records due to fire, theft, fraud or flood;
28 (4) The taxpayer can show the list was mailed timely as evidenced by the date of
29 postmark; [øf]
30 (5) The assessor determines that no form for listing personal property was mailed to the
31 taxpayer for that tax year; or
32 (6) The neglect occurred as a direct result of the actions or inactions of the county or its
33 employees or contractors.

34 2. It shall be the duty of the county commission and assessor to place on the assessment
35 rolls for the year all property discovered in the calendar year which was taxable on January first
36 of that year.

37 3. Between March first and April first, the assessor shall send to each taxpayer who was
38 sent an assessment list for the current tax year, and said list was not returned to the assessor, a
39 second notice that statutes require that the assessment list be returned immediately. In the event
40 the taxpayer returns the assessment list to the assessor before May first, the penalty described in
41 subsection 1 of this section shall not apply. If said assessment list is not returned before May
42 first by the taxpayer, the penalty shall apply.

43 4. The assessor, in the absence of the owner failing to deliver a required list of property
44 is not required to furnish to the owner a duplicate of the assessment as made.

45 5. In every instance where a taxpayer has appealed to the board of equalization or the
46 state tax commission the assessment of the taxpayer's property, real or personal, and that appeal
47 has been successful, then in the next following and all subsequent years the basis upon which the
48 assessor must base future assessments of the subject property shall be the basis established by
49 the successful appeal and any increases must be established from that basis.

140.100. 1. Each tract of land in the back tax book, in addition to the amount of tax
2 delinquent, shall be charged with a penalty of eighteen percent of each year's delinquency except
3 that the penalty on lands redeemed prior to sale shall not exceed two percent per month or
4 fractional part thereof.

5 2. For making and recording the delinquent land lists, the collector and the clerk shall
6 receive ten cents per tract or lot and the clerk shall receive five cents per tract or lot for
7 comparing and authenticating such list.

8 **3. In all counties except counties having a charter form of government before**
9 **January 1, 2008, and any city not within a county, in addition to the amount collected in**
10 **subsection 2 of this section, for making and recording the delinquent land lists, the**
11 **collector and the clerk shall each receive five dollars per tract or lot. The ten dollars shall**
12 **be paid into the county employees' retirement fund established pursuant to section 50.1010.**

173.260. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) **"Air ambulance pilot", a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;**

(2) **"Air ambulance registered professional nurse", a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;**

(3) **"Air ambulance registered respiratory therapist", a person licensed as a registered respiratory therapist in accordance with sections 334.800 to 334.930 and corresponding regulations adopted by the state board for respiratory care, who provides respiratory therapy services in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;**

(4) "Board", the coordinating board for higher education;

~~[(2)]~~ (5) "Eligible child", the natural, adopted or stepchild of a public safety officer or employee, as defined in this section, who is less than twenty-four years of age and who is a dependent of a public safety officer or employee or was a dependent at the time of death or permanent and total disability of a public safety officer or employee;

(6) **"Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;**

~~[(3)]~~ (7) "Employee", any full-time employee of the department of transportation engaged in the construction or maintenance of the state's highways, roads and bridges;

(8) **"Flight crew member", an individual engaged in flight responsibilities with an air ambulance licensed in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to such programs;**

~~[(4)]~~ (9) "Grant", the public safety officer or employee survivor grant as established by this section;

~~[(5)]~~ (10) "Institution of postsecondary education", any approved public or private institution as defined in section 173.205;

36 ~~[(6)]~~ (11) "Line of duty", any action of a public safety officer, whose primary function
37 is crime control or reduction, enforcement of the criminal law, or suppression of fires, is
38 authorized or obligated by law, rule, regulation or condition of employment or service to
39 perform;

40 ~~[(7)]~~ (12) "Public safety officer", any firefighter, **uniformed employee of the office of**
41 **the state fire marshal, emergency medical technician**, police officer, capitol police officer,
42 parole officer, probation officer, state correctional employee, water safety officer, park ranger,
43 conservation officer or highway patrolman employed by the state of Missouri or a political
44 subdivision thereof who is killed or permanently and totally disabled in the line of duty **or any**
45 **emergency medical technician, air ambulance pilot, air ambulance registered professional**
46 **nurse, air ambulance registered respiratory therapist, or flight crew member who is killed**
47 **or permanently and totally disabled in the line of duty;**

48 ~~[(8)]~~ (13) "Permanent and total disability", a disability which renders a person unable to
49 engage in any gainful work;

50 ~~[(9)]~~ (14) "Spouse", the husband, wife, widow or widower of a public safety officer or
51 employee at the time of death or permanent and total disability of such public safety officer;

52 ~~[(10)]~~ (15) "Tuition", any tuition or incidental fee or both charged by an institution of
53 postsecondary education, as defined in this section, for attendance at that institution by a student
54 as a resident of this state.

55 2. Within the limits of the amounts appropriated therefor, the coordinating board for
56 higher education shall provide, as defined in this section, a grant for either of the following to
57 attend an institution of postsecondary education:

58 (1) An eligible child of a public safety officer or employee killed or permanently and
59 totally disabled in the line of duty; or

60 (2) A spouse of a public safety officer killed or permanently and totally disabled in the
61 line of duty.

62 3. An eligible child or spouse may receive a grant under this section only so long as the
63 child or spouse is enrolled in a program leading to a certificate, or an associate or baccalaureate
64 degree. In no event shall a child or spouse receive a grant beyond the completion of the first
65 baccalaureate degree or, in the case of a child, age twenty-four years, except that the child may
66 receive a grant through the completion of the semester or similar grading period in which the
67 child reaches his twenty-fourth year. No child or spouse shall receive more than one hundred
68 percent of tuition when combined with similar funds made available to such child or spouse.

69 4. The coordinating board for higher education shall:

70 (1) Promulgate all necessary rules and regulations for the implementation of this section;

71 (2) Determine minimum standards of performance in order for a child or spouse to
72 remain eligible to receive a grant under this program;

73 (3) Make available on behalf of an eligible child or spouse an amount toward the child's
74 or spouse's tuition which is equal to the grant to which the child or spouse is entitled under the
75 provisions of this section;

76 (4) Provide the forms and determine the procedures necessary for an eligible child or
77 spouse to apply for and receive a grant under this program.

78 5. An eligible child or spouse who is enrolled or has been accepted for enrollment as an
79 undergraduate postsecondary student at an approved institution of postsecondary education shall
80 receive a grant in an amount not to exceed the least of the following:

81 (1) The actual tuition, as defined in this section, charged at an approved institution where
82 the child or spouse is enrolled or accepted for enrollment; or

83 (2) The amount of tuition charged a Missouri resident at the University of Missouri for
84 attendance as a full-time student, as defined in section 173.205.

85 6. An eligible child or spouse who is a recipient of a grant may transfer from one
86 approved public or private institution of postsecondary education to another without losing his
87 entitlement under this section. The board shall make necessary adjustments in the amount of the
88 grant. If a grant recipient at anytime withdraws from the institution of postsecondary education
89 so that under the rules and regulations of that institution he is entitled to a refund of any tuition,
90 fees, or other charges, the institution shall pay the portion of the refund to which he is entitled
91 attributable to the grant for that semester or similar grading period to the board.

92 7. If an eligible child or spouse is granted financial assistance under any other student
93 aid program, public or private, the full amount of such aid shall be reported to the board by the
94 institution and the eligible child or spouse.

95 8. Nothing in this section shall be construed as a promise or guarantee that a person will
96 be admitted to an institution of postsecondary education or to a particular institution of
97 postsecondary education, will be allowed to continue to attend an institution of postsecondary
98 education after having been admitted, or will be graduated from an institution of postsecondary
99 education.

100 9. A public safety officer who is permanently and totally disabled shall be eligible for
101 a grant pursuant to the provisions of this section.

102 10. An eligible child of a public safety officer or employee, spouse of a public safety
103 officer or public safety officer shall cease to be eligible for a grant pursuant to this section when
104 such public safety officer or employee is no longer permanently and totally disabled.

190.103. 1. One physician with expertise in emergency medical services from each of
2 the EMS regions shall be elected by that region's EMS medical directors to serve as a regional

3 EMS medical director. The regional EMS medical directors shall constitute the state EMS
4 medical director's advisory committee and shall advise the department and their region's
5 ambulance services on matters relating to medical control and medical direction in accordance
6 with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections
7 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The
8 southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an
9 initial two-year term. The central, east central, and southeast regional EMS medical directors
10 shall be elected to an initial four-year term. All subsequent terms following the initial terms shall
11 be four years. **The state EMS medical director shall be elected by the members of the**
12 **regional EMS medical director's advisory committee, shall serve a term of four years, and**
13 **shall seek to coordinate EMS services between the EMS regions, promote educational**
14 **efforts for agency medical directors, represent Missouri EMS nationally in the role of the**
15 **state EMS medical director, and seek to incorporate the EMS system into the health care**
16 **system serving Missouri.**

17 2. A medical director is required for all ambulance services and emergency medical
18 response agencies that provide: advanced life support services; basic life support services
19 utilizing medications or providing assistance with patients' medications; or basic life support
20 services performing invasive procedures including invasive airway procedures. The medical
21 director shall provide medical direction to these services and agencies in these instances.

22 3. The medical director, in cooperation with the ambulance service or emergency
23 medical response agency administrator, shall have the responsibility and the authority to ensure
24 that the personnel working under their supervision are able to provide care meeting established
25 standards of care with consideration for state and national standards as well as local area needs
26 and resources. The medical director, in cooperation with the ambulance service or emergency
27 medical response agency administrator, shall establish and develop triage, treatment and
28 transport protocols, which may include authorization for standing orders.

29 4. All ambulance services and emergency medical response agencies that are required
30 to have a medical director shall establish an agreement between the service or agency and their
31 medical director. The agreement will include the roles, responsibilities and authority of the
32 medical director beyond what is granted in accordance with sections 190.001 to 190.245 and
33 rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall
34 also include grievance procedures regarding the emergency medical response agency or
35 ambulance service, personnel and the medical director.

36 5. **Regional EMS medical directors and the state EMS medical director elected as**
37 **provided under subsection 1 of this section shall be considered public officials for purposes**
38 **of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.**

39 **6. The state EMS medical director's advisory committee shall be considered a peer**
40 **review committee under section 537.035.**

41 **7. Regional EMS medical directors may act to provide online telecommunication**
42 **medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics and provide**
43 **offline medical direction per standardized treatment, triage, and transport protocols when**
44 **EMS personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, are**
45 **providing care to special needs patients or at the request of a local EMS agency or medical**
46 **director.**

47 **8. When developing treatment protocols for special needs patients, regional EMS**
48 **medical directors may promulgate such protocols on a regional basis across multiple**
49 **political subdivisions' jurisdictional boundaries and such protocols may be used by**
50 **multiple agencies including, but not limited to, ambulance services, emergency response**
51 **agencies, and public health departments. Treatment protocols shall include steps to ensure**
52 **the receiving hospital is informed of the pending arrival of the special needs patient, the**
53 **condition of the patient, and the treatment instituted.**

54 **9. Multiple EMS agencies including, but not limited to, ambulance services,**
55 **emergency response agencies, and public health departments shall take necessary steps to**
56 **follow the regional EMS protocols established as provided under subsection 8 of this**
57 **section in cases of mass casualty or state-declared disaster incidents.**

58 **10. When regional EMS medical directors develop and implement treatment**
59 **protocols for patients or provide online medical direction for such patients, such activity**
60 **shall not be construed as having usurped local medical direction authority in any manner.**

61 **11. Notwithstanding any other provision of law, when regional EMS medical**
62 **directors are providing either online telecommunication medical direction to EMT-Bs,**
63 **EMT-Is, EMT-Ps, and community paramedics, or offline medical direction per**
64 **standardized EMS treatment, triage, and transport protocols for patients, those medical**
65 **directions or treatment protocols may include the administration of the patient's own**
66 **prescription medications.**

190.142. 1. The department shall, within a reasonable time after receipt of an
2 application, cause such investigation as it deems necessary to be made of the applicant for an
3 emergency medical technician's license. The director may authorize investigations into criminal
4 records in other states for any applicant.

5 2. The department shall issue a license to all levels of emergency medical technicians,
6 for a period of five years, if the applicant meets the requirements established pursuant to sections
7 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to

8 190.245. The department may promulgate rules relating to the requirements for an emergency
9 medical technician including but not limited to:

10 (1) Age requirements;

11 (2) Education and training requirements based on respective ~~[national curricula of the~~
12 ~~United States Department of Transportation]~~ **National Emergency Medical Services Education**
13 **Standards** and any modification to such curricula specified by the department through rules
14 adopted pursuant to sections 190.001 to 190.245;

15 (3) **EMT-P programs shall be accredited by the Commission on Accreditation of**
16 **Allied Health Education Programs (CAAHEP) or hold Committee on Accreditation of**
17 **Education Programs for the Emergency Medical Services Professions (CoAEMSP) letter**
18 **of review;**

19 (4) Initial licensure testing requirements. Initial EMT-P licensure testing shall be
20 through the national registry of EMTs or examinations developed and administered by the
21 department of health and senior services;

22 ~~[(4)]~~ (5) Continuing education and relicensure requirements; and

23 ~~[(5)]~~ (6) Ability to speak, read and write the English language.

24 3. Application for all levels of emergency medical technician license shall be made upon
25 such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to
26 190.245. The application form shall contain such information as the department deems
27 necessary to make a determination as to whether the emergency medical technician meets all the
28 requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001
29 to 190.245.

30 4. All levels of emergency medical technicians may perform only that patient care which
31 is:

32 (1) Consistent with the training, education and experience of the particular emergency
33 medical technician; and

34 (2) Ordered by a physician or set forth in protocols approved by the medical director.

35 5. No person shall hold themselves out as an emergency medical technician or provide
36 the services of an emergency medical technician unless such person is licensed by the
37 department.

38 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
39 under the authority delegated in this section shall become effective only if it complies with and
40 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
41 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
42 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule

43 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
44 proposed or adopted after August 28, 2002, shall be invalid and void.

190.144. 1. No emergency medical technician licensed under section 190.142 or
2 190.143, if acting in good faith and without gross negligence, shall be liable for:

3 (1) Transporting a person for whom an application for detention for evaluation and
4 treatment has been filed under section 631.115 or 632.305; ~~or~~

5 (2) Physically or chemically restraining an at-risk behavioral health patient as that term
6 is defined under section 190.240 if such restraint is to ensure the safety of the patient or
7 technician; or

8 (3) **The administration of a patient's personal medication when deemed necessary.**

9 **2. Nothing in this section shall be construed as creating an exception to sovereign**
10 **immunity, official immunity, or the Missouri public duty doctrine defenses.**

190.165. 1. The department may refuse to issue or deny renewal of any certificate,
2 permit or license required pursuant to sections 190.100 to 190.245 for failure to comply with the
3 provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the
4 department to implement its provisions as described in subsection 2 of this section. The
5 department shall notify the applicant in writing of the reasons for the refusal and shall advise the
6 applicant of his or her right to file a complaint with the administrative hearing commission as
7 provided by chapter 621.

8 2. The department may cause a complaint to be filed with the administrative hearing
9 commission as provided by chapter 621 against any holder of any certificate, permit or license
10 required by sections 190.100 to 190.245 or any person who has failed to renew or has
11 surrendered his or her certificate, permit or license for failure to comply with the provisions of
12 sections 190.100 to 190.245 or any lawful regulations promulgated by the department to
13 implement such sections. Those regulations shall be limited to the following:

14 (1) Use or unlawful possession of any controlled substance, as defined in chapter 195,
15 or alcoholic beverage to an extent that such use impairs a person's ability to perform the work
16 of any activity licensed or regulated by sections 190.100 to 190.245;

17 (2) Being finally adjudicated and found guilty, or having entered a plea of guilty or nolo
18 contendere, in a criminal prosecution under the laws of any state or of the United States, for any
19 offense reasonably related to the qualifications, functions or duties of any activity licensed or
20 regulated pursuant to sections 190.100 to 190.245, for any offense an essential element of which
21 is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether
22 or not sentence is imposed;

- 23 (3) Use of fraud, deception, misrepresentation or bribery in securing any certificate,
24 permit or license issued pursuant to sections 190.100 to 190.245 or in obtaining permission to
25 take any examination given or required pursuant to sections 190.100 to 190.245;
- 26 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
27 fraud, deception or misrepresentation;
- 28 (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty
29 in the performance of the functions or duties of any activity licensed or regulated by sections
30 190.100 to 190.245;
- 31 (6) Violation of, or assisting or enabling any person to violate, any provision of sections
32 190.100 to 190.245, or of any lawful rule or regulation adopted by the department pursuant to
33 sections 190.100 to 190.245;
- 34 (7) Impersonation of any person holding a certificate, permit or license or allowing any
35 person to use his or her certificate, permit, license or diploma from any school;
- 36 (8) Disciplinary action against the holder of a license or other right to practice any
37 activity regulated by sections 190.100 to 190.245 granted by another state, territory, federal
38 agency or country upon grounds for which revocation or suspension is authorized in this state;
- 39 (9) For an individual being finally adjudged insane or incompetent by a court of
40 competent jurisdiction;
- 41 (10) Assisting or enabling any person to practice or offer to practice any activity licensed
42 or regulated by sections 190.100 to 190.245 who is not licensed and currently eligible to practice
43 pursuant to sections 190.100 to 190.245;
- 44 (11) Issuance of a certificate, permit or license based upon a material mistake of fact;
- 45 (12) Violation of any professional trust, confidence, or legally protected privacy rights
46 of a patient by means of an unauthorized or unlawful disclosure;
- 47 (13) Use of any advertisement or solicitation which is false, misleading or deceptive to
48 the general public or persons to whom the advertisement or solicitation is primarily directed;
- 49 (14) Violation of the drug laws or rules and regulations of this state, any other state or
50 the federal government;
- 51 (15) Refusal of any applicant or licensee to respond to reasonable department of health
52 and senior services' requests for necessary information to process an application or to determine
53 license status or license eligibility;
- 54 (16) Any conduct or practice which is or might be harmful or dangerous to the mental
55 or physical health or safety of a patient or the public;
- 56 (17) Repeated acts of negligence or recklessness in the performance of the functions or
57 duties of any activity licensed or regulated by sections 190.100 to 190.245.

58 3. If the department conducts investigations, the department, prior to interviewing a
59 licensee who is the subject of the investigation, shall explain to the licensee that he or she has
60 the right to:

61 (1) Consult legal counsel or have legal counsel present;

62 (2) Have anyone present whom he or she deems to be necessary or desirable~~[, except for~~
63 ~~any holder of any certificate, permit, or license required by sections 190.100 to 190.245];~~ and

64 (3) Refuse to answer any question or refuse to provide or sign any written statement.

65

66 The assertion of any right listed in this subsection shall not be deemed by the department to be
67 a failure to cooperate with any department investigation.

68 4. After the filing of such complaint, the proceedings shall be conducted in accordance
69 with the provisions of chapter 621. Upon a finding by the administrative hearing commission
70 that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the
71 department may, singly or in combination, censure or place the person named in the complaint
72 on probation on such terms and conditions as the department deems appropriate for a period not
73 to exceed five years, or may suspend, for a period not to exceed three years, or revoke the
74 license, certificate or permit. Notwithstanding any provision of law to the contrary, the
75 department shall be authorized to impose a suspension or revocation as a disciplinary action only
76 if it first files the requisite complaint with the administrative hearing commission. **The**
77 **administrative hearing commission shall hear all relevant evidence on remediation**
78 **activities of the licensee and shall make a recommendation to the department of health and**
79 **senior services as to licensure disposition based on such evidence.**

80 5. An individual whose license has been revoked shall wait one year from the date of
81 revocation to apply for relicensure. Relicensure shall be at the discretion of the department after
82 compliance with all the requirements of sections 190.100 to 190.245 relative to the licensing of
83 an applicant for the first time. Any individual whose license has been revoked twice within a
84 ten-year period shall not be eligible for relicensure.

85 6. The department may notify the proper licensing authority of any other state in which
86 the person whose license was suspended or revoked was also licensed of the suspension or
87 revocation.

88 7. Any person, organization, association or corporation who reports or provides
89 information to the department pursuant to the provisions of sections 190.100 to 190.245 and who
90 does so in good faith shall not be subject to an action for civil damages as a result thereof.

91 8. The department of health and senior services may suspend any certificate, permit or
92 license required pursuant to sections 190.100 to 190.245 simultaneously with the filing of the
93 complaint with the administrative hearing commission as set forth in subsection 2 of this section,

94 if the department finds that there is an imminent threat to the public health. The notice of
95 suspension shall include the basis of the suspension and notice of the right to appeal such
96 suspension. The licensee may appeal the decision to suspend the license, certificate or permit
97 to the department. The appeal shall be filed within ten days from the date of the filing of the
98 complaint. A hearing shall be conducted by the department within ten days from the date the
99 appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings,
100 including review thereof, unless sooner withdrawn by the department, dissolved by a court of
101 competent jurisdiction or stayed by the administrative hearing commission.

287.243. 1. This section shall be known and may be cited as the "Line of Duty
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall mean:

4 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with
5 sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted
6 by the department of health and senior services, division of regulation and licensure, 19 CSR 30-
7 40.005, et seq.;

8 (2) "Air ambulance registered professional nurse", a person licensed as a registered
9 professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations
10 adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered
11 professional nursing services as a flight nurse in conjunction with an air ambulance program that
12 is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations
13 applicable to such programs;

14 (3) "Emergency medical technician", a person licensed in emergency medical care in
15 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by
16 the department of health and senior services under sections 190.001 to 190.245;

17 (4) "Firefighter", any person, including a volunteer firefighter, employed by the state or
18 a local governmental entity as an employer defined under subsection 1 of section 287.030, or
19 otherwise serving as a member or officer of a fire department either for the purpose of the
20 prevention or control of fire or the underwater recovery of drowning victims, **a uniformed
21 employee of the office of the state fire marshal, or an emergency medical technician as
22 defined in subdivisions (15), (16), (17), (18), and (19) of section 190.100;**

23 (5) "Killed in the line of duty", when any person defined in this section loses his or her
24 life when:

25 (a) Death is caused by an accident or the willful act of violence of another;

26 (b) The law enforcement officer, emergency medical technician, air ambulance pilot, air
27 ambulance registered professional nurse, or firefighter is in the active performance of his or her
28 duties in his or her respective profession and there is a relationship between the accident or

29 commission of the act of violence and the performance of the duty, even if the individual is off
30 duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air
31 ambulance registered professional nurse, or firefighter is traveling to or from employment; or the
32 law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance
33 registered professional nurse, or firefighter is taking any meal break or other break which takes
34 place while that individual is on duty;

35 (c) Death is the natural and probable consequence of the injury; and

36 (d) Death occurs within three hundred weeks from the date the injury was received.

37

38 The term excludes death resulting from the willful misconduct or intoxication of the law
39 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance
40 registered professional nurse, or firefighter. The division of workers' compensation shall have
41 the burden of proving such willful misconduct or intoxication;

42 (6) "Law enforcement officer", any person employed by the state or a local governmental
43 entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary
44 police officer or in some like position involving the enforcement of the law and protection of the
45 public interest at the risk of that person's life;

46 (7) "Local governmental entity", includes counties, municipalities, townships, board or
47 other political subdivision, cities under special charter, or under the commission form of
48 government, fire protection districts, ambulance districts, and municipal corporations;

49 (8) "State", the state of Missouri and its departments, divisions, boards, bureaus,
50 commissions, authorities, and colleges and universities;

51 (9) "Volunteer firefighter", a person having principal employment other than as a
52 firefighter, but who is carried on the rolls of a regularly constituted fire department either for the
53 purpose of the prevention or control of fire or the underwater recovery of drowning victims, the
54 members of which are under the jurisdiction of the corporate authorities of a city, village,
55 incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual
56 who volunteers assistance without being regularly enrolled as a firefighter.

57 3. (1) A claim for compensation under this section shall be filed by the **spouse, child,**
58 **or personal representative of the** estate of the deceased with the division of workers'
59 compensation not later than one year from the date of death of a law enforcement officer,
60 emergency medical technician, air ambulance pilot, air ambulance registered professional nurse,
61 or firefighter. If a claim is made within one year of the date of death of a law enforcement
62 officer, emergency medical technician, air ambulance pilot, air ambulance registered professional
63 nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds
64 that the claimant is entitled to compensation under this section, **as follows:**

65 **(a) If there is a surviving spouse but no surviving child of the law enforcement**
66 **officer, emergency medical technician, air ambulance pilot, air ambulance registered**
67 **professional nurse, or firefighter, then to such person's surviving spouse;**

68 **(b) If there is a surviving spouse and at least one surviving child of the law**
69 **enforcement officer, emergency medical technician, air ambulance pilot, air ambulance**
70 **registered professional nurse, or firefighter, then fifty percent to the surviving spouse and**
71 **fifty percent in equal shares to the surviving child or children;**

72 **(c) If there is no surviving spouse and at least one surviving child of the law**
73 **enforcement officer, emergency medical technician, air ambulance pilot, air ambulance**
74 **registered professional nurse, or firefighter, then to the surviving child or children in equal**
75 **shares;**

76 **(d) If there is no surviving spouse and no surviving child of the law enforcement**
77 **officer, emergency medical technician, air ambulance pilot, air ambulance registered**
78 **professional nurse, or firefighter, then to the decedent's estate.**

79 (2) The amount of compensation paid to the claimant shall be twenty-five thousand
80 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

81 4. Notwithstanding subsection 3 of this section, no compensation is payable under this
82 section unless a claim is filed within the time specified under this section setting forth:

83 (1) The name, address, and title or designation of the position in which the law
84 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance
85 registered professional nurse, or firefighter was serving at the time of his or her death;

86 (2) The name and address of the claimant;

87 (3) A full, factual account of the circumstances resulting in or the course of events
88 causing the death at issue; and

89 (4) Such other information that is reasonably required by the division.

90

91 When a claim is filed, the division of workers' compensation shall make an investigation for
92 substantiation of matters set forth in the application.

93 5. The compensation provided for under this section is in addition to, and not exclusive
94 of, any pension rights, death benefits, or other compensation the claimant may otherwise be
95 entitled to by law.

96 6. Neither employers nor workers' compensation insurers shall have subrogation rights
97 against any compensation awarded for claims under this section. Such compensation shall not
98 be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be
99 subject to setoff or counterclaim, or be in any way liable for any debt, except that the division
100 or commission may allow as lien on the compensation, reasonable attorney's fees for services in

101 connection with the proceedings for compensation if the services are found to be necessary.
102 Such fees are subject to regulation as set forth in section 287.260.

103 **7. Effective August 28, 2016, the spouse, child, or personal representative of any**
104 **person who was killed in the line of duty on or after June 19, 2009, who would have been**
105 **eligible to receive benefits under the provisions of this section, shall be eligible to a claim**
106 **for compensation under this section.**

107 **8.** Any person seeking compensation under this section who is aggrieved by the decision
108 of the division of workers' compensation regarding his or her compensation claim, may make
109 application for a hearing as provided in section 287.450. The procedures applicable to the
110 processing of such hearings and determinations shall be those established by this chapter.
111 Decisions of the administrative law judge under this section shall be binding, subject to review
112 by either party under the provisions of section 287.480.

113 ~~[8-]~~ **9.** Pursuant to section 23.253 of the Missouri sunset act:

114 (1) The provisions of the new program authorized under this section shall automatically
115 sunset six years after June 19, 2019, unless reauthorized by an act of the general assembly; and

116 (2) If such program is reauthorized, the program authorized under this section shall
117 automatically sunset twelve years after the effective date of the reauthorization of this section;
118 and

119 (3) This section shall terminate on September first of the calendar year immediately
120 following the calendar year in which the program authorized under this section is sunset.

121 ~~[9-]~~ **10.** The provisions of this section, unless specified, shall not be subject to other
122 provisions of this chapter.

123 ~~[10-]~~ **11.** There is hereby created in the state treasury the "Line of Duty Compensation
124 Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions,
125 gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve
126 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon
127 appropriation, money in the fund shall be used solely for paying claims under this section.
128 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the
129 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The
130 state treasurer shall invest moneys in the fund in the same manner as other funds are invested.
131 Any interest and moneys earned on such investments shall be credited to the fund.

132 ~~[11-]~~ **12.** The division shall promulgate rules to administer this section, including but not
133 limited to the appointment of claims to multiple claimants, record retention, and procedures for
134 information requests. Any rule or portion of a rule, as that term is defined in section 536.010,
135 that is created under the authority delegated in this section shall become effective only if it
136 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section

137 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
138 general assembly under chapter 536 to review, to delay the effective date, or to disapprove and
139 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
140 any rule proposed or adopted after June 19, 2009, shall be invalid and void.

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260,
2 and sections 307.010 to 307.175, the following terms mean:

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of one
5 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

6 (2) "Automobile transporter", any vehicle combination designed and used specifically
7 for the transport of assembled motor vehicles;

8 (3) "Axle load", the total load transmitted to the road by all wheels whose centers are
9 included between two parallel transverse vertical planes forty inches apart, extending across the
10 full width of the vehicle;

11 (4) "Boat transporter", any vehicle combination designed and used specifically to
12 transport assembled boats and boat hulls;

13 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not
14 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
15 or painting;

16 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
17 passengers but not including shuttle buses;

18 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
19 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
20 buses;

21 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
22 speeds less than forty miles per hour from field to field or from field to market and return;

23 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
24 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

25 (10) "Director" or "director of revenue", the director of the department of revenue;

26 (11) "Driveaway operation":

27 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
28 a dealer over any public highway, under its own power singly, or in a fixed combination of two
29 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

30 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
31 the commodity being transported, by a person engaged in the business of furnishing drivers and

32 operators for the purpose of transporting vehicles in transit from one place to another by the
33 driveaway or towaway methods; or

34 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
35 business of transporting or delivering vehicles that are not the person's own and vehicles of a
36 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
37 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
38 of a manufacturer or to any consignee designated by the shipper or consignor;

39 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
40 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
41 equipped with a dromedary may carry part of a load when operating independently or in a
42 combination with a semitrailer;

43 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

44 (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

45 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

46 (16) "Fullmount", a vehicle mounted completely on the frame of either the first or last
47 vehicle in a saddlemount combination;

48 (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
49 the weight of any load thereon;

50 (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
51 result of the impact of hail;

52 (19) "Highway", any public thoroughfare for vehicles, including state roads, county roads
53 and public streets, avenues, boulevards, parkways or alleys in any municipality;

54 (20) "Improved highway", a highway which has been paved with gravel, macadam,
55 concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

56 (21) "Intersecting highway", any highway which joins another, whether or not it crosses
57 the same;

58 (22) "Junk vehicle", a vehicle which:

59 (a) Is incapable of operation or use upon the highways and has no resale value except as
60 a source of parts or scrap; or

61 (b) Has been designated as junk or a substantially equivalent designation by this state
62 or any other state;

63 (23) "Kit vehicle", a motor vehicle assembled by a person other than a generally
64 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
65 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

66 (24) "Land improvement contractors' commercial motor vehicle", any not-for-hire
67 commercial motor vehicle the operation of which is confined to:

68 (a) An area that extends not more than a radius of one hundred miles from its home base
69 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
70 from projects involving soil and water conservation, or to and from equipment dealers'
71 maintenance facilities for maintenance purposes; or

72 (b) An area that extends not more than a radius of fifty miles from its home base of
73 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
74 projects not involving soil and water conservation. Nothing in this subdivision shall be
75 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
76 local commercial motor vehicle;

77 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations
78 are confined solely to a municipality and that area extending not more than fifty miles therefrom,
79 or a commercial motor vehicle whose property-carrying operations are confined solely to the
80 transportation of property owned by any person who is the owner or operator of such vehicle to
81 or from a farm owned by such person or under the person's control by virtue of a landlord and
82 tenant lease; provided that any such property transported to any such farm is for use in the
83 operation of such farm;

84 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
85 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
86 state, used to transport harvested forest products, operated [~~solely~~] at a forested site and in an
87 area extending not more than a one hundred-mile radius from such site, carries a load with
88 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
89 operated on the national system of interstate and defense highways described in 23 U.S.C.
90 Section 103, as amended, **or outside the one-hundred-mile radius from such site with an**
91 **extended distance local log truck permit**, such vehicle shall not exceed the weight limits of
92 section 304.180, does not have more than four axles, and does not pull a trailer which has more
93 than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming,
94 delimiting, debarking, chipping, skidding, loading, unloading, and stacking may be transported
95 on a local log truck. A local log truck may not exceed the limits required by law, however, if the
96 truck does exceed such limits as determined by the inspecting officer, then notwithstanding any
97 other provisions of law to the contrary, such truck shall be subject to the weight limits required
98 by such sections as licensed for eighty thousand pounds;

99 (27) "Local log truck tractor", a commercial motor vehicle which is registered under this
100 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
101 state, used to transport harvested forest products, operated [~~solely~~] at a forested site and in an
102 area extending not more than a one hundred-mile radius from such site, operates with a weight
103 not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not

104 exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on
105 the national system of interstate and defense highways described in Title 23, Section 103(e) of
106 the United States Code **or outside the one-hundred-mile radius from such site with an**
107 **extended distance local log truck permit**, such vehicle does not exceed the weight limits
108 contained in section 304.180, and does not have more than three axles and does not pull a trailer
109 which has more than two axles. Violations of axle weight limitations shall be subject to the load
110 limit penalty as described for in sections 304.180 to 304.220;

111 (28) "Local transit bus", a bus whose operations are confined wholly within a municipal
112 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
113 section 390.020, adjacent thereto, forming a part of a public transportation system within such
114 municipal corporation and such municipal corporation and adjacent commercial zone;

115 (29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
116 is used exclusively to transport harvested forest products to and from forested sites which is
117 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
118 state for the transportation of harvested forest products;

119 (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
120 and front clip, as those terms are defined by the director of revenue pursuant to rules and
121 regulations or by illustrations;

122 (31) "Manufacturer", any person, firm, corporation or association engaged in the
123 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

124 (32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
125 receives a new, rebuilt or used engine, and which used the number stamped on the original
126 engine as the vehicle identification number;

127 (33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
128 except farm tractors;

129 (34) "Motor vehicle primarily for business use", any vehicle other than a recreational
130 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
131 twelve thousand pounds:

132 (a) Offered for hire or lease; or

133 (b) The owner of which also owns ten or more such motor vehicles;

134 (35) "Motorcycle", a motor vehicle operated on two wheels;

135 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
136 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
137 produces less than three gross brake horsepower, and is capable of propelling the device at a
138 maximum speed of not more than thirty miles per hour on level ground;

- 139 (37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
140 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
141 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 142 (38) "Municipality", any city, town or village, whether incorporated or not;
- 143 (39) "Nonresident", a resident of a state or country other than the state of Missouri;
- 144 (40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
145 compliance with United States emissions or safety standards;
- 146 (41) "Operator", any person who operates or drives a motor vehicle;
- 147 (42) "Owner", any person, firm, corporation or association, who holds the legal title to
148 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
149 thereof with the right of purchase upon performance of the conditions stated in the agreement
150 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
151 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
152 or mortgagor shall be deemed the owner for the purpose of this law;
- 153 (43) "Public garage", a place of business where motor vehicles are housed, stored,
154 repaired, reconstructed or repainted for persons other than the owners or operators of such place
155 of business;
- 156 (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
157 rebuilder, but does not include certificated common or contract carriers of persons or property;
- 158 (45) "Reconstructed motor vehicle", a vehicle that is altered from its original
159 construction by the addition or substitution of two or more new or used major component parts,
160 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;
- 161 (46) "Recreational motor vehicle", any motor vehicle designed, constructed or
162 substantially modified so that it may be used and is used for the purposes of temporary housing
163 quarters, including therein sleeping and eating facilities which are either permanently attached
164 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
165 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
166 vehicle if the motor vehicle could otherwise be so registered;
- 167 (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
168 exclusively for off-highway use which is more than fifty inches but no more than sixty-seven
169 inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four
170 or more nonhighway tires and which may have access to ATV trails;
- 171 (48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
172 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
173 wrecker or towing service;

174 (49) "Saddlemount combination", a combination of vehicles in which a truck or truck
175 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
176 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
177 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
178 wheel kingpin connection. When two vehicles are towed in this manner the combination is
179 called a "double saddlemount combination". When three vehicles are towed in this manner, the
180 combination is called a "triple saddlemount combination";

181 (50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
182 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

183 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

184 (a) Was damaged during a year that is no more than six years after the manufacturer's
185 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
186 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
187 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
188 immediately preceding the time it was damaged;

189 (b) By reason of condition or circumstance, has been declared salvage, either by its
190 owner, or by a person, firm, corporation, or other legal entity exercising the right of security
191 interest in it;

192 (c) Has been declared salvage by an insurance company as a result of settlement of a
193 claim;

194 (d) Ownership of which is evidenced by a salvage title; or

195 (e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157
196 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild
197 or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling
198 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on
199 parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair
200 market value" means the retail value of a motor vehicle as:

201 a. Set forth in a current edition of any nationally recognized compilation of retail values,
202 including automated databases, or from publications commonly used by the automotive and
203 insurance industries to establish the values of motor vehicles;

204 b. Determined pursuant to a market survey of comparable vehicles with regard to
205 condition and equipment; and

206 c. Determined by an insurance company using any other procedure recognized by the
207 insurance industry, including market surveys, that is applied by the company in a uniform
208 manner;

209 (52) "School bus", any motor vehicle used solely to transport students to or from school
210 or to transport students to or from any place for educational purposes;

211 (53) "Scrap processor", a business that, through the use of fixed or mobile equipment,
212 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
213 transportation to a shredder or scrap metal operator for recycling;

214 (54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
215 corporation as an incidental service to transport patrons or customers of the regular business of
216 such person, firm, or corporation to and from the place of business of the person, firm, or
217 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
218 buses or as commercial motor vehicles;

219 (55) "Special mobile equipment", every self-propelled vehicle not designed or used
220 primarily for the transportation of persons or property and incidentally operated or moved over
221 the highways, including farm equipment, implements of husbandry, road construction or
222 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
223 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
224 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
225 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
226 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
227 shall not operate to exclude other such vehicles which are within the general terms of this
228 section;

229 (56) "Specially constructed motor vehicle", a motor vehicle which shall not have been
230 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
231 vehicles. The term specially constructed motor vehicle includes kit vehicles;

232 (57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
233 is located on a drop frame located behind and below the rearmost axle of the power unit;

234 (58) "Tandem axle", a group of two or more axles, arranged one behind another, the
235 distance between the extremes of which is more than forty inches and not more than ninety-six
236 inches apart;

237 (59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed
238 for drawing other vehicles, but not for the carriage of any load when operating independently.
239 When attached to a semitrailer, it supports a part of the weight thereof;

240 (60) "Trailer", any vehicle without motive power designed for carrying property or
241 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
242 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
243 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
244 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers

245 as defined in subdivision (8) of this section and shall not include manufactured homes as defined
246 in section 700.010;

247 (61) "Truck", a motor vehicle designed, used, or maintained for the transportation of
248 property;

249 (62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
250 trailing units are connected with a B-train assembly which is a rigid frame extension attached to
251 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
252 semitrailer and has one less articulation point than the conventional A-dolly connected
253 truck-tractor semitrailer-trailer combination;

254 (63) "Truck-trailer boat transporter combination", a boat transporter combination
255 consisting of a straight truck towing a trailer using typically a ball and socket connection with
256 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
257 trailer but so as to maintain a downward force on the trailer tongue;

258 (64) "Used parts dealer", a business that buys and sells used motor vehicle parts or
259 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
260 Business does not include isolated sales at a swap meet of less than three days;

261 (65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
262 off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
263 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
264 be used primarily for landscaping, lawn care, or maintenance purposes;

265 (66) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
266 firm, corporation, association, city, county or state agency, or any member thereof, for the
267 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
268 and from their place of employment; however, a vanpool shall not be included in the definition
269 of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this
270 section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
271 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal,
272 or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary
273 profit other than for use in a ride-sharing arrangement;

274 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
275 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
276 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
277 operated by handicapped persons;

278 (68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
279 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a

280 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
281 a replacement vehicle to replace a disabled or wrecked vehicle;

282 (69) "Wrecker or towing service", the act of transporting, towing or recovering with a
283 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
284 tow truck, rollback or car carrier for which the operator directly or indirectly receives
285 compensation or other personal gain.

301.062. 1. The annual registration fee for a local log truck, registered pursuant to this
2 chapter, is three hundred dollars.

3 **2. A local log truck may receive an extended distance local log truck permit for an**
4 **additional fee of three hundred dollars. A local log truck with an extended distance local**
5 **log truck permit shall be allowed to transport harvested or processed forest products**
6 **outside of the one-hundred-mile radius from the forested site at the weight limits for**
7 **commercial vehicles specified in section 304.180. For the purposes of this section,**
8 **"processed forest products" shall mean wood products that are produced from the initial**
9 **processing of a round log and have received no additional manufacturing or packaging to**
10 **prepare the material for any retail market including, but not limited to, sawdust, wood**
11 **chips, bark, slabs, and green square edged lumber products.**

321.242. 1. The governing body of any fire protection district which operates within and
2 has boundaries identical to a city with a population of at least thirty thousand but not more than
3 thirty-five thousand inhabitants which is located in a county of the first classification, excluding
4 a county of the first classification having a population in excess of nine hundred thousand, or the
5 governing body of any municipality having a municipal fire department may impose a sales tax
6 in an amount of up to one-fourth of one percent on all retail sales made in such fire protection
7 district or municipality which are subject to taxation pursuant to the provisions of sections
8 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other
9 sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this
10 section shall be effective unless the governing body of the fire protection district or municipality
11 submits to the voters of such fire protection district or municipality, at a county or state general,
12 primary or special election, a proposal to authorize the governing body of the fire protection
13 district or municipality to impose a tax.

14 2. The ballot of submission shall contain, but need not be limited to, the following
15 language:

16 Shall (insert name of district or municipality) impose a sales tax of
17 (insert rate of tax) for the purpose of providing revenues for the operation of the (insert
18 fire protection district or municipal fire department)?

19 YES NO

20

21 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
22 of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of
23 the votes cast by the qualified voters voting are opposed to the proposal, then the governing body
24 of the fire protection district or municipality shall not impose the sales tax authorized in this
25 section unless and until the governing body of such fire protection district or municipality
26 resubmits a proposal to authorize the governing body of the fire protection district or
27 municipality to impose the sales tax authorized by this section and such proposal is approved by
28 a majority of the qualified voters voting thereon.

29 3. All revenue received by a fire protection district or municipality from the tax
30 authorized pursuant to the provisions of this section shall be deposited in a special trust fund and
31 shall be used solely for the operation of the fire protection district or the municipal fire
32 department.

33 4. All sales taxes collected by the director of revenue pursuant to this section **or section**
34 **321.246** on behalf of any fire protection district or municipality, less one percent for cost of
35 collection which shall be deposited in the state's general revenue fund after payment of premiums
36 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which
37 is hereby created, to be known as the "Fire Protection Sales Tax Trust Fund". Any moneys in
38 the fire protection district sales tax trust fund created prior to August 28, 1999, shall be
39 transferred to the fire protection sales tax trust fund. The moneys in the fire protection sales tax
40 trust fund shall not be deemed to be state funds and shall not be commingled with any funds of
41 the state. The director of revenue shall keep accurate records of the amount of money in the trust
42 fund and of the amounts which were collected in each fire protection district or municipality
43 imposing a sales tax pursuant to this section, and the records shall be open to the inspection of
44 officers of the fire protection district or municipality and the public. Not later than the tenth day
45 of each month, the director of revenue shall distribute all moneys deposited in the trust fund
46 during the preceding month to the fire protection district or municipality which levied the tax.
47 Such funds shall be deposited with the treasurer of each such fire protection district or
48 municipality, and all expenditures of funds arising from the fire protection sales tax trust fund
49 shall be for the operation of the fire protection district or the municipal fire department and for
50 no other purpose.

51 5. The director of revenue may [~~authorize the state treasurer to~~] make refunds from the
52 amounts in the trust fund and credited to any fire protection district or municipality for erroneous
53 payments and overpayments made and may redeem dishonored checks and drafts deposited to
54 the credit of such fire protection districts or municipalities. If any fire protection district or
55 municipality abolishes the tax, the fire protection district or municipality shall notify the director

56 of revenue of the action at least ninety days prior to the effective date of the repeal and the
57 director of revenue may order retention in the trust fund, for a period of one year, of two percent
58 of the amount collected after receipt of such notice to cover possible refunds or overpayment of
59 the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.
60 After one year has elapsed after the effective date of abolition of the tax in such fire protection
61 district or municipality, the director of revenue shall remit the balance in the account to the fire
62 protection district or municipality and close the account of that fire protection district or
63 municipality. The director of revenue shall notify each fire protection district or municipality
64 of each instance of any amount refunded or any check redeemed from receipts due the fire
65 protection district or municipality. In the event a tax within a fire protection district is approved
66 pursuant to this section, and such fire protection district is dissolved, if the boundaries of the fire
67 protection district are identical to that of the city, the tax shall continue and proceeds shall be
68 distributed to the governing body of the city formerly containing the fire protection district and
69 the proceeds of the tax shall be used for fire protection services within such city.

70 6. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
71 apply to the tax imposed pursuant to this section.

321.246. 1. The governing body of any fire protection district which operates within
2 both a county of the first classification with a charter form of government and with a population
3 greater than six hundred thousand but less than nine hundred thousand and a county of the fourth
4 classification with a population greater than thirty thousand but less than thirty-five thousand and
5 that adjoins a county of the first classification with a charter form of government, [ø] the
6 governing body of any fire protection district which contains a city of the fourth classification
7 having a population greater than two thousand four hundred when the city is located in a county
8 of the first classification without a charter form of government having a population greater than
9 one hundred fifty thousand and the county contains a portion of a city with a population greater
10 than three hundred fifty thousand, **or the governing body of any fire protection district which**
11 **operates in a county of the third classification with a population greater than fourteen**
12 **thousand but less than fifteen thousand** may impose a sales tax in an amount of up to one-half
13 of one percent on all retail sales made in such fire protection district which are subject to taxation
14 pursuant to the provisions of sections 144.010 to 144.525. The tax authorized by this section
15 shall be in addition to any and all other sales taxes allowed by law, except that no sales tax
16 imposed pursuant to the provisions of this section shall be effective unless the governing body
17 of the fire protection district submits to the voters of the fire protection district, at a county or
18 state general, primary or special election, a proposal to authorize the governing body of the fire
19 protection district to impose a tax.

20 2. The ballot of submission shall contain, but need not be limited to, the following
21 language:

22 Shall the fire protection district of (district's name) impose a district-wide
23 sales tax of for the purpose of providing revenues for the operation of the fire protection
24 district?

25 YES NO

26

27 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor
28 of the proposal, then the sales tax authorized in this section shall be in effect. If a majority of
29 the votes cast by the qualified voters voting are opposed to the proposal, then the governing body
30 of the fire protection district shall not impose the sales tax authorized in this section unless and
31 until the governing body of the fire protection district resubmits a proposal to authorize the
32 governing body of the fire protection district to impose the sales tax authorized by this section
33 and such proposal is approved by a majority of the qualified voters voting thereon.

34 3. All revenue received by a fire protection district from the tax authorized pursuant to
35 the provisions of this section shall be deposited in a special trust fund and shall be used solely
36 for the operation of the fire protection district.

37 4. All sales taxes collected by the director of revenue pursuant to this section on behalf
38 of any fire protection district, less one percent for cost of collection which shall be deposited in
39 the state's general revenue fund after payment of premiums for surety bonds as provided in
40 section 32.087, shall be deposited in the fire protection district sales tax trust fund established
41 pursuant to section 321.242. The moneys in the fire protection district sales tax trust fund shall
42 not be deemed to be state funds and shall not be commingled with any funds of the state. The
43 director of revenue shall keep accurate records of the amount of money in the trust and which
44 was collected in each fire protection district imposing a sales tax pursuant to this section, and the
45 records shall be open to the inspection of officers of the fire protection district and the public.
46 Not later than the tenth day of each month, the director of revenue shall distribute all moneys
47 deposited in the trust fund during the preceding month to the fire protection district which levied
48 the tax. Such funds shall be deposited with the treasurer of each such fire protection district, and
49 all expenditures of funds arising from the fire protection district sales tax trust fund shall be for
50 the operation of the fire protection district and for no other purpose.

51 5. The director of revenue may [~~authorize the state treasurer to~~] make refunds from the
52 amounts in the trust fund and credited to any fire protection district for erroneous payments and
53 overpayments made and may redeem dishonored checks and drafts deposited to the credit of such
54 fire protection districts. If any fire protection district abolishes the tax, the fire protection district
55 shall notify the director of revenue of the action at least ninety days prior to the effective date of

56 the repeal and the director of revenue may order retention in the trust fund, for a period of one
57 year, of two percent of the amount collected after receipt of such notice to cover possible refunds
58 or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of
59 such accounts. After one year has elapsed after the effective date of abolition of the tax in such
60 fire protection district, the director of revenue shall remit the balance in the account to the fire
61 protection district and close the account of that fire protection district. The director of revenue
62 shall notify each fire protection district of each instance of any amount refunded or any check
63 redeemed from receipts due the fire protection district. In the event a tax within a fire protection
64 district is approved under this section, and such fire protection district is dissolved, the tax shall
65 lapse on the date that the fire protection district is dissolved and the proceeds from the last
66 collection of such tax shall be distributed to the governing bodies of the counties formerly
67 containing the fire protection district and the proceeds of the tax shall be used for fire protection
68 services within such counties.

69 6. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
70 apply to the tax imposed pursuant to this section.

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

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

16 3. The recorder shall state in every license whether the parties applying for same, one
17 or either or both of them, are of age, or whether the male is under the age of eighteen years or
18 the female under the age of eighteen years, and if the male is under the age of eighteen years or
19 the female is under the age of eighteen years, the name of the custodial parent or guardian
20 consenting to such marriage. **Applicants shall provide proof of age to the recorder in the**

21 **form of a certified copy of the applicant's birth certificate, the applicant's passport, or**
22 **other government-issued identification, which shall then be documented by the recorder.**

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

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

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

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

18 5. Judges selected under the provisions of this section shall be municipal judges of the
19 circuit court and shall be divisions of the circuit court of the circuit in which the municipality,
20 or major geographical portion thereof, is located. The judges of these municipal divisions shall
21 be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme
22 court. The presiding judge of the circuit shall have general administrative authority over the
23 judges and court personnel of the municipal divisions within the circuit.

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

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

30 8. Within six months after selection for the position, each municipal judge who is not
31 licensed to practice law in this state shall satisfactorily complete the course of instruction for
32 municipal judges prescribed by the supreme court. The state courts administrator shall certify
33 to the supreme court the names of those judges who satisfactorily complete the prescribed
34 course. If a municipal judge fails to complete satisfactorily the prescribed course within six

35 months after the municipal judge's selection as municipal judge, the municipal judge's office
36 shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal
37 judge, nor shall any compensation thereafter be paid to such person for serving as municipal
38 judge.

39 9. No municipal judge shall serve as a municipal judge in more than five municipalities
40 at one time. **A court that serves more than one municipality shall be treated as a single**
41 **municipality for the purposes of this subsection.**

479.353. 1. Notwithstanding any provisions to the contrary, the following conditions
2 shall apply to minor traffic violations and municipal ordinance violations:

3 (1) The court shall not assess a fine, if combined with the amount of court costs, totaling
4 in excess of:

5 (a) Two hundred twenty-five dollars for minor traffic violations; and

6 (b) For municipal ordinance violations committed within a twelve-month period
7 beginning with the first violation: two hundred dollars for the first municipal ordinance
8 violation, two hundred seventy-five dollars for the second municipal ordinance violation, three
9 hundred fifty dollars for the third municipal ordinance violation, and four hundred fifty dollars
10 for the fourth and any subsequent municipal ordinance violations;

11 (2) The court shall not sentence a person to confinement, except the court may sentence
12 a person to confinement for any violation involving alcohol or controlled substances, violations
13 endangering the health or welfare of others, or eluding or giving false information to a law
14 enforcement officer;

15 (3) A person shall not be placed in confinement for failure to pay a fine unless such
16 nonpayment violates terms of probation or unless the due process procedures mandated by
17 Missouri supreme court rule 37.65 or its successor rule are strictly followed by the court;

18 (4) Court costs that apply shall be assessed against the defendant unless the court finds
19 that the defendant is indigent based on standards set forth in determining such by the presiding
20 judge of the circuit. Such standards shall reflect model rules and requirements to be developed
21 by the supreme court; and

22 (5) No court costs shall be assessed if the defendant is found to be indigent under
23 subdivision (4) of this section or if the case is dismissed.

24 **2. When an individual has been held in custody on a notice to show cause warrant**
25 **for an underlying minor traffic violation, the court, on its own motion or on the motion of**
26 **any interested party, may review the original fine and sentence and waive or reduce such**
27 **fine or sentence when the court finds it reasonable given the circumstances of the case.**

479.354. For any notice to appear in court, citation, or summons on a minor traffic
2 violation, the date and time the defendant is to appear in court shall be given when such

3 **notice to appear in court, citation, or summons is first provided to the defendant. Failure**
4 **to provide such date and time shall render such notice to appear in court, citation, or**
5 **summons void.**

Section B. The repeal and reenactment of sections 50.1190, 52.290, 137.280, 137.345,
2 and 140.100 of section A of this act shall become effective January 1, 2018.

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