

# JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, TUESDAY, MAY 1, 2018

The House met pursuant to adjournment.

Speaker Pro Tem Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

*Let integrity and uprightness preserve me; for I wait on Thee. (Psalm 25:21)*

O Loving God, who is a strong tower of defense to all who keep faith and trust with You, we Your children come before You in gratitude for Your steadfast love and Your enduring truth. In You alone is our hope and in You alone is the strength of our state.

In our restlessness, may we know the peace of Your presence; in our fears, the faithfulness of your spirit; and in our uncertainties, the certainty of Your love. May our little efforts for good be supported by the greatness of Your power and the goodness of Your grace in the people's house.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Leo Moffatt, Parker Howell, Brynn Hubbard, Sophia Ardekani, Bella Campbell, and Kelsey Lightle.

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

AYES: 131

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Burnett	Burns	Butler	Conway 10	Conway 104
Corlew	Cornejo	Cross	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Knight
Kolkmeier	Lant	Lauer	Lavender	Lichtenegger
Lynch	Marshall	Mathews	Matthiesen	McCann Beatty
McCreery	McDaniel	McGaugh	McGee	Meredith 71

Messenger	Miller	Moon	Morgan	Morris 140
Morse 151	Neely	Nichols	Pfautsch	Phillips
Pietzman	Pike	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	Wessels	Wiemann	Wilson
Wood				

NOES: 000

PRESENT: 001

Green

ABSENT WITH LEAVE: 029

Arthur	Brown 57	Carpenter	Chipman	Christofanelli
Cookson	Curtis	Curtman	Ellington	Gregory
Kidd	Korman	Love	May	Merideth 80
Mitten	Mosley	Muntzel	Newman	Peters
Pierson Jr	Plocher	Pogue	Roeber	Smith 85
Spencer	Walker 74	White	Mr. Speaker	

VACANCIES: 002

## HOUSE RESOLUTIONS

Representative Merideth (80) offered House Resolution No. 7432.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Vice-Chairman Smith (163) reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 1268**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Anderson, Conway (104), Fraker, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (2): Alferman and Haefner

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 1286**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Anderson, Conway (104), Fraker, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (2): Alferman and Haefner

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#2 SCS HCS HB 1500, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Anderson, Conway (104), Fraker, Morris (140), Rowland (29), Smith (163), Swan, Wessels, Wiemann and Wood

Noes (2): Morgan and Unsicker

Absent (2): Alferman and Haefner

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1554**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Anderson, Conway (104), Fraker, Morgan, Morris (140), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (3): Alferman, Haefner and Rowland (29)

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1858** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HB 1858**.

Senators: Eigel, Wallingford, Koenig, Nasheed, Rizzo

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2002**.

Senators: Brown, Hegeman, Cunningham, Curls, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2003**.

Senators: Brown, Hegeman, Sater, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2004**.

Senators: Brown, Hegeman, Cunningham, Curls, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2005**.

Senators: Brown, Hegeman, Cunningham, Curls, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2006, as amended**.

Senators: Brown, Hegeman, Cunningham, Curls, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2007, as amended**.

Senators: Brown, Hegeman, Cunningham, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2008**.

Senators: Brown, Hegeman, Cunningham, Curls, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2009**.

Senators: Brown, Sater, Cunningham, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HB 2010**.

Senators: Brown, Hegeman, Sater, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2011**.

Senators: Brown, Hegeman, Sater, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2012**.

Senators: Brown, Hegeman, Sater, Curls, Nasheed

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2013**.

Senators: Brown, Hegeman, Sater, Curls, Holsman

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 1286**, relating to natural resources, was taken up by Representative Engler.

On motion of Representative Engler, **SCS HCS HB 1286** was adopted by the following vote:

AYES: 140

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Butler	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCreery	McGaugh
McGee	Meredith 71	Messenger	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Washington	Wessels	Wiemann	Wilson	Wood

NOES: 004

Hurst	Johnson	Marshall	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes 60	Burns	Carpenter	Chipman	Cookson
Curtis	Ellington	Korman	McCann Beatty	McDaniel

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Merideth 80 Newman Peters Pogue Smith 85  
White Mr. Speaker

VACANCIES: 002

On motion of Representative Engler, **SCS HCS HB 1286** was truly agreed to and finally passed by the following vote:

AYES: 136

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Burnett	Burns	Butler	Carpenter	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Cross
Curtis	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Justus	Kelley 127
Kelly 141	Knight	Kolkmeier	Korman	Lant
Lauer	Lavender	Lichtenegger	Love	Lynch
Mathews	Matthiesen	May	McCreery	McGaugh
Meredith 71	Messenger	Miller	Mitten	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Rehder
Reiboldt	Reisch	Remole	Revis	Roberts
Roden	Roerber	Ross	Rowland 155	Runions
Ruth	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walker 74	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 004

Hurst Johnson Marshall Moon

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes 60	Brown 57	Chipman	Cookson	Curtman
Ellington	Kendrick	Kidd	McCann Beatty	McDaniel
McGee	Merideth 80	Newman	Peters	Pogue
Redmon	Rhoads	Rone	Rowland 29	Schroer
Smith 85				

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

**SS#2 SCS HCS HB 1500, as amended**, relating to reduction in regulation of certain occupations, was taken up by Representative Dogan.

On motion of Representative Dogan, **SS#2 SCS HCS HB 1500, as amended**, was adopted by the following vote:

AYES: 136

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Bahr	Baringer	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 27	Brown 57	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtis
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Ellington	Engler
Evans	Fitzpatrick	Fitzwater	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lavender	Lichtenegger
Love	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	Meredith 71	Miller
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Pierson Jr	Pietzman	Pike
Plocher	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Rowland 29
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 010

Anders	Bangert	Barnes 28	Hurst	Marshall
McGee	Moon	Morgan	Runions	Washington

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes 60	Cookson	Fraker	Lauer	McDaniel
Merideth 80	Messenger	Mitten	Newman	Peters
Phillips	Pogue	Quade	Rone	Swan

VACANCIES: 002

On motion of Representative Dogan, **SS#2 SCS HCS HB 1500, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 137

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Bahr	Baringer	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondory
Brattin	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtis	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Korman	Lant	Lavender	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCreery
McGaugh	Meredith 71	Merideth 80	Messenger	Miller
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Wessels	White	Wiemann
Wood	Mr. Speaker			

NOES: 011

Anders	Bangert	Barnes 28	Brown 27	Hurst
Marshall	McGee	Moon	Morgan	Runions
Washington				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Cookson	Curtman	Lauer	McCann Beatty
McDaniel	Mitten	Newman	Peters	Pogue
Swan	Walker 74	Wilson		

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

### **HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL**

**SCS HCS HB 1268**, relating to the Missouri dental board, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **SCS HCS HB 1268** was adopted by the following vote:



AYES: 146

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Butler	Carpenter
Chipman	Christofanelli	Conway 104	Corlew	Cornejo
Cross	Curtis	Curtman	Davis	DeGroot
Dinkins	Dogan	Eggleston	Ellebracht	Engler
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Marshall	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	McGee
Meredith 71	Merideth 80	Messenger	Miller	Morgan
Morris 140	Morse 151	Mosley	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood				

NOES: 002

Ellington	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes 60	Conway 10	Cookson	Dohrman	Evans
Green	Gregory	McDaniel	Mitten	Newman
Peters	Pogue	Mr. Speaker		

VACANCIES: 002

On motion of Representative Lichtenegger, **SCS HCS HB 1268** was truly agreed to and finally passed by the following vote:

AYES: 147

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Butler	Carpenter

Chipman	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gray
Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 002

Ellington                      Moon

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes 60	Cookson	Dohrman	Gannon	Green
McDaniel	Mitten	Newman	Nichols	Peters
Pogue	Redmon			

VACANCIES: 002

Speaker Pro Tem Haahr declared the bill passed.

### **THIRD READING OF HOUSE BILLS - INFORMAL**

**HCS HB 1554**, relating to the use of investigational drugs, was taken up by Representative Neely.

Representative Dogan offered **House Perfecting Amendment No. 1**.

#### *House Perfecting Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1554, Page 3, Section 192.945, Line 9, by deleting the words "**under section 195.981**"; and

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

Speaker Richardson assumed the Chair.

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

Representative Basye assumed the Chair.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Anderson	Andrews	Austin	Bahr	Barnes 60
Basye	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 104
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzwater	Fraker	Francis
Franklin	Frederick	Gannon	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kidd	Knight	Kolkmeier	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	McGaugh	Messenger	Moon	Morris 140
Morse 151	Muntzel	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Swan
Tate	Taylor	Trent	Vescovo	Walker 3
Walsh	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 045

Adams	Anders	Arthur	Bangert	Barnes 28
Beard	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Ellebracht
Ellington	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Nichols	Pierson Jr	Quade	Razer
Revis	Roberts	Rowland 29	Runions	Smith 85
Stevens 46	Unsicker	Walker 74	Washington	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 010

Alferman	Baringer	Cookson	Fitzpatrick	Korman
McDaniel	Miller	Newman	Peters	Pogue

VACANCIES: 002

Speaker Richardson resumed the Chair.

On motion of Representative Neely, **HCS HB 1554, as amended**, was read the third time and passed by the following vote:

AYES: 112

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bangert	Baringer	Barnes 60	Barnes 28
Basye	Beck	Bondon	Brown 27	Brown 57
Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Conway 10	Corlew	Cornejo	Curtis
Curtman	Davis	DeGroot	Dinkins	Dogan
Ellebracht	Ellington	Engler	Evans	Fitzwater
Fraker	Franklin	Franks Jr	Gannon	Gray
Green	Grier	Haahr	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Johnson	Kelley 127	Kendrick	Kidd	Kolkmeyer
Lant	Lauer	Lavender	Lichtenegger	Love
Matthiesen	May	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Miller	Mitten
Morgan	Morris 140	Mosley	Neely	Nichols
Phillips	Pierson Jr	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Revis
Roberts	Roden	Rone	Rowland 155	Rowland 29
Runions	Schroer	Shaul 113	Shull 16	Smith 85
Smith 163	Sommer	Spencer	Stephens 128	Stevens 46
Swan	Tate	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Washington	Wessels	White
Wiemann	Mr. Speaker			

NOES: 044

Andrews	Bahr	Beard	Bernskoetter	Berry
Black	Brattin	Conway 104	Cross	Dohrman
Eggleston	Fitzpatrick	Francis	Frederick	Gregory
Haefner	Houghton	Houx	Hurst	Justus
Kelly 141	Knight	Korman	Lynch	Marshall
Mathews	Messenger	Moon	Morse 151	Muntzel
Pfautsch	Pietzman	Pike	Remole	Rhoads
Roeber	Ross	Ruth	Shumake	Stacy
Taylor	Walsh	Wilson	Wood	

PRESENT: 000

ABSENT WITH LEAVE: 005

Cookson	McDaniel	Newman	Peters	Pogue
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VACANCIES: 002

Speaker Richardson declared the bill passed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

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

**SS HB 1858:** Representatives Christofanelli, Curtman, Smith (163), Carpenter and Morgan

**THIRD READING OF SENATE BILLS - INFORMAL**

**SCS SB 814**, relating to driver's licenses for persons who are deaf or hard of hearing, was taken up by Representative Rowland (155).

On motion of Representative Rowland (155), the title of **SCS SB 814** was agreed to.

On motion of Representative Rowland (155), **SCS SB 814** was truly agreed to and finally passed by the following vote:

AYES: 152

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Curtis	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Ellebracht	Ellington	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Houghton
Houx	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Marshall	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	McGee
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley
Neely	Nichols	Pfautsch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cookson	Cross	Hill	McDaniel	Muntzel
Newman	Peters	Pogue	Walker 74	

VACANCIES: 002

Speaker Richardson declared the bill passed.

### THIRD READING OF SENATE BILLS

**SB 683**, relating to transportation of cranes, was taken up by Representative Kolkmeier.

On motion of Representative Kolkmeier, the title of **SB 683** was agreed to.

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

#### *House Amendment No. 1*

AMEND Senate Bill No. 683, Page 6, Section 304.180, Line 172, by inserting immediately after all of said section and line the following:

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

(1) "Electronic message", a self-contained piece of digital communication that is designed or intended to be transmitted via an electronic wireless communication device, which includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site;

(2) "Electronic wireless communication device", includes, but is not limited to, a cell phone, personal digital assistant, electronic device with mobile data access, laptop computer, pager, broadband personal communication device, electronic game, or portable computing device. An "electronic wireless communication device" shall not include:

(a) A global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes; and

(b) Two-way or citizen band radio services;

(3) "Hands-free electronic wireless communication device", a wireless communication device that has an internal feature or function, or that is equipped with an attachment or addition, regardless of whether permanently part of such mobile electronic device, by which a user engages with the device without the use of either hand; provided, however, this definition shall not preclude the use of either hand merely to activate, deactivate, or initiate a function of the device;

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

(5) "Operating", physically driving or operating a motor vehicle on a highway, including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. A person is not "operating" a motor vehicle for purposes of this section when the vehicle has pulled over to the side of, or off, a highway and has stopped in a location where it can safely remain stationary.

2. Except as otherwise provided in this section, no person shall operate a noncommercial motor vehicle, as such term is defined in section 302.700, upon the highways of this state while using any hand-held electronic wireless communication device. Prohibited uses shall include, but not be limited to: reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; or manually typing data into any electronic wireless communication device.

3. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle, as that term is defined in section 302.700, while using a hand-held mobile telephone.

4. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle, as that term is defined in section 302.700, while using an electronic wireless communication device to send, read, or write a text message or electronic message.

5. The provisions of subsections 2 to 4 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle as defined in section 304.022;  
(2) A motor vehicle that is responding to another motor vehicle's request for roadside assistance upon the highways of this state when such response is conducted in the course and scope of a commercial activity; or

(3) A motor vehicle while using a hand-held electronic wireless communication device to:

(a) Contact emergency services; or  
(b) Relay information between a transit or for-hire motor vehicle operator and that operator's dispatcher when the device is affixed to the motor vehicle.

6. Nothing contained in subsection 2 of this section shall be construed or interpreted to prohibit a person operating a noncommercial motor vehicle, as such term is defined in section 302.700, on the highways of this state from using a hands-free electronic wireless communication device when the operator is not holding the hands-free electronic wireless communication device in the operator's hand or hands, except the operator shall not have his or her attention diverted from the lawful operation of the noncommercial motor vehicle. The provisions of subsection 2 shall not prohibit the use of either hand merely to activate, deactivate, or initiate a function of a hands-free electronic wireless communication device while operating a noncommercial motor vehicle.

7. A violation of this section shall be deemed an infraction punishable by a fifty-dollar fine. A violation of this section while operating a motor vehicle in a work zone, as defined in section 304.580; when highway workers, as defined in section 304.580, are present; or in areas designated as a school zone that are visibly marked by traffic control devices shall be deemed an infraction punishable by a one hundred-dollar fine. A violation of subsection 2 of this section shall not be deemed a moving violation for purposes of point assessment under section 302.302; however, a violation of subsection 3 or 4 of this section shall be deemed a serious traffic violation, as defined in 302.700, for purposes of commercial driver's license disqualification under section 302.755.

8. The provisions of this section shall not preclude the adoption of any law, ordinance, order, rule, or regulation not in conflict with this section, or at least as strict as this section by any county, municipality, or other political subdivision.

9. Notwithstanding any provision in this section to the contrary, no person less than eighteen years of age, or with an instruction permit or intermediate license regardless of age, shall use an electronic wireless communication device, regardless of whether such device is hands-free, while operating a motor vehicle on the highways of this state, except to contact emergency services.

~~[304.820. 1. Except as otherwise provided in this section, no person twenty-one years of age or younger operating a moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message.~~

~~2. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a hand-held mobile telephone.~~

~~3. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a wireless communications device to send, read, or write a text message or electronic message.~~

~~4. The provisions of subsection 1 through subsection 3 of this section shall not apply to a person operating:~~

~~(1) An authorized emergency vehicle; or~~

~~(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:~~

~~(a) Report illegal activity;~~

~~(b) Summon medical or other emergency help;~~

~~(c) Prevent injury to a person or property; or~~

~~(d) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.~~

~~5. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand held electronic wireless communications device, while operating a noncommercial motor vehicle upon the highways of this state.~~

~~6. As used in this section, "electronic message" means a self contained piece of digital communication that is designed or intended to be transmitted between hand held electronic wireless communication devices. "Electronic message" includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.~~

~~7. As used in this section, "hand held electronic wireless communications device" includes any hand held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.~~

~~8. As used in this section, "making or taking part in a telephone call" means listening to or engaging in verbal communication through a hand held electronic wireless communication device.~~

~~9. As used in this section, "send, read, or write a text message or electronic message" means using a hand held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand held electronic wireless communications device for the purpose of making a telephone call.~~

~~10. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302.~~

~~11. The state preempts the field of regulating the use of hand held electronic wireless communications devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand held electronic wireless communication devices by the operator of a motor vehicle.~~

~~12. The provisions of this section shall not apply to:~~

- ~~(1) The operator of a vehicle that is lawfully parked or stopped;~~
- ~~(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;~~
- ~~(3) The use of factory installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;~~
- ~~(4) The use of voice operated technology;~~
- ~~(5) The use of two way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service.]; and~~

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

Representative Barnes (60) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair took the point of order under advisement.

The Chair ruled the point of order well taken.

On motion of Representative Kolkmeier, **SB 683** was truly agreed to and finally passed by the following vote:

AYES: 140

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Burnett	Burns	Carpenter	Chipman



Christofanelli	Conway 104	Corlew	Cornejo	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Evans	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	McGee
Meredith 71	Merideth 80	Messenger	Miller	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Nichols	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walsh	Washington	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 020

Alferman	Butler	Conway 10	Cookson	Cross
Curtis	Engler	Fitzpatrick	Gannon	Hill
Lichtenegger	Marshall	McDaniel	Newman	Peters
Pfautsch	Pogue	Shaul 113	Stacy	Walker 74

VACANCIES: 002

Speaker Richardson declared the bill passed.

### THIRD READING OF HOUSE BILLS - INFORMAL

**HCS HB 1739**, relating to minimum terms of imprisonment, was taken up by Representative Smith (163).

On motion of Representative Smith (163), **HCS HB 1739** was read the third time and passed by the following vote:

AYES: 148

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin

Brown 27	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Ellington	Evans	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Lavender	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Moon	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Nichols
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cookson	Engler	Fitzpatrick	Gannon	Hill
Lichtenegger	McDaniel	Newman	Peters	Pfautsch
Pogue	Stacy	Walker 74		

VACANCIES: 002

Speaker Richardson declared the bill passed.

On motion of Representative Vescovo, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

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

### **COMMITTEE REPORTS**

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 1879, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Conway (104), Fraker, Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Alferman

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 2116**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Conway (104), Fraker, Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Alferman

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#5 SB 564**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Anderson, Conway (104), Fraker, Haefner, Morris (140), Rowland (29), Smith (163), Swan, Wessels, Wiemann and Wood

Noes (2): Morgan and Unsicker

Absent (1): Alferman

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 659**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Conway (104), Fraker, Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Alferman

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 707**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Anderson, Conway (104), Fraker, Haefner, Morgan, Morris (140), Rowland (29), Smith (163), Swan, Unsicker, Wessels, Wiemann and Wood

Noes (0)

Absent (1): Alferman

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 782**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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Ayes (9): Anderson, Conway (104), Fraker, Haefner, Morris (140), Smith (163), Swan, Wiemann and Wood

Noes (4): Morgan, Rowland (29), Unsicker and Wessels

Absent (1): Alferman

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 029

Alferman	Basye	Berry	Bondon	Brown 27
Burnett	Butler	Curtman	DeGroot	Dinkins
Engler	Evans	Hannegan	Hurst	Kelly 141
Korman	Lichtenegger	May	Morris 140	Morse 151
Pfautsch	Phillips	Redmon	Reiboldt	Reisch
Remole	Taylor	Walsh	White	

NOES: 000

PRESENT: 063

Austin	Baringer	Barnes 28	Black	Brown 57
Christofanelli	Conway 104	Corlew	Cornejo	Cross
Davis	Eggleston	Ellebracht	Fitzwater	Frederick
Gregory	Haahr	Haefner	Harris	Helms
Hill	Houghton	Houx	Johnson	Kendrick
Knight	Lant	Lauer	Lynch	McCann Beatty
McCreery	McGaugh	Miller	Mitten	Moon
Morgan	Nichols	Pike	Razer	Revis
Roden	Ross	Rowland 155	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Stacy	Stephens 128	Swan
Trent	Unsicker	Vescovo	Walker 3	Wessels
Wiemann	Wilson	Wood		

ABSENT WITH LEAVE: 069

Adams	Anders	Anderson	Andrews	Arthur
Bahr	Bangert	Barnes 60	Beard	Beck
Bernskoetter	Brattin	Burns	Carpenter	Chipman
Conway 10	Cookson	Curtis	Dogan	Dohrman
Ellington	Fitzpatrick	Fraker	Francis	Franklin
Franks Jr	Gannon	Gray	Green	Grier
Hansen	Henderson	Higdon	Justus	Kelley 127
Kidd	Kolkmeyer	Lavender	Love	Marshall
Mathews	Matthiesen	McDaniel	McGee	Meredith 71
Merideth 80	Messenger	Mosley	Muntzel	Neely
Newman	Peters	Pierson Jr	Pietzman	Plocher
Pogue	Quade	Rehder	Rhoads	Roberts
Roeber	Rone	Rowland 29	Spencer	Stevens 46
Tate	Walker 74	Washington	Mr. Speaker	

VACANCIES: 002

**THIRD READING OF SENATE BILLS - INFORMAL**

**HCS SS SB 870**, relating to emergency medical services, was taken up by Representative Alferman.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 42, Section 217.151, Line 53, by inserting after all of said line the following:

**"9. The provisions of this section shall apply only to the department of corrections and any entity that contracts with the department of corrections.";** and

Further amend said bill, Pages 42-43, Section 221.520, Lines 1-46, by deleting said section and lines from the bill; and

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

Representative Conway (104) offered **House Amendment No. 1 to House Amendment No. 1**.

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

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Line 5, by inserting immediately after the word "**corrections**" the following:

**"; except that, the provisions of this subsection shall not apply to any county or municipality that contracts with the department of corrections";** and

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

Representative Conway (104) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote, the ayes and noes having been demanded by Representative Conway (104):

AYES: 065

Anderson	Andrews	Bahr	Basye	Black
Brattin	Brown 57	Conway 104	Cornejo	Cross
Dinkins	Dohrman	Fitzpatrick	Fitzwater	Fraker
Francis	Frederick	Gannon	Haefner	Hansen
Henderson	Houghton	Houx	Hurst	Johnson
Knight	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews
Messenger	Miller	Moon	Morris 140	Morse 151

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Muntzel	Neely	Pfautsch	Phillips	Pietzman
Pike	Redmon	Reisch	Remole	Rhoads
Roden	Rowland 155	Schroer	Shull 16	Shumake
Sommer	Spencer	Stephens 128	Swan	Taylor
Vescovo	Walker 3	Walsh	Wilson	Wood

NOES: 073

Adams	Alferman	Anders	Arthur	Austin
Baringer	Barnes 28	Beck	Berry	Brown 27
Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Conway 10	Corlew	Curtis	Curtman
Davis	DeGroot	Dogan	Eggleston	Ellebracht
Engler	Evans	Franks Jr	Gregory	Grier
Haahr	Hannegan	Harris	Helms	Higdon
Hill	Justus	Kelley 127	Kelly 141	Kendrick
Lavender	May	McCreery	McGaugh	Meredith 71
Merideth 80	Morgan	Mosley	Nichols	Pierson Jr
Quade	Razer	Rehder	Reiboldt	Revis
Roberts	Roeber	Ross	Rowland 29	Runions
Ruth	Shaul 113	Smith 85	Smith 163	Stacy
Stevens 46	Tate	Trent	Unsicker	Walker 74
Wessels	White	Wiemann		

PRESENT: 000

ABSENT WITH LEAVE: 023

Bangert	Barnes 60	Beard	Bernskoetter	Bondon
Cookson	Ellington	Franklin	Gray	Green
Kidd	Matthiesen	McCann Beatty	McDaniel	McGee
Mitten	Newman	Peters	Plocher	Pogue
Rone	Washington	Mr. Speaker		

VACANCIES: 002

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

"43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

(1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:

- (a) The name of the complainant;
- (b) **The name, address, and phone number of the guardian, if any, of the missing person;**
- (c) The relationship of the complainant to the missing person;
- ~~(d)~~ (d) The name, age, address, and all identifying characteristics of the missing person;
- ~~(e)~~ (e) The length of time the person has been missing; **and**
- ~~(f)~~ (f) All other information deemed relevant by either the complainant or the law enforcement agency;

(2) A report of the complaint of a missing person shall be immediately entered into the Missouri uniform law enforcement system (MULES) and the National Crime Information Center (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other law enforcement agencies who may come in contact with or be involved in the investigation or location of a missing person;

(3) A law enforcement agency with which a complaint of a missing child has been filed shall prepare, as soon as practicable, a standard missing child report. The missing child report shall be maintained as a record by the reporting law enforcement agency during the course of an active investigation;

(4) Upon the location of a missing person, or the determination by the law enforcement agency of jurisdiction that the person is no longer missing, the law enforcement agency which reported the missing person shall immediately remove the record of the missing person from the MULES and NCIC files.

2. No law enforcement agency shall prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.

70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) "Governing body", the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) "Municipality", municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) "Political subdivision", counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, any board of control of an art museum, **any 911 or emergency services board authorized in chapter 190 or section 321.243**, the board created under sections 205.968 to 205.973, and any other public subdivision or public corporation having the power to tax."; and

Further amend said bill, Page 25, Section 190.246, Line 34, by inserting immediately after all of said section and line the following:

"190.300. As used in sections 190.300 to ~~[190.320]~~ **190.340**, the following terms and phrases mean:

(1) "Emergency telephone service", a telephone system utilizing a single three digit number "911" for reporting police, fire, medical or other emergency situations;

(2) "Emergency telephone tax", a tax to finance the operation of emergency telephone service;

(3) "Exchange access facilities", all facilities provided by the service supplier for local telephone exchange access to a service user;

(4) "Governing body", the legislative body for a city, county or city not within a county;

(5) "Person", any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user;

(6) "Public agency", any city, county, city not within a county, municipal corporation, public district or public authority located in whole or in part within this state which provides or has authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other emergency services;

(7) "Service supplier", any person providing exchange telephone services to any service user in this state;

(8) "Service user", any person, other than a person providing pay telephone service pursuant to the provisions of section 392.520 not otherwise exempt from taxation, who is provided exchange telephone service in this state;

(9) "Tariff rate", the rate or rates billed by a service supplier to a service user as stated in the service supplier's tariffs, ~~[approved by the Missouri public service commission]~~ **contracts, service agreements, or similar documents governing the provision of the service**, which represent the service supplier's recurring charges for exchange access facilities or their equivalent, **or equivalent rates contained in contracts, service agreements, or similar documents**, exclusive of all taxes, fees, licenses, or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone service pursuant to sections 190.300 to ~~[190.320]~~ **190.340**, it shall be unlawful for any person to misuse the emergency telephone service. For the purposes of this section, "emergency" means any incident involving danger to life or property that calls for an emergency response dispatch of police, fire, EMS or other public safety organization, "misuse the emergency telephone service" includes, but is not limited to, repeatedly calling the "911" for nonemergency situations causing

operators or equipment to be in use when emergency situations may need such operators or equipment and "repeatedly" means three or more times within a one-month period.

2. Any violation of this section is a class B misdemeanor.

3. No political subdivision shall impose any fine or penalty on the owner of a pay telephone or on the owner of any property upon which a pay telephone is located for calls to the emergency telephone service made from the pay telephone. Any such fine or penalty is hereby void.

190.325. 1. In any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants but less than two hundred **fifty** thousand inhabitants, the county commission may use all or a part of the moneys derived from the emergency telephone tax authorized pursuant to section 190.305 for central dispatching of fire protection, emergency ambulance service or any other emergency services, which may include the purchase and maintenance of communications and emergency equipment. In the event such commission chooses to use the tax provided in that section for such services, the provisions of sections 190.300 to 190.320 shall apply except as provided in this section.

2. The tax shall not exceed a percentage of the base tariff rate and such percentage shall not exceed an amount equal to a maximum rate of one dollar thirty cents per line per month, the provisions of section 190.305 to the contrary notwithstanding. The tax imposed by this section and the amounts required to be collected are due monthly. The amount of tax collected in one calendar month by the service supplier shall be remitted to the governing body no later than one month after the close of a calendar month. On or before the last day of each calendar month, a return for the preceding month shall be filed with the governing body in such form as the governing body and service supplier shall agree. The service supplier shall include the list of any service user refusing to pay the tax imposed by this section with each return filing. The service supplier required to file the return shall deliver the return, together with a remittance of the amount of the tax collected. The records shall be maintained for a period of one year from the time the tax is collected. From every remittance to the governing body made on or before the date when the same becomes due, the service supplier required to remit the same shall be entitled to deduct and retain, as a collection fee, an amount equal to two percent thereof.

3. Nothing in this section shall be construed to require any municipality or other political subdivision to join the central dispatching system established pursuant to this section. The governing body of any municipality or other political subdivision may contract with the board established pursuant to section 190.327 for such services or portion of such services, or for the purchase and maintenance of communication and emergency equipment.

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of section 115.121, after approval by a simple majority of the county commission.

3. For the purpose of providing the services described in this section, the board shall have the following powers, authority and privileges:

- (1) To have and use a corporate seal;
- (2) To sue and be sued, and be a party to suits, actions and proceedings;
- (3) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the board;
- (4) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, including leases and easements;
- (5) To have the management, control and supervision of all the business affairs of the board and the construction, installation, operation and maintenance of any improvements;
- (6) To hire and retain agents and employees and to provide for their compensation including health and pension benefits;
- (7) To adopt and amend bylaws and any other rules and regulations;
- (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of implementing and operating the services described in this section;
- (9) To pay all expenses connected with the first election and all subsequent elections; and



(10) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this subsection. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

**4. (1) Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, the county commission may elect to appoint the members of the board to administer the funds and oversee the provision of central dispatching for emergency services in the counties, municipalities, and other political subdivisions which have contracted for such service upon the request of the municipalities and other political subdivisions. Upon appointment of the initial members of the board, the commission shall relinquish all powers and duties to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of central dispatching service and such duties shall be exercised by the board.**

**(2) The board shall consist of seven members appointed without regard to political affiliation. The members shall include:**

**(a) Five members who shall serve for so long as they remain in their respective county or municipal positions as follows:**

**a. The county sheriff, or his or her designee;**

**b. The heads of the municipal police department who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees; or**

**c. The heads of the municipal fire departments or fire divisions who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees;**

**(b) Two members who shall serve two year terms appointed from among the following:**

**a. The head of any of the county's fire protection districts who have contracted for central dispatching service, or his or her designee;**

**b. The head of any of the county's ambulance districts who have contracted for central dispatching service, or his or her designee;**

**c. The head of any of the municipal police departments located in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph b of paragraph (a) of this subdivision; and**

**d. The head of any of the municipal fire departments in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph c of paragraph (a) of this subdivision.**

**(3) Upon the appointment of the board under this subsection, the board shall have the powers provided in subsection 3 of this section and the commission shall relinquish all powers and duties relating to the provision of central dispatching service under this chapter to the board.**

190.328. 1. Beginning in 1997, within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of two members from each township within such area and one at-large member who shall serve as the initial chairperson of such board.

2. Within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification, voters shall elect a board to administer funds and oversee the provision of central dispatching for emergency services. Such board shall consist of two members elected from each of the townships within such area and one member elected at large who shall serve as the chairperson of the board.

3. Of those initially elected to the board as provided in this section, four from the townships shall be elected to a term of two years, and four from the townships and the at-large member shall be elected to a term of four years. Upon the expiration of these initial terms, all members shall thereafter be elected to terms of four years; **provided that, if a board established in this section consolidates with a board established under section 190.327 or 190.335, under the provisions of section 190.470, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

190.329. 1. Except in areas from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities located in counties of the third classification with a population of at least thirty-two thousand but no greater than forty

thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of seven members appointed without regard for political party who shall be selected from and shall represent the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from any one commission district of the county.

2. Beginning in 1992, three members shall be elected from each commission district and one member shall be elected at large, with such at-large member to be a voting member and chairman of the board. Of those first elected, four members from commission districts shall be elected for terms of two years and two members from commission districts and the member at large shall be elected for terms of four years. In 1994, and thereafter, all terms of office shall be for four years, except as **otherwise provided in this subsection or as provided in subsection 3 of this section**. Any vacancy on the board shall be filled in the same manner as the initial appointment was made. Four members shall constitute a quorum. **If a board established in section 190.327 consolidates with a board established under section 190.327, 190.328, or 190.335, under the provisions of section 190.470, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

3. Upon approval by the county commission for the election of board members to be held on general municipal election day, pursuant to subsection 2 of section 190.327, the terms of those board members then holding office shall be reduced by seven months. After a board member's term has been reduced, all following terms for that position shall be for four years, **except as otherwise provided under subsection 2 of this section**.

190.334. The state auditor shall have the authority to conduct performance and fiscal audits of any board, dispatch center, joint emergency communications entity, or trust fund established under section 190.327, 190.328, 190.329, 190.335, 190.420, 190.455, 190.460, **190.465, 190.470**, or 650.325.

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

YES  NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

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

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years; **provided that, if a board established under this section consolidates with a board established under this section, section 190.327, or section 190.328, under the provisions of section 190.470, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.** Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency **telephone** service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.

**(5) In any county with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants, the entities listed in subdivision (2) of this subsection shall be represented by one member, and two members shall be residents of the county not affiliated with any of the entities listed in subdivision (2) of this subsection and shall be known as public members.**

190.400. 1. As used in sections 190.400 to ~~[190.440]~~ **190.460**, the following words and terms shall mean:

~~(1) ["911", the primary emergency telephone number within the wireless system];~~  
~~(2) "Board", the wireless service provider enhanced 911 advisory board;~~  
~~(3) "Active telephone number", a ten-digit North American Numbering Plan number that has been assigned to a subscriber and is provisioned to generally reach, by dialing, the public switched telephone network and not only 911 or the 911 system;~~

**(2) "Communications service":**

**(a) Any service that:**

**a. Uses telephone numbers or their functional equivalents or successors;**

**b. Provides access to, and a connection or interface with, a 911 system through the activation or enabling of a device, transmission medium, or technology that is used by a customer to dial, initialize, or otherwise activate the 911 system, regardless of the particular device, transmission medium, or technology employed;**

**c. Provides and enables real-time or interactive communications other than machine-to-machine communications; and**

**d. Is available to a prepaid user or a standard user;**

**(b) The term includes, but is not limited to, the following:**

**a. Internet protocol-enabled services and applications that are provided through wireline, cable, wireless, or satellite facilities, or any other facility or platform that is capable of connecting and enabling a 911 communication to a public safety answering point;**

**b. Commercial mobile radio service; and**

**c. Interconnected voice over internet protocol service and voice over power lines; and**

**(c) The term does not include broadband internet access service;**

**(d) For purposes of this section, if a device that is capable of contacting 911 is permanently installed in a vehicle, it shall not be subject to this section unless the owner of such vehicle purchases or otherwise subscribes to a commercial mobile service as defined under 47 U.S.C. Section 332(d) of the Telecommunications Act of 1996;**

**(3) "Provider" or "communications service provider", a person who provides retail communications services to the public that include 911 communications service including, but not limited to, a local exchange carrier, a wireless provider, and a voice over internet protocol provider, but only if such entity provides access to, and connection and interface with, a 911 communications service or its successor service;**

**(4) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;**

~~[(4)]~~ **(5) "Public safety answering point", the location at which 911 calls are ~~initially~~ answered;**

~~[(5)]~~ **(6) "Subscriber", a person who contracts with and is billed by a provider for a retail communications service. In the case of wireless service and for purposes of section 190.455, the term "subscriber" means a person who contracts with a provider if the person's primary place of use is within the county or city imposing a monthly fee under section 190.455, and does not include subscribers to prepaid wireless service;**

**(7) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).**

2. Upon the request of local emergency service agencies or local jurisdictions, the following agencies and entities are authorized to enter into interoperability service agreements for shared frequencies or shared talk groups for the purpose of enhancing interoperability of radio systems or talk groups:

- (1) Missouri Department of Public Safety;
- (2) Missouri State Highway Patrol;
- (3) Missouri Department of Natural Resources;
- (4) State Emergency Management Agency;
- (5) Missouri Department of Conservation; and
- (6) State owned and operated radio and emergency communications systems.

190.420. 1. There is hereby established a **special trust** fund to be known as the "~~Wireless Service Provider Enhanced~~ Missouri 911 Service **Trust** Fund". All fees collected pursuant to sections 190.400 to ~~190.440~~ ~~by wireless service providers~~ **190.460** shall be remitted to the director of the department of revenue.

2. The director of the department of revenue shall deposit such payments into the ~~wireless service provider enhanced~~ Missouri 911 service **trust** fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the ~~wireless service provider enhanced~~ Missouri 911 ~~system~~ **systems and for the answering and dispatching of emergency calls as determined to be appropriate by the governing body of the county or city imposing the fee.**

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.

4. **The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which were collected in each county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants under sections 190.400 to 190.460, and the records shall be open to the inspection of officers of a participating county or city and the public.**

190.455. 1. Except as provided under subsections 9 and 10 of this section, in lieu of the tax levy authorized under section 190.305 or 190.325, or the sales tax imposed under section 190.292 or 190.335, the governing body of any county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants may impose, by order or ordinance, a monthly fee on subscribers of any communications service that has been enabled to contact 911. The monthly fee authorized in this section shall not exceed one dollar and fifty cents and shall be assessed to the subscriber of the communications service, regardless of technology, based upon the number of active telephone numbers, or their functional equivalents or successors, assigned by the provider and capable of simultaneously contacting the public safety answering point; provided that, for multiline telephone systems and for facilities provisioned with capacity greater than a voice-capable grade channel or its equivalent, regardless of technology, the charge shall be assessed on the number of voice-capable grade channels as provisioned by the provider that allow simultaneous contact with the public safety answering point. Only one fee may be assessed per active telephone number, or its functional equivalent or successor, used to provide a communications service. No fee imposed under this section shall be imposed on more than one hundred voice-grade channels or their equivalent per person per location. Notwithstanding any provision of this section to the contrary, the monthly fee shall not be assessed on the provision of broadband internet access service. The fee shall be imposed solely for the purpose of funding 911 service in such county or city. The monthly fee authorized in this section shall be limited to one fee per device. The fee authorized in this section shall be in addition to all other taxes and fees imposed by law and may be stated separately from all other charges and taxes. The fee shall be the liability of the subscriber, not the provider, except that the provider shall be liable to remit all fees that the provider collects under this section.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the county or city submits to the voters residing within the county or city at a state general, primary, or special election a proposal to authorize the governing body to impose a fee under this section. The question submitted shall be in substantially the following form:

"Shall ..... (insert name of county or city) impose a monthly fee of ..... (insert amount) on a subscriber of any communications service that has been enabled to contact 911 for the purpose of funding 911 service in the ..... (county or city)?"

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the fee shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the fee. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the fee shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. Except as modified in this section, all provisions of sections 32.085 and 32.087 and subsection 7 of section 144.190 shall apply to the fee imposed under this section.

4. All revenue collected under this section by the director of the department of revenue on behalf of the county or city, except for two percent to be withheld by the provider for the cost of administering the collection and remittance of the fee, and one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in the Missouri 911 service trust fund created under section 190.420. The director of the department of revenue shall remit such funds to the county or city on a monthly basis. The governing body of any such county or city shall control such funds remitted to the county or city unless the county or city has established an elected board for the purpose of administering such funds. In the event that any county or city has established a board under any other provision of state law for the purpose of administering funds for 911 service, such existing board may continue to perform such functions after the county or city has adopted the monthly fee under this section.

5. Nothing in this section imposes any obligation upon a provider of a communications service to take any legal action to enforce the collection of the tax imposed in this section. The tax shall be collected in compliance, as applicable, with the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

6. Notwithstanding any other provision of law to the contrary, proprietary information submitted under this section shall only be subject to subpoena or lawful court order. Information collected under this section shall only be released or published in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual communications service provider.

7. Notwithstanding any other provision of law to the contrary, in no event shall any communications service provider, its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons, be liable for any form of civil damages or criminal liability that directly or indirectly results from, or is caused by:

(1) An act or omission in the development, design, installation, operation, maintenance, performance, or provision of service to a public safety answering point or to subscribers that use such service, whether providing such service is required by law or is voluntary; or

(2) The release of subscriber information to any governmental entity under this section unless such act, release of subscriber information, or omission constitutes gross negligence, recklessness, or intentional misconduct.

Nothing in this section is intended to void or otherwise override any contractual obligation pertaining to equipment or services sold to a public safety answering point by a communications service provider. No cause of action shall lie in any court of law against any provider of communications service, commercial mobile service, or other communications-related service, or its officers, employees, assignees, agents, vendors, or anyone acting on behalf of such persons, for providing call location information concerning the user of any such service in an emergency situation to a law enforcement official or agency in order to respond to a call for emergency service by a subscriber, customer, or user of such service or for providing caller location information or doing a ping locate in an emergency situation that involves danger of death or serious physical injury to any person where disclosure of communications relating to the emergency is required without delay, whether such provision of information is required by law or voluntary.

8. The fee imposed under this section shall not be imposed on customers who pay for service prospectively, including customers of prepaid wireless telecommunications service.

9. No county or city shall submit a proposal to the voters under this section for a fee of more than one dollar until the county or city receives approval for the fee amount from the Missouri 911 service board established under section 650.325. Once a fee of more than one dollar has been approved by the Missouri 911 service board and the voters, the county or city shall not subsequently increase the fee until the increased fee

amount has been approved by the Missouri 911 service board and the voters under this section. Any county or city seeking to impose or increase a fee of more than one dollar shall submit to the Missouri 911 service board information to justify the fee amount. The information to be provided shall include, but not be limited to, the following:

- (1) Estimated costs of services to be provided;
- (2) Estimated revenue from all sources intended to financially support the proposed 911 service;
- (3) Prior revenue amounts and sources of financial support for the previously funded 911 or emergency dispatch service;
- (4) Efforts to secure revenue to support the proposed 911 service other than the proposed fee under this section;
- (5) Current level of 911 service provided and the proposed level of 911 service to be provided;
- (6) Any previous efforts regarding the consolidation of 911 services and any currently proposed efforts regarding the consolidation of 911 services; and
- (7) Expected level of training of personnel and expected number of telecommunications per shift.

10. The fee imposed under this section shall not be imposed in conjunction with any tax imposed under section 190.292, 190.305, 190.325, or 190.335. No county or city shall simultaneously impose more than one tax authorized in this section or section 190.292, 190.305, 190.325, or 190.335. No fee imposed under this section shall be imposed on more than one hundred exchange access facilities or their equivalent per person per location.

11. No county shall submit a proposal to the voters of the county under this section or section 190.335 until either:

- (1) All providers of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county;
- (2) The county develops a plan for consolidation of emergency telephone service, as defined in section 190.300, and public safety answering point operations within the county are consolidated into one public agency, as defined in section 190.300, that provides emergency telephone service for the county; or
- (3) The county develops a plan for consolidation of emergency telephone service, as defined in section 190.300, and public safety answering point operations within the county that includes either consolidation or entering into a shared services agreement for such services, which shall be implemented on approval of the fee by the voters.

12. Any plan developed under subdivision (2) or (3) of subsection 11 of this section shall be filed with the Missouri 911 service board under subsection 4 of section 650.330. Any plan that is filed under this subsection shall provide for the establishment of a joint emergency communications board as described in section 70.260. The director of the department of revenue shall not remit any funds as provided under this section until the department receives notification from the Missouri 911 service board that the county has filed a plan that is ready for implementation. If, after one year following the enactment of the fee described in subsection 1 of this section, the county has not complied with the plan that the county submitted under subdivision (2) or (3) of subsection 11 of this section, but the county has substantially complied with the plan, the Missouri 911 service board may grant the county an extension of up to six months to comply with its plan. Not more than one extension may be granted to a county. The authority to impose the fee granted to the county in subsection 1 of this section shall be null and void if after one year following the enactment of the fee described in subsection 1 of this section the county has not complied with the plan and has not been granted an extension by the Missouri 911 service board, or if the six-month extension expires and the county has not complied with the plan.

13. Each county that does not have a public agency, as defined in section 190.300, that provides emergency telephone service as defined in section 190.300 for the county shall either:

- (1) Enter into a shared services agreement for providing emergency telephone services with a public agency that provides emergency telephone service, if such an agreement is feasible; or
- (2) Form with one or more counties an emergency telephone services district in conjunction with any county with a public agency that provides emergency telephone service within the county. If such a district is formed under this subdivision, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section.

14. A county operating joint or shared emergency telephone service, as defined in section 190.300, may submit to the voters of the county a proposal to impose the fee to support joint operations and further consolidation under this section.

15. All 911 fees shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

16. Nothing in subsections 11, 12, 13, and 14 of this section shall apply to a county with a charter form of government where all public safety answering points within the county utilize a common 911 communication service as implemented by the appropriate local and county agencies prior to August 28, 2018.

17. Any home rule city with more than four hundred thousand inhabitants and located in more than one county shall establish an agreement with the counties in which it is located regarding the allocation of anticipated revenue created upon passage of a ballot action submitted to the voters as provided for in 190.292, 190.305, 190.325, 190.335 & 190.455 as well as revenue provided based upon 190.460 and the divided cost related to regional 911 services. The allocation and actual expenses of the regional 911 service shall be determined based upon the percentage of residents of each county who also reside in the home rule city compared with those who reside in the county but who do not reside in the home rule city. The agreement between the counties and the home rule city may either be between the individual counties and the home rule city or jointly between all entities. The agreement to divide cost and revenue as required in this section shall not take effect until passage of a ballot proposition as defined in 190.292, 190.305, 190.325, 190.335 or 190.455. The population shall be determined based upon the most recent decennial census. This subsection shall not apply to a county of the first classification without a charter form of government with a population of at least ninety-eight thousand but fewer than one hundred five thousand inhabitants.

190.460. 1. As used in this section, the following terms mean:

- (1) "Board", the Missouri 911 service board established under section 650.325;
- (2) "Consumer", a person who purchases prepaid wireless telecommunications service in a retail transaction;
- (3) "Department", the department of revenue;
- (4) "Prepaid wireless service provider", a provider that provides prepaid wireless service to an end user;
- (5) "Prepaid wireless telecommunications service", a wireless telecommunications service that allows a caller to dial 911 to access the 911 system and which service shall be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount;
- (6) "Retail transaction", the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. The purchase of more than one item that provides prepaid wireless telecommunication service, when such items are sold separately, constitutes more than one retail transaction;
- (7) "Seller", a person who sells prepaid wireless telecommunications service to another person;
- (8) "Wireless telecommunications service", commercial mobile radio service as defined by 47 CFR 20.3, as amended.

2. (1) Beginning January 1, 2019, there is hereby imposed a prepaid wireless emergency telephone service charge on each retail transaction. The amount of such charge shall be equal to three percent of each retail transaction. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single nonitemized price, the seller may elect not to apply such service charge to such transaction. For purposes of this subdivision, an amount of service denominated as ten or fewer minutes, or five dollars or less, is minimal.

(2) The prepaid wireless emergency telephone service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless emergency telephone service charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller or otherwise disclosed to the consumer.

(3) For purposes of this subsection, a retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state under state law.

(4) The prepaid wireless emergency telephone service charge is the liability of the consumer and not of the seller or of any provider; except that, the seller shall be liable to remit all charges that the seller is deemed to collect if the amount of the charge has not been separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller.



(5) The amount of the prepaid wireless emergency telephone service charge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall be remitted to the department at the times and in the manner provided by state law with respect to sales and use taxes. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply under state law.

(2) Beginning on January 1, 2019, and ending on January 31, 2019, when a consumer purchases prepaid wireless telecommunications service in a retail transaction from a seller under this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless emergency telephone service charges that are collected by the seller from the consumer. Beginning on February 1, 2019, a seller shall be permitted to deduct and retain three percent of prepaid wireless emergency telephone service charges that are collected by the seller from consumers.

(3) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use purposes under state law.

(4) The department shall deposit all remitted prepaid wireless emergency telephone service charges into the general revenue fund for the department's use until eight hundred thousand one hundred fifty dollars is collected to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges. From then onward, the department shall deposit all remitted prepaid wireless emergency telephone service charges into the Missouri 911 service trust fund created under section 190.420 within thirty days of receipt for use by the board. After the initial eight hundred thousand one hundred fifty dollars is collected, the department may deduct an amount not to exceed one percent of collected charges to be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges.

(5) The board shall set a rate between twenty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties without a charter form of government, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to such counties in direct proportion to the amount of charges collected in each county. The board shall set a rate between sixty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties with a charter form of government and any city not within a county, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to each such county or city not within a county in direct proportion to the amount of charges collected in each such county or city not within a county. The initial percentage rate set by the board for counties with and without a charter form of government and any city not within a county may be adjusted after three years, and thereafter the rate may be adjusted every two years; however, at no point shall the board set rates that fall below twenty-five percent for counties without a charter form of government and sixty-five percent for counties with a charter form of government and any city not within a county.

(6) Any amounts received by a county or city under subdivision (5) of this subsection shall be used only for purposes authorized in sections 190.305 and 190.335.

4. (1) A seller that is not a provider shall be entitled to the immunity and liability protections under section 190.455, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

(2) A provider shall be entitled to the immunity and liability protections under section 190.455.

(3) In addition to the protection from liability provided in subdivisions (1) and (2) of this subsection, each provider and seller and its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.455.

5. The prepaid wireless emergency telephone service charge imposed by this section shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes.

190.465. 1. In order to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, it is the public policy of this state to encourage the consolidation of emergency communications operations.

2. Any county, city, or 911 or emergency services board established under chapter 190 or section 321.243 may contract and cooperate with any other county, city, or 911 or emergency services board established under chapter 190 or section 321.243 as provided in sections 70.210 to 70.320. Any contracting counties or boards may seek assistance and advice from the Missouri 911 service board established in section 650.325 regarding the terms of the joint contract and the administration and operation of the contracting counties, cities, and boards.

3. If two or more counties, cities, 911 districts, or existing emergency communications entities desire to consolidate their emergency communications operations, a joint emergency communications entity may be established by the parties through an agreement identifying the conditions and provisions of the consolidation and the operation of the joint entity. This agreement may include the establishment of a joint governing body that may be comprised of the boards of the entities forming the agreement currently authorized by statute or an elected or appointed joint board authorized under section 70.260; provided that, the representation on the joint board of each of the entities forming the agreement shall be equal. If the entities entering into an agreement under this subsection decide that any 911 service center responsible for the answering of 911 calls and the dispatch of assistance shall be physically located in a county other than a county with the lowest average county wage from the set of counties where the entities entering into an agreement under this subsection are located in whole or part, such entities shall provide a written reason for this decision to the Missouri 911 service board and such document shall be considered a public record under chapter 610. The county average wage comparison shall be conducted using the information from the Missouri department of economic development, which calculates such county average wages under section 135.950.

4. After August 28, 2018, no public safety answering point operation may be established as a result of its separation from an existing public safety answering point operation without a study by, and the approval of, the Missouri 911 service board.

5. No provision of this section shall be construed to prohibit or discourage in any manner the formation of multiagency or multijurisdictional public safety answering point operations.

190.470. 1. As an alternative to the procedure provided in section 190.465, two or more 911 central dispatch centers that are organized under sections 190.327 to 190.329 or section 190.335 and funded by public taxes may consolidate into one 911 central dispatch center by following the procedures set forth in this section.

2. If the consolidation of existing 911 central dispatch centers is desired, a number of voters residing in the existing 911 central dispatch centers' service areas equal to ten percent of the votes cast for governor in those service areas in the preceding gubernatorial election may file with the county clerk in which the territory or greater part of the proposed consolidated 911 central dispatch center service area will be situated a petition requesting consolidation of two or more 911 central dispatch centers.

3. The petition shall be in the following form:

"We, the undersigned voters residing in the service areas for the following 911 central dispatch centers, do hereby petition that the following existing 911 central dispatch centers be consolidated into one 911 central dispatch center."

4. An alternative procedure of consolidation may be followed if each of the boards of directors of the existing 911 central dispatch centers passes a resolution in the following form:

"The board of directors of the ..... 911 central dispatch center resolves that the ..... and ..... 911 central dispatch centers be consolidated into one 911 central dispatch center."

5. Upon the filing of a petition or resolution with the county clerk from each of the service areas of the 911 central dispatch centers to be consolidated, the clerk shall present the petition or resolution to the commissioners of the county commission having jurisdiction, who shall order the submission of the question to voters within the affected 911 central dispatch center service areas. The filing of a petition shall be no later than twelve months after any original voter's signature contained therein.

6. The notice of election shall contain the names of the existing 911 central dispatch centers to be included in the consolidated 911 central dispatch center.

7. The question shall be submitted in substantially the following form:

"Shall the existing ..... 911 central dispatch centers be consolidated into one 911 central dispatch center?"

8. If the question of consolidation of the 911 central dispatch centers receives a majority of the votes cast in each service area, the county commissions having joint jurisdiction shall each enter an order declaring the proposition passed.

9. Within thirty days after the 911 central dispatch center has been declared consolidated, the respective county commissions having jurisdiction shall jointly meet to appoint a new seven-person board consisting of the agencies and professions listed in subsection 9 of section 190.335, and shall ensure geographic representation by appointing no more than four members from any one county having jurisdiction within the consolidated area for the newly consolidated 911 central dispatch center.

10. Within thirty days after the appointment of the initial board of directors of the newly consolidated 911 central dispatch center, the board of directors shall meet at a time and place designated by the county commissions. At the first meeting, the newly appointed board of directors shall choose a name for the consolidated 911 central dispatch center and shall notify the clerks of the county commission of each county within which the newly consolidated 911 central dispatch center's service area now subsumes.

11. Starting with the April election in the year after the appointment of the initial board of directors, one member shall be subject to running at large as chair for a four-year term. Four members shall be selected by lot to run for two-year terms, and two members shall be selected by lot to run for four-year terms. Thereafter, all terms shall be four-year terms.

12. On the thirtieth day following the appointment of the initial board of directors, the existing 911 central dispatch centers shall cease to exist and the consolidated 911 central dispatch center shall assume all of the powers and duties exercised by the 911 central dispatch centers. All assets and obligations of the existing 911 central dispatch centers shall become the assets and obligations of the newly consolidated 911 central dispatch center.

13. In any county that has a single board established under chapter 190 or under section 321.243, if a consolidation under this section only affects existing 911 central dispatch centers located wholly within such county, the existing board shall vote as to whether the existing board shall continue to exist. Upon a majority vote for approval of the existing board continuing to exist, subsections 9 to 12 of this section shall not apply, and the existing board shall continue to exist and have the powers set forth under the applicable section or sections within chapter 190 or under section 321.243. Upon a majority vote in disapproval of the existing board continuing to exist, all applicable subsections of this section shall apply to the consolidation. A tied vote shall be considered a disapproval of the existing board continuing to exist.

190.475. The director of the department of revenue shall maintain a centralized database, which shall be made available to the Missouri 911 service board established under section 650.325, specifying the current monthly fee or tax imposed by each county or city under section 190.292, 190.305, 190.325, 190.335, or 190.455. The database shall be updated no less than sixty days prior to the effective date of the establishment or modification of any monthly fee or tax listed in the database."; and

Further amend said bill, Page 49, Section 650.277, Line 22, by inserting after all of said section and line the following:

"650.330. 1. The board shall consist of fifteen members, one of which shall be chosen from the department of public safety, and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to municipalities;

(2) One member chosen to represent the Missouri 911 Directors Association;

(3) One member chosen to represent emergency medical services and physicians;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

(5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

(6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

(8) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(9) One member chosen to represent counties of the second, third, and fourth classification;

(10) One member chosen to represent counties of the first classification, counties with a charter form of government, and cities not within a county;

(11) One member chosen to represent telecommunications service providers;

(12) One member chosen to represent wireless telecommunications service providers;

(13) One member chosen to represent voice over internet protocol service providers; and

(14) One member chosen to represent the governor's council on disability established under section 37.735.

2. Each of the members of the board shall be appointed by the governor with the advice and consent of the senate for a term of four years. Members of the committee may serve multiple terms. No corporation or its affiliate shall have more than one officer, employee, assign, agent, or other representative serving as a member of the board. Notwithstanding subsection 1 of this section to the contrary, all members appointed as of August 28, 2017, shall continue to serve the remainder of their terms.

3. The board shall meet at least quarterly at a place and time specified by the chairperson of the board and it shall keep and maintain records of such meetings, as well as the other activities of the board. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the board.

4. The board shall:

(1) Organize and adopt standards governing the board's formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that the board shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state, including monitoring federal and industry standards being developed for next-generation 911 systems;

(9) Designate a state 911 coordinator who shall be responsible for overseeing statewide 911 operations and ensuring compliance with federal grants for 911 funding;

(10) Elect the chair from its membership;

(11) Apply for and receive grants from federal, private, and other sources;

(12) Report to the governor and the general assembly at least every three years on the status of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and levels of service;

(13) Conduct and review an annual survey of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation;

(14) Make and execute contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions, **including for the development and implementation of an emergency services internet protocol network that can be shared by all public safety agencies;** ~~and~~

(15) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next-generation 911 system throughout Missouri. The next-generation 911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data;

**(16) Administer and authorize grants and loans under section 650.335 to those counties and any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants that can demonstrate a financial commitment to improving 911 services by providing at least a fifty percent match and demonstrate the ability to operate and maintain ongoing 911 services. The purpose of grants and loans from the 911 service trust fund shall include:**

**(a) Implementation of 911 services in counties of the state where services do not exist or to improve existing 911 systems;**

- (b) Promotion of consolidation where appropriate;
  - (c) Mapping and addressing all county locations;
  - (d) Ensuring primary access and texting abilities to 911 services for disabled residents;
  - (e) Implementation of initial emergency medical dispatch services, including prearrival medical instructions in counties where those services are not offered as of July 1, 2019; and
  - (f) Development and implementation of an emergency services internet protocol network that can be shared by all public safety agencies;
- (17) Develop an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to ensure funds are used in accordance with the law and purpose of the grant, and conduct audits as deemed necessary;
- (18) Set the percentage rate of the prepaid wireless emergency telephone service charges to be remitted to a county or city as provided under subdivision (5) of subsection 3 of section 190.460;
- (19) Approve a proposal of a county or city to impose a fee of more than one dollar under section 190.455;
- (20) Retain in its records proposed county plans developed under subsection 11 of section 190.455 and notify the department of revenue that the county has filed a plan that is ready for implementation;
- (21) Notify any communications service provider, as defined in section 190.400, that has voluntarily submitted its contact information when any update is made to the centralized database established under section 190.475 as a result of a county or city establishing or modifying a tax or monthly fee no less than ninety days prior to the effective date of the establishment or modification of the tax or monthly fee;
- (22) Establish criteria for consolidation prioritization of public safety answering points; and
- (23) By December 31, 2018, designate regional 911 coordination centers which shall coordinate statewide interoperability among public safety answering points within their region through the use of a statewide 911 emergency services network.

5. The department of public safety shall provide staff assistance to the board as necessary in order for the board to perform its duties pursuant to sections 650.320 to 650.340. The board shall have the authority to hire consultants to administer the provisions of sections 650.320 to 650.340.

6. The board shall promulgate rules and regulations that are reasonable and necessary to implement and administer the provisions of sections 650.320 to 650.340. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

**650.335. 1. Any county or any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants, when the prepaid wireless emergency telephone service charge is collected in the county or city, may submit an application for loan funds or other financial assistance to the board for the purpose of financing all or a portion of the costs incurred in implementing a 911 communications service project. The application shall be accompanied by a technical assistance report. The application and the technical assistance report shall be in such form and contain such information, financial or otherwise, as prescribed by the board. This section shall not preclude any applicant or borrower from joining in a cooperative project with any other political subdivision or with any state or federal agency or entity in a 911 communications service project, provided that all other requirements of this section have been met.**

2. Applications may be approved for loans only in those instances where the applicant has furnished the board information satisfactory to assure that the project cost will be recovered during the repayment period of the loan. In no case shall a loan be made to an applicant unless the approval of the governing body of the applicant to the loan agreement is obtained and a written certification of such approval is provided, where applicable. Repayment periods are to be determined by the board.

3. The board shall approve or disapprove all applications for loans which are sent by certified or registered mail or hand delivered and received by the board upon a schedule as determined by the board.

**4. Each applicant to whom a loan has been made under this section shall repay such loan, with interest. The rate of interest shall be the rate required by the board. The number, amounts, and timing of the payments shall be as determined by the board.**

**5. Any applicant who receives a loan under this section shall annually budget an amount which is at least sufficient to make the payments required under this section.**

**6. Repayment of principal and interest on loans shall be credited to the Missouri 911 service trust fund established under section 190.420.**

**7. If a loan recipient fails to remit a payment to the board in accordance with this section within sixty days of the due date of such payment, the board shall notify the director of the department of revenue to deduct such payment amount from first, the prepaid wireless emergency telephone service charge remitted to the county or city under section 190.460; and if insufficient to affect repayment of the loan, next, the regular apportionment of local sales tax distributions to that county or city. Such amount shall then immediately be deposited in the Missouri 911 service trust fund and credited to the loan recipient.**

**8. All applicants having received loans under this section shall remit the payments required by subsection 4 of this section to the board or such other entity as may be directed by the board. The board or such other entity shall immediately deposit such payments in the Missouri 911 service trust fund.**

**9. Loans made under this section shall be used only for the purposes specified in an approved application or loan agreement. In the event the board determines that loan funds have been expended for purposes other than those specified in an approved application or loan agreement or any event of default of the loan agreement occurs without resolution, the board shall take appropriate actions to obtain the return of the full amount of the loan and all moneys duly owed or other available remedies.**

**10. Upon failure of a borrower to remit repayment to the board within sixty days of the date a payment is due, the board may initiate collection or other appropriate action through the provisions outlined in subsection 7 of this section, if applicable.**

**11. If the borrower is an entity not covered under the collection procedures established in this section, the board, with the advice and consent of the attorney general, may initiate collection procedures or other appropriate action pursuant to applicable law.**

**12. The board may, at its discretion, audit the expenditure of any loan, grant, or expenditure made or the computation of any payments made.**

**13. The board shall not approve any application made under this section if the applicant has failed to return the board's annual survey of public safety answering points as required by the board under section 650.330.**

650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator, 16 hours;
- (2) Fire telecommunicator, 16 hours;
- (3) Emergency medical services telecommunicator, 16 hours;
- (4) Joint communication center telecommunicator, 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. ~~[-The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.]~~

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which is at least as stringent as the training requirements of subsection 2 of this section.

6. The board shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides

prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Page 50, Section 701.377, Line 17, by inserting after all of said section and line the following:

~~"[190.307. 1. No public agency or public safety agency, nor any officer, agent or employee of any public agency, shall be liable for any civil damages as a result of any act or omission except willful and wanton misconduct or gross negligence, in connection with developing, adopting, operating or implementing any plan or system required by sections 190.300 to 190.340.—~~

~~2. No person who gives emergency instructions through a system established pursuant to sections 190.300 to 190.340 to persons rendering services in an emergency at another location, nor any persons following such instructions in rendering such services, shall be liable for any civil damages as a result of issuing or following the instructions, unless issuing or following the instructions constitutes willful and wanton misconduct, or gross negligence.]~~

~~[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:—~~

~~(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;—~~

~~(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;—~~

~~(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and—~~

~~(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.—~~

~~2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.—~~

~~3. The board shall do the following:—~~

~~(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;—~~

~~(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;—~~

~~(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and—~~

~~(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision making authority of any political subdivision in regard to 911 services.—~~

~~4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]~~

~~[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.—~~

~~2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section~~

~~536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.~~

~~3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:~~

~~(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and~~

~~(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:~~

~~(a) The volume of wireless 911 calls received by each public safety answering point;~~

~~(b) The population of the public safety answering point jurisdiction;~~

~~(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and~~

~~(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;~~

~~(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;~~

~~(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.~~

~~4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.~~

~~5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.~~

~~6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.~~

~~7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.~~

~~8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]~~

~~[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or~~



~~rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.—~~

~~2. The ballot of the submission shall contain, but is not limited to, the following language: Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless-enhanced 911 service?~~

~~YES  NO~~

~~If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".—~~

~~3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]; and~~

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

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

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 21, Lines 47-48, by deleting all of said lines; and

Further amend said amendment, Page 22, Lines 1-8, by deleting all of said lines; and

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

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Section A, Line 8, by inserting immediately after said section and line the following:

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

- (1) "Critical incident", an incident that could result in serious physical injury or loss of life;**
- (2) "Kansas border county", the county of Cherokee;**
- (3) "Law enforcement mutual aid region", the counties of Jasper and Newton, including the Joplin metropolitan area, and the Kansas border county and Oklahoma border county as defined in this section;**

(4) "Oklahoma border counties", the counties of Ottawa and Delaware;

(5) "Missouri border counties", the counties of Jasper and Newton.

2. All law enforcement officers in the law enforcement mutual aid region shall be permitted in critical incidents to respond to lawful requests for aid in any other jurisdiction in the law enforcement mutual aid region.

3. The on-scene incident commander, as defined by the National Incident Management System, shall have the authority to make a request for assistance in a critical incident and shall be responsible for on-scene management until command authority is transferred to another person.

4. In the event that an officer makes an arrest or apprehension outside his or her home state, the offender shall be delivered to the first officer who is commissioned in the jurisdiction in which the arrest was made.

5. For the purposes of liability, all members of any political subdivision or public safety agency responding under operational control of the requesting political subdivision or public safety agency are deemed employees of such responding political subdivision or public safety agency and are subject to the liability and workers' compensation provisions provided to them as employees of their respective political subdivision or public safety agency. Qualified immunity, sovereign immunity, official immunity, and the public duty rule shall apply to the provisions of this section as interpreted by the federal and state courts of the responding agency.

6. If the director of the Missouri department of public safety determines that the state of Kansas has enacted legislation or the governor of Kansas has issued an executive order or similar action that permits Kansas border counties to enter into a similar mutual-aid agreement as described under this section, then the director shall execute and deliver to the governor, the speaker of the house of representatives, and the president pro tempore of the senate a written certification of such determination. Upon the execution and delivery of such written certification and the parties receiving such certification providing a unanimous written affirmation, the provisions of this section shall be effective unless otherwise provided by law.

7. If the director of the Missouri department of public safety determines that the state of Oklahoma has enacted legislation or the governor of Oklahoma has issued an executive order or similar action that permits Oklahoma border counties to enter into a similar mutual-aid agreement as described under this section, then the director shall execute and deliver to the governor, the speaker of the house of representatives, and the president pro tempore of the senate a written certification of such determination. Upon the execution and delivery of such written certification and the parties receiving such certification providing a unanimous written affirmation, the provisions of this section shall be effective unless otherwise provided by law.

8. The director of the Missouri department of public safety shall notify the revisor of statutes of any changes that would render the provisions of this section effective."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 49, Section 353.110, Line 88, by inserting after all of said section and line the following:

"590.1040. 1. For purposes of this section, the following terms mean:

(1) "Emergency services personnel", any employee or volunteer of an emergency services provider who is engaged in providing or supporting fire fighting, dispatching services, and emergency medical services;

(2) "Emergency services provider", any public employer, or ground or air ambulance service as those terms are used in chapter 190, that employs persons to provide fire fighting, dispatching services, and emergency medical services;

(3) "Employee assistance program", a program established by a law enforcement agency or emergency services provider to provide professional counseling or support services to employees of a law enforcement agency, emergency services provider, or a professional mental health provider associated with a peer support team;

(4) "Law enforcement agency", any public agency that employs law enforcement personnel;

(5) "Law enforcement personnel", any person who, by virtue of office or public employment, is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Missouri or ordinances of any municipality thereof, or with a duty to maintain or assert custody or supervision over persons accused or convicted of a crime, while acting within the scope of his or her authority as an employee or volunteer of a law enforcement agency;

(6) "Peer support counseling session", any session conducted by a peer support specialist that is called or requested in response to a critical incident or traumatic event involving the personnel of the law enforcement agency or emergency services provider;

(7) "Peer support specialist", a person who:

(a) Is designated by a law enforcement agency, emergency services provider, employee assistance program, or peer support team leader to lead, moderate, or assist in a peer support counseling session;

(b) Is a member of a peer support team; and

(c) Has received training in counseling and providing emotional and moral support to law enforcement officers or emergency services personnel who have been involved in emotionally traumatic incidents by reason of his or her employment;

(8) "Peer support team", a group of peer support specialists serving one or more law enforcement providers or emergency services providers.

2. Any communication made by a participant or peer support specialist in a peer support counseling session, and any oral or written information conveyed in or as the result of a peer support counseling session, are confidential and may not be disclosed by any person participating in the peer support counseling session.

3. Any communication relating to a peer support counseling session that is made between peer support specialists, between peer support specialists and the supervisors or staff of an employee assistance program, or between the supervisors or staff of an employee assistance program is confidential and may not be disclosed.

4. The provisions of this section shall apply only to peer support counseling sessions conducted by a peer support specialist.

5. The provisions of this section shall apply to all oral communications, notes, records, and reports arising out of a peer support counseling session. Any notes, records, or reports arising out of a peer support counseling session shall not be public records and shall not be subject to the provisions of chapter 610. Nothing in this section limits the discovery or introduction into evidence of knowledge acquired by any law enforcement personnel or emergency services personnel from observation made during the course of employment, or material or information acquired during the course of employment, that is otherwise subject to discovery or introduction into evidence.

6. The provisions of this section shall not apply to any:

(1) Threat of suicide or criminal act made by a participant in a peer support counseling session, or any information conveyed in a peer support counseling session relating to a threat of suicide or criminal act;

(2) Information relating to abuse of spouses, children, or the elderly, or other information that is required to be reported by law;

(3) Admission of criminal conduct;

(4) Disclosure of testimony by a participant who received peer support counseling services and expressly consented to such disclosure; or

(5) Disclosure of testimony by the surviving spouse or executor or administrator of the estate of a deceased participant who received peer support counseling services and such surviving spouse or executor or administrator expressly consented to such disclosure.

7. The provisions of this section shall not prohibit any communications between peer support specialists who conduct peer support counseling sessions or any communications between peer support specialists and the supervisors or staff of an employee assistance program.

8. The provisions of this section shall not prohibit communications regarding fitness of an employee for duty between an employee assistance program and an employer."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 4, Section 100.059, Line 31, by inserting after all of said line the following:

"105.666. 1. Each plan shall, in conjunction with its staff and advisors, establish a board member education program, which shall be in effect on or after January 1, 2008. The curriculum shall include, at a minimum, education in the areas of duties and responsibilities of board members as trustees, ethics, governance process and procedures, pension plan design and administration of benefits, investments including but not limited to the fiduciary duties as defined under section 105.688, legal liability and risks associated with the administration of a plan, sunshine law requirements under chapter 610, actuarial principles and methods related to plan administration, and the role of staff and consultants in plan administration. Board members appointed or elected on a board on or after January 1, 2008, shall complete a board member education program designated to orient new board members in the areas described in this section within ninety days of becoming a new board member. Board members who have served one or more years shall attend at least a total of six hours of continuing education programs each year in the areas described in this section, **except that, members of a pension board established under section 321.800 shall be required to complete a board member education program of at least six hours within ninety days of becoming a new board member and two hours of continuing education for each year thereafter.**

2. Routine annual presentation by outside plan service providers shall not be used to satisfy board member education or continuing education program requirements contained in subsection 1 of this section. Such service providers may be utilized to perform education programs with such programs being separate and apart from routine annual presentations.

3. Plan governing body or staff shall maintain a record of board member education including, but not limited to, date, time length, location, education material, and any facilitator utilized. The record shall be signed and attested to by the attending board member or board chairperson or designee. Such information shall be maintained for public record and disclosure for at least three years or until the expiration of such board member's term, whichever occurs first.

4. A board member who is knowingly not participating in the required education programs under this section may be removed from such board by a majority of the board members which shall result in a vacancy to be filled in accordance with plan provisions except that ex officio board members shall not be removed under this subsection.

5. Each plan shall, upon the request of any individual participant, provide an annual pension benefit statement which shall be written in a manner calculated to be understood by the average plan participant and may be delivered in written, electronic, or other appropriate form to the extent such form is reasonably accessible to each participant or beneficiary. Such pension benefit statement shall include, but not be limited to, accrued participant contributions to the plan, total benefits accrued, date first eligible for a normal retirement benefit, and projected benefit at normal retirement. Any plan failing to do so shall submit in writing to the joint committee on public employee retirement as to why the information may not be provided as requested."; and

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

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

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

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 4, Section 100.059, Line 31, by inserting after all of said section and line the following:

"105.666. 1. Each plan shall, in conjunction with its staff and advisors, establish a board member education program, which shall be in effect on or after January 1, 2008. The curriculum shall include, at a minimum, education in the areas of duties and responsibilities of board members as trustees, ethics, governance process and procedures, pension plan design and administration of benefits, investments including but not limited to the fiduciary duties as defined under section 105.688, legal liability and risks associated with the administration of a plan, sunshine law requirements under chapter 610, actuarial principles and methods related to plan administration, and the role of staff and consultants in plan administration. Board members appointed or elected on a board on or after January 1, 2008, shall complete a board member education program **of at least six hours** designated to orient new board members in the areas described in this section within ninety days of becoming a new board member. Board members who have served one or more years shall attend at least a total of ~~[six]~~ **two** hours of continuing education programs each year in the areas described in this section.

2. Routine annual presentation by outside plan service providers shall not be used to satisfy board member education or continuing education program requirements contained in subsection 1 of this section. Such service providers may be utilized to perform education programs with such programs being separate and apart from routine annual presentations.

3. Plan governing body or staff shall maintain a record of board member education including, but not limited to, date, time length, location, education material, and any facilitator utilized. The record shall be signed and attested to by the attending board member or board chairperson or designee. Such information shall be maintained for public record and disclosure for at least three years or until the expiration of such board member's term, whichever occurs first.

4. A board member who is knowingly not participating in the required education programs under this section may be removed from such board by a majority of the board members which shall result in a vacancy to be filled in accordance with plan provisions except that ex officio board members shall not be removed under this subsection.

5. Each plan shall, upon the request of any individual participant, provide an annual pension benefit statement which shall be written in a manner calculated to be understood by the average plan participant and may be delivered in written, electronic, or other appropriate form to the extent such form is reasonably accessible to each participant or beneficiary. Such pension benefit statement shall include, but not be limited to, accrued participant contributions to the plan, total benefits accrued, date first eligible for a normal retirement benefit, and projected benefit at normal retirement. Any plan failing to do so shall submit in writing to the joint committee on public employee retirement as to why the information may not be provided as requested."; and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 46, Section 320.202, Line 33, by inserting after all of said section and line the following:

**"321.315. 1. Notwithstanding any other provision of this chapter or chapter 72, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire**

department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases."; and

Further amend said bill, Page 49, Section 353.110, Line 88, by inserting after all of said section and line the following:

"527.130. The word "person", wherever used in sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society, **fire protection district**, or municipal or other corporation of any character whatsoever."; and

Further amend said bill, Page 50, Section 701.377, Line 17, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect upon its passage and approval."; and

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

Representative Dogan offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Lines 28 to 36, by deleting said lines; and

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

On motion of Representative Dogan, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Roeber, **House Amendment No. 6, as amended**, was adopted.

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 39, Section 190.939, Line 5, by inserting after all of said section and line the following:

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

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

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

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

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

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

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

3. **For purposes of subsections 1 and 2 of this section, "a copy of his or her record of that patient's health history and treatment rendered" or "the patient's health care records" include a statement or record that no such health history or treatment record responsive to the request exists.**

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

~~[4-]~~ 5. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

~~[5-]~~ 6. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

~~[6-]~~ 7. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, the deceased prior to death did not specifically object to disclosure of his or her records in writing, and such disclosure is not inconsistent with any prior expressed preference of the deceased that is known to the health care provider, a deceased patient's health care records may be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the

affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records may be released to one of the following persons:

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

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 11, Section 190.100, Line 181, by inserting after all of said section and line the following:

"190.101. 1. There is hereby established a "State Advisory Council on Emergency Medical Services" which shall consist of sixteen members, one of which shall be a resident of a city not within a county. The members of the council shall be appointed by the governor with the advice and consent of the senate and shall serve terms of four years. The governor shall designate one of the members as chairperson. The chairperson may appoint subcommittees that include noncouncil members.

2. The state EMS medical directors advisory committee and the regional EMS advisory committees will be recognized as subcommittees of the state advisory council on emergency medical services.

3. The council shall have geographical representation and representation from appropriate areas of expertise in emergency medical services including volunteers, professional organizations involved in emergency medical services, EMT's, paramedics, nurses, firefighters, physicians, ambulance service administrators, hospital administrators and other health care providers concerned with emergency medical services. The regional EMS advisory committees shall serve as a resource for the identification of potential members of the state advisory council on emergency medical services.

4. The members of the council and subcommittees shall serve without compensation except that members of the council shall, subject to appropriations, be reimbursed for reasonable travel expenses and meeting expenses related to the functions of the council.

5. The purpose of the council is to make recommendations to the governor, the general assembly, and the department on policies, plans, procedures and proposed regulations on how to improve the statewide emergency medical services system. The council shall advise the governor, the general assembly, and the department on all aspects of the emergency medical services system.

**6. (1) There is hereby established a standing subcommittee of the State Advisory Council on Emergency Medical Services (SAC) to monitor the implementation of the EMS personnel licensure interstate compact (REPLICA), the interstate commission for EMS personnel practice, and the involvement of the state of Missouri. The subcommittee of SAC shall meet at least biannually and receive reports from the Missouri delegate to the interstate commission for EMS personnel practice. The subcommittee shall consist of at least seven members appointed by the chair of SAC, to include at least two members as recommended by the Missouri State Council of Firefighters and one member as recommended by the Missouri Association of Fire Chiefs. The subcommittee may submit, as determined by the subcommittee, reports and recommendations to SAC, the Missouri department of health and senior services,**



the Missouri general assembly, and the governor regarding the participation of Missouri with the recognition of the EMS personnel licensure interstate compact.

(2) The subcommittee of SAC shall formally request a public hearing for any rule proposed by the interstate commission for EMS personnel practice in accordance with subsection 7 of Section 334.1530. The hearing request shall include the request that the hearing be presented live via the internet. The Missouri delegate to the interstate commission for EMS personnel practice shall be responsible for ensuring that all hearings, notices of, and related rulemaking communications as required by the compact be communicated to SAC and EMS personnel via the provisions of subsections 4, 5, 6, and 8 of section 334.1530.

(3) The Missouri department of health and senior services shall not establish or increase fees for Missouri EMS personnel licensure in accordance with chapter 190 for the purpose of creating the funds necessary for payment of an annual assessment as cited in subdivision (3) of subsection 5 of section 334.1524."; and

Further amend said bill, Page 25, Section 190.900, Line 15, by inserting after the number "(3)" the following:

**""Alternative program", a voluntary, non-disciplinary substance abuse recovery program approved by the state EMS authority;**

**(4)";** and

Further amend said bill and section by renumbering all subsequent subdivisions; and

Further amend said bill, Page 33, Section 190.924, Line 137, by inserting after the word "states" the following:

**"but Missouri shall not be assessed more than ten thousand dollars annually calculated and shall not include an annual increase equivalent to the Consumer Price Index for All Urban Consumers (CPI-Urban). Missouri shall not authorize an annual assessment above this level";** and

Further amend said bill, Page 39, Section 190.939, Line 1, by inserting after the number "190.939." the number "1."; and

Further amend said bill, page, and section, Line 5, by inserting after all of said line the following:

**"2. The State Emergency Medical Services Advisory Council (SAC) shall review decisions of the interstate commission for emergency medical services personnel practice established under this compact and, upon approval by the commission of any action that will have the result of increasing the cost to the state of membership in the compact, SAC may recommend to the Missouri general assembly that they withdraw from the compact.";** and

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

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

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

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 43, Section 221.520, Line 46, by inserting after all of said section and line the following:

"320.086. 1. Nothing contained in sections 320.081 to 320.086 shall allow access to records otherwise closed under sections 610.100 to 610.105[~~RSMo Supp. 1982~~].

2. Nothing contained in sections 320.081 to 320.086 shall restrict or waive the attorney-client privilege.

**3. The portion of a record that is individually identifiable health information as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended, may be closed records as provided under sections 610.100 to 610.105 if maintained by fire departments and fire protection districts. Notwithstanding the foregoing, all fire departments and fire protection districts shall produce for every call to the department or district an "incident report" as defined in section 610.100 that shall include the date, time, specific location, and name of the owner of the specific location or any vehicle involved in the incident, if known. All incident reports shall be open records under section 610.100.";** and

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

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

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

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 5, Section 135.090, Line 39, by inserting the following after all of said section and line:

"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;**

(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;

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

~~(7)~~ (12) "Public safety officer", any firefighter, **uniformed employee of the office of the state fire marshal, emergency medical technician**, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed

by the state of Missouri or a political subdivision thereof who is killed or permanently and totally disabled in the line of duty **or any emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, air ambulance registered respiratory therapist, or flight crew member who is killed or permanently and totally disabled in the line of duty**;

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

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

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

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

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

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

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

4. The coordinating board for higher education shall:

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

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

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

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

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

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

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

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

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

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

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

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

190.053. 1. All members of the board of directors of an ambulance district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of an ambulance district director;
- (2) A review of all state statutes and regulations relevant to ambulance districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any ambulance district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member; provided, however, the board shall not appoint the forfeited member.**"; and

Further amend said bill, Page 7, Section 190.100, Lines 65-68, by deleting said lines and inserting in lieu thereof the following:

~~"[(15) "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 pursuant to sections 190.001 to 190.245;~~

- ~~(16) "Emergency medical technician basic" or "EMT-B", a person who has]~~
- (17) "Emergency medical technician" or "EMT", a person who has";** and

Further amend said bill, section, Page 8, Line 73, by deleting "(19)", inserting in lieu thereof "(18)", and renumbering the remaining subdivisions accordingly; and

Further amend said bill and section, Page 9, Line 128, by deleting all of said line and inserting in lieu thereof the following:

"representing volunteers, labor, management, firefighters, ~~[EMT-B's,]~~ **EMT's**, nurses, ~~[EMT-P's,]~~ physicians,"; and

Further amend said bill, Page 12, Section 190.103, Lines 46-48, by deleting all of said lines and inserting in lieu thereof the following:

"medical direction to ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ **EMTs, AEMTs**, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ **EMTs, AEMTs**, and community paramedics,"; and

Further amend said bill and section, Pages 12-13, Lines 66-67, by deleting all of said lines and inserting in lieu thereof the following:

"medical directors are providing either online telecommunication medical direction to ~~[EMT-Bs, EMT-Is, EMT-Ps,]~~ **EMTs, AEMTs**, and community paramedics, or offline medical direction per"; and

Further amend said bill, Page 15, Section 190.131, Line 2, by deleting the word "**and**"; and

Further amend said bill, section, page, Line 4, by inserting the words "**and paramedics**," after the word "**technicians**,"; and

Further amend said bill, Page 17, Section 190.142, Lines 32-39, by deleting all of said lines and inserting in lieu thereof the following:

- "(3) [~~Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services]~~ **Paramedic accreditation requirements. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Program (CAAHEP) or hold a CAAHEP letter of review;**
- (4) Continuing education and licensure requirements; and
  - (5) Ability to speak, read and write the English language."; and

Further amend said bill, Page 18, Section 190.143, Line 20, by inserting the word "**paramedic**" after the word "**technician**"; and

Further amend said bill and page, Section 190.147, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"190.147. 1. Paramedics:"**; and

Further amend said section and page, Line 13, by deleting "**EMT-P**" and inserting in lieu thereof "**paramedic**"; and

Further amend said section, Page 19, Lines 19 and 28, by deleting "**EMT-P**" and "**EMT-Ps**" respectively, and inserting in lieu thereof "**paramedic**" and "**Paramedics**" respectively; and

Further amend said bill, Page 23, Section 190.196, Line 8, by inserting the word "**paramedic**" after the word "**technician**"; and

Further amend said bill, Page 24, Section 190.246, Line 4, by deleting "~~technical basic~~ or]" and inserting in lieu thereof "~~technical basic or]~~"; and

Further amend said bill, section, and page, Line 5, by inserting "**, or a paramedic**" after the word "**technician**"; and

Further amend said bill, Page 40, Section 191.630, Line 27, by inserting the word "**paramedic**" after "190.100,"; and

Further amend said bill, Page 43, Section 221.520, Line 46, by inserting the following after all of said section and line:

- "287.243. 1. This section shall be known and may be cited as the "Line of Duty Compensation Act".
2. As used in this section, unless otherwise provided, the following words shall 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;

~~[(3)]~~ (4) "Child", any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** who, at the time of the ~~[law enforcement officer's, emergency medical technician's, air ambulance pilot's, air ambulance registered professional nurse's, or firefighter's]~~ **public safety officer's** fatality is:

- (a) Eighteen years of age or under;
- (b) Over eighteen years of age and a student, as defined in 5 U.S.C. Section 8101; or
- (c) Over eighteen years of age and incapable of self-support because of physical or mental disability;

~~[(4)]~~ (5) "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;

~~[(5)]~~ (6) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(7) **"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;**

~~[(6)]~~ (8) "Killed in the line of duty", when any person defined in this section loses his or her life when:

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

(b) The ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** is traveling to or from employment; or the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** is taking any meal break or other break which takes place while that individual is on duty;

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

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

The term excludes death resulting from the willful misconduct or intoxication of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer**. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication;

~~[(7)]~~ (9) "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

~~[(8)]~~ (10) "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(11) **"Public safety officer", any law enforcement officer, firefighter, uniformed employee of the office of the state fire marshal, emergency medical technician, police officer, capitol police officer, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed in the line of duty or any emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, air ambulance registered respiratory therapist, or flight crew member who is killed in the line of duty;**

~~[(9)]~~ (12) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

~~[(10)]~~ (13) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by survivors of the deceased with the division of workers' compensation not later than one year from the date of death of a ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~

**public safety officer.** If a claim is made within one year of the date of death of a ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

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

4. Any compensation awarded under the provisions of this section shall be distributed as follows:

(1) To the surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** if there is no child who survived the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer**;

(2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse if there is at least one child who survived the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer**, and a surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer**;

(3) To the surviving child, or children, in equal shares, if there is no surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer**;

(4) If there is no surviving spouse of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** and no surviving child:

(a) To the surviving individual, or individuals, in shares per the designation or, otherwise, in equal shares, designated by the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** to receive benefits under this subsection in the most recently executed designation of beneficiary of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** on file at the time of death with the public safety agency, organization, or unit; or

(b) To the surviving individual, or individuals, in equal shares, designated by the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** to receive benefits under the most recently executed life insurance policy of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** on file at the time of death with the public safety agency, organization, or unit if there is no individual qualifying under paragraph (a);

(5) To the surviving parent, or parents, in equal shares, of the ~~[law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter]~~ **public safety officer** if there is no individual qualifying under subdivision (1), (2), (3), or (4) of this subsection; or

(6) To the surviving individual, or individuals, in equal shares, who would qualify under the definition of the term “child” but for age if there is no individual qualifying under subdivision (1), (2), (3), (4), or (5) of this subsection.

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

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

(2) The name and address of the claimant;

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

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

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

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

7. Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

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

9. Pursuant to section 23.253 of the Missouri sunset act:

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

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

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

10. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

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

12. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void."; and

Further amend said bill, Page 45, Section 320.094, Line 68, by inserting the following after all of said section and line:

"320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department who has worked for seven years for such department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. Employees who have satisfied the seven-year requirement in this subsection and who choose to reside outside the geographical boundaries of the department shall reside within a one-hour response time. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited.

**4. No hourly employee of a fire department shall be required to live in a fire department's fixed and legally recorded geographical area.**



**320.098. No county shall require attendance at a specific training academy by any candidate for a firefighter position but may require a specific certification from any training academy.";** and

Further amend said bill, Page 46, Section 320.202, Line 33, by inserting the following after all of said section and line:

"321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board.

2. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.

**3. Notwithstanding any provision of law to the contrary, no fire protection district or ambulance district shall require an hourly employee to live within the district.**

321.162. 1. All members of the board of directors of a fire protection district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any fire protection district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member, provided, however, the board shall not appoint the forfeited member.";** and

321.200. 1. Except as otherwise provided in subsection 3 **of this section**, the board shall meet regularly, not less than once each month, at a time and at some building in the district to be designated by the board. Notice of the time and place of future regular meetings shall be posted continuously at the firehouse or firehouses of the district. Additional meetings may be held, when the needs of the district so require, at a place regular meetings are held, and notice of the time and place shall be given to each member of the board. Meetings of the board shall be held and conducted in the manner required by the provisions of chapter 610. All minutes of meetings of the board and all other records of the fire protection district shall be available for public inspection at the main firehouse within the district by appointment with the secretary of the board within one week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the members of the board shall constitute a quorum at any meeting and no business shall be transacted unless a quorum is present. The board, acting as a board, shall exercise all powers of the board, without delegation thereof to any other governmental or other body or entity or association, and without delegation thereof to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, firemen and any other member of the staff of the district may be employed or discharged only by a board which includes at least two directors; but any board of directors may suspend from duty any such person or staff member who willfully and deliberately neglects or refuses to perform his or her regular functions.

2. Any vacancy on the board shall be filled by the remaining elected members of the board, except when less than two elected members remain on the board any vacancy shall be filled by the circuit court of the county in which all or a majority of the district lies. The appointee or appointees shall act until the next biennial election at which a director or directors are elected to serve the remainder of the unexpired term.

3. Notwithstanding any provision of sections 610.015 and 610.020 to the contrary, when Missouri Task Force One or any Urban Search and Rescue Task Force is activated for deployment by the federal emergency management agency, state emergency management agency, or statewide mutual aid, a quorum of the board of directors of the affiliated fire protection district may meet in person, via telephone, facsimile, internet, or any other voice or electronic means, without public notice, in order to authorize by roll call vote the disbursement of funds necessary for the deployment.

4. In the event action is necessary under subsection 3 of this section, the board of directors of the affiliated fire protection district shall keep minutes of the emergency meeting and disclose during the next regularly scheduled meeting of the board that the emergency meeting was held, the action that precipitated calling the emergency meeting without notice, and that the minutes of the emergency meeting are available as a public record of the board.

**5. Members of a fire district or ambulance district board of directors shall only receive compensation for meetings the member attended. If multiple meetings occur on the same day, members shall not receive compensation for more than one meeting.**"; and

Further amend said bill, Page 49, Section 353.110, Line 88, by inserting immediately after said section and line the following:

**"590.025. No law enforcement agency shall require an hourly employee who has been employed by the law enforcement agency for seven years or more to live within a fixed and legally recorded geographical area."**; and

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

Representative Ross assumed the Chair.

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

Representative Schroer offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 6, Section 190.094, Line 12, by inserting after all of said section and line the following:

**"190.096. 1. This section shall be known and may be cited as the "Tactical Response to Traumatic Injuries Act".**

**2. For purposes of this section, "trauma public access kit" or "trauma PAK" means a first aid response kit that contains at least all of the following:**

- (1) Two tourniquets;**
- (2) Two pressure dressings that are inspected for replacement no less than every three years;**
- (3) Four chest seals that are inspected for replacement no less than every three years;**
- (4) Medical materials and equipment similar to those described in subdivisions (1), (2), and (3) of this subsection, and any additional items that are approved by local law enforcement or first responders, that adequately treat a traumatic injury, and can be stored in a readily available kit; and**

**(5) Instructional documents based upon nationally or internationally recognized evidence-based treatment recommendations, guidelines, and programs.**

**3. In order to ensure public safety, a person or entity that supplies a trauma kit may provide the person or entity that acquires the trauma kit with all information governing the use, installation, operation, training, and maintenance of the trauma kit.**

**4. The placement of trauma PAKs in public or private buildings, facilities, or structures is voluntary, but this shall not preclude any state agency or political subdivision from adopting mandatory building standards requiring the placement of PAKs in public buildings, facilities, or structures. If any person or entity places or requires the placement of PAKs in private buildings, facilities, or structures, then such persons or entities shall comply with the requirements of subsection 5 of this section in order for such person or entity, or any agents thereof, to claim immunity from civil damages under subsection 6 of this section.**

5. In order to ensure public safety, the entity responsible for managing the building, facility, or tenants of a structure in which a trauma PAK is placed that is an occupied structure shall do all of the following:

- (1) Comply with all regulations governing the placement of a trauma PAK;
- (2) Inspect all trauma PAKs acquired and placed on the premises of a building, facility, or structure every three years from the date of installation to ensure that all materials, supplies, and equipment contained in the trauma PAK are not expired, and replace any expired materials, supplies, and equipment as necessary;
- (3) Restock the trauma PAK after each use and replace any materials, supplies, and equipment as necessary to ensure that all materials, supplies, and equipment required to be contained in the trauma PAK are contained in the trauma PAK;
- (4) At least once per year, notify tenants of the building, facility, or structure of the location of the trauma PAK and provide information to tenants regarding contact information for training in the use of the trauma PAK; and
- (5) Provide tenants with instructions in the use of the trauma PAK from the training programs described in subdivision (5) of subsection 2 of this section.

6. Notwithstanding any other provision of law, a person or entity that acquires and places a trauma kit for emergency care in a structure shall not be liable for any civil damages resulting from any acts or omissions in the rendering of emergency care by use of the trauma kit if that person or entity has complied with subsection 5 of this section.

7. Any person who gratuitously and in good faith renders emergency care or treatment by the use of a trauma PAK at the scene of an emergency shall not be held liable for any civil damages as a result of such care or treatment, unless the person acts in a willful and wanton or reckless manner in providing the care or treatment. The person or entity who provides appropriate training to the person using the trauma PAK, the person or entity responsible for the site where the trauma PAK is located, the person or entity that owns the trauma PAK, the person or entity that provided clinical protocol for trauma PAK sites or programs, and the person or entity that reviews and approves the clinical protocol shall likewise not be held liable for civil damages resulting from the use of a trauma PAK. Nothing in this section shall affect any claims brought pursuant to chapter 537 or 538. The protections specified in this section shall not apply in the case of personal injury or wrongful death that results from the gross negligence or willful or wanton misconduct of the person who renders emergency care or treatment by the use of a trauma PAK."; and

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

On motion of Representative Schroer, **House Amendment No. 11** was adopted.

Representative Stacy offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Section A, Line 3, by inserting after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

- (1) "Blighted area", an area which, by reason of the predominance of [~~defective or inadequate street layout,~~] insanitary or unsafe conditions, [~~deterioration of site improvements, improper subdivision or obsolete platting, or~~] the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, [~~morals,~~] or welfare in its present condition and use;
- (2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;
- (3) ["Conservation area", ~~any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of~~

thirty five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors:—  
 dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

—(4)] "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)] "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

—(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

—(b) Result in increased employment in the municipality; or

—(c) Result in preservation or enhancement of the tax base of the municipality;

—(6)] (4) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)] (5) "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)] (6) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, municipality applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)] (7) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)] (8) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)] (9) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)] (10) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, [a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof,] which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

~~[(13)]~~ **(11)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, ~~[conservation area, economic development area, or combination thereof,]~~ and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

~~[(14)]~~ **(12)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

~~[(15)]~~ **(13)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to:

a. Acquisition of land and other property, real or personal, or rights or interests therein;

b. Demolition of buildings; and

c. The clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) ~~[Initial costs for an economic development area;~~

~~\_\_\_\_\_ (f)]~~ Costs of construction of public works or improvements;

~~[(g)]~~ **(f)** Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

~~[(h)]~~ **(g)** All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

~~[(i)]~~ **(h)** Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

~~[(j)]~~ **(i)** Payments in lieu of taxes;

~~[(16)]~~ **(14)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

~~[(17)]~~ **(15)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

~~[(18)]~~ **(16)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

~~[(19)]~~ **(17)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area~~[, a conservation area, or an economic development area,]~~ and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a

finding shall include, but not be limited to, a **study conducted by a third party which includes a** detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.825. 1. (1) Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project.

(2) At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under ~~[subsection 3 of]~~ section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission.

(3) Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance.

(4) After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area.

**(5) Within ten days of the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, the commission created under section 99.820**

**shall notify each board or body that oversees a taxing district that is partially or wholly located within the redevelopment area of the approval of the ordinance.**

(6) Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

(7) **Notwithstanding any other provision of law to the contrary, in addition to a public hearing, the governing body of a city, town, or village shall, for a thirty-day period, establish a forum for the public to comment on the proposed district. The forum may be digital, physical, or both. Comments shall be recorded and delivered to the governing body before the governing body votes on the proposed district.**

(8) **A city, town, or village shall post the following information on its official internet website accessible by the public and, during the thirty-day comment period, on conspicuous signs located throughout the redevelopment area:**

(a) **The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists, and a map illustrating the proposed boundaries;**

(b) **The date, time, and place of the public hearing;**

(c) **A statement that a copy of the petition is available for review at the office of the municipal clerk during regular business hours; and**

(d) **A statement that all interested persons shall be given an opportunity to be heard at the public hearing.**

**If a city, town, or village does not have an official internet website, it shall make the above information reasonably available in its most prominent building of governance.**

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under ~~[subsection 3 of]~~ section 99.820, the economic activity taxes and payments in lieu of taxes generated by such plan, project, designation, or amendment shall be restricted to paying only those redevelopment project costs contained in subparagraphs b. and c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

~~[3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]~~

99.843. ~~Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new tax increment financing project shall be authorized in any greenfield area, as such term is defined in section 99.805[that is located within a city not within a county or any county subject to the authority of the East West Gateway Council of Governments. Municipalities not subject to the authority of the East West Gateway Council of Governments may authorize tax increment finance projects in greenfield areas].~~

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district’s levy rate for ad valorem tax on real property, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district’s levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district’s actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850.

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor’s book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, “levies upon taxable real property in such redevelopment project by taxing districts” shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants’ and manufacturers’ inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998;

**(4) The board or body that oversees a taxing district, as that term is defined under section 99.805, may elect to have fifty percent of the property or sales taxes levied by such district excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority no later than sixty days after the project or plan is adopted or approved by ordinance. The vote may occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue, the county collector, and every other taxing district in the redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the tax levied by the taxing district, and fifty percent of the revenue from such tax shall be allocated to the district and shall not be allocated to redevelopment costs and obligations; and**

**(5) A school board of a school district may elect to have fifty percent of the portion of property tax revenue allocated to the school district by a county or municipality excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority no later than sixty days after the project or plan is adopted or approved by ordinance. The vote may occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue, the county collector, and every other taxing district in the redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the percentage of property tax revenue equal to the average percentage of property**



**tax revenue allocated to the school district over the preceding five years, and such percentage of revenue attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property within the redevelopment project area shall be allocated to the school district and shall not be allocated to redevelopment costs and obligations.**

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by

the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

- (a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;
- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce in any way a property tax levied under section 205.971."; and

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

Representative Dogan raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

Representative Ross requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Schroer offered **House Amendment No. 13**.

*House Amendment No. 13*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 49, Section 353.110, Line 88, by inserting after all of said section and line the following:

"577.029. **1.** A licensed physician, registered nurse, phlebotomist, or trained medical technician, acting at the request and direction of the law enforcement officer **under section 577.020**, shall, **with the consent of the patient or a warrant issued by a court of competent jurisdiction**, withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.

**2. No medical personnel employed by or practicing in a hospital or employed as an emergency medical technician shall be arrested or charged with an offense for failure to comply with this section, unless such medical personnel or emergency medical technician has contracted with law enforcement for the purpose of performing the duties required by this section. Notwithstanding the provisions of section 577.031, no hospital or such medical personnel shall be civilly liable for complying with the provisions of this section.**"; and

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

Representative Hill offered **House Amendment No. 1 to House Amendment No. 13**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 13*

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 19, Section 190.147, Line 20, by inserting "**and in compliance with section 632.305**" after the word "**transport**"; and

Further amend said bill, section, and page, Line 26, by inserting "**in compliance with section 632.305**," after the word "**manner**"; and

Further amend said bill, section, and page, Line 31, by inserting "**and in compliance with section 632.305**," after the word "**section**"; and

Further amend said bill, Page 49,"; and

Further amend said amendment and page, Line 21, by deleting all of said line and inserting in lieu thereof the following:

**"civilly liable for complying with the provisions of this section.**

632.305. 1. An application for detention for evaluation and treatment may be executed by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, on a form provided by the court for such purpose, and must allege under oath that the applicant has reason to believe that the respondent is suffering from a mental disorder and presents a likelihood of serious harm to himself or to others. The application must specify the factual information on which such belief is based and should contain the names and addresses of all persons known to the applicant who have knowledge of such facts through personal observation.

2. The filing of a written application in court by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, shall authorize the applicant to bring the matter before the court on an ex parte basis to determine whether the respondent should be taken into custody and transported to a mental health facility. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found. If the court finds that there is probable cause, either upon testimony under oath or upon a review of affidavits, to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or others, it shall direct a peace officer **or EMT-P, as defined in section 90.100**, to take the respondent into custody and transport him to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours unless further detention and treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

3. A mental health coordinator may request a peace officer **or EMT-P** to take or a peace officer **or EMT-P** may take a person into custody for detention for evaluation and treatment for a period not to exceed ninety-six hours only when such mental health coordinator or peace officer **or EMT-P** has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or others is imminent unless such person is immediately taken into custody. Upon arrival at the mental health facility, the peace officer **or EMT-P** or mental health coordinator who conveyed such person or caused him to be conveyed shall either present the application for detention for evaluation and treatment upon which the court has issued a finding of probable cause and the respondent was taken into custody or complete an application for initial detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be based upon his own personal observations or investigations and shall contain the information required in subsection 1 of this section.

4. If a person presents himself or is presented by others to a mental health facility and a licensed physician, a registered professional nurse or a mental health professional designated by the head of the facility and approved by the department for such purpose has reasonable cause to believe that the person is mentally disordered and presents an imminent likelihood of serious harm to himself or others unless he is accepted for detention, the licensed physician, the mental health professional or the registered professional nurse designated by the facility and approved by the department may complete an application for detention for evaluation and treatment for a period not to exceed ninety-six hours. The application shall be based on his own personal observations or investigation and shall contain the information required in subsection 1 of this section.

632.310. 1. Whenever a court has authorized the initial detention and evaluation of a respondent pursuant to subsection 2 of section 632.305, or whenever a mental health coordinator submits an application for initial detention and evaluation pursuant to subsection 3 of section 632.305, or whenever a licensed physician, a registered professional nurse designated by the facility and approved by the department, or a mental health professional submits an application for initial detention and evaluation pursuant to subsection 4 of section 632.305, a public mental health facility shall, and a private mental health facility may immediately accept such application and the respondent on a provisional basis, and the facility shall then evaluate the respondent's condition and admit him for treatment or release him in accordance with the provisions of this chapter.

2. Whenever a peace officer **or EMT-P** applies for initial detention and evaluation pursuant to subsection 3 of section 632.305, the mental health facility may, but is not required to, accept the application and the respondent. If the facility accepts the application and the respondent, the facility shall evaluate the respondent's condition and admit him for treatment or release him in accordance with the provisions of this chapter.

3. If the respondent is not accepted for admission by a facility providing ninety-six-hour evaluation and treatment, the facility shall immediately furnish transportation, if not otherwise available, to return the respondent to his place of residence or other appropriate place; provided, that in the case of a person transported to the facility by a peace officer **or EMT-P** or other governmental agency, such peace officer **or EMT-P** or agency shall furnish or arrange for such transportation.

4. The department may require, pursuant to an affiliation agreement and contract with a community-based service certified by the department to serve the catchment area where a respondent whose mental disorder consists of alcohol or drug abuse resides, that the service immediately accept the application and respondent engaging in alcohol or drug abuse on a provisional basis and that the service then evaluate such respondent's condition and admit him for treatment for up to ninety-six hours, petition for further detention and treatment, or release him in accordance with the provisions of chapter 631."; and"; and

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

On motion of Representative Hill, **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Schroer, **House Amendment No. 13, as amended**, was adopted.

Representative Butler offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Section A, Line 8, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district’s levy rate for ad valorem tax on real property, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district’s levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district’s actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850.

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor’s book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, “levies upon taxable real property in such redevelopment project by taxing districts” shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants’ and manufacturers’ inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998;

**(4) The board or body that oversees a taxing district, as that term is defined under section 99.805, may elect to have fifty percent of the property or sales taxes levied by such district excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority no later than sixty days after the project or plan is adopted or approved by ordinance. The vote may occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue, the county collector, and every other taxing district in the redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the tax levied by the taxing district, and fifty percent of the revenue from such tax shall be allocated to the district and shall not be allocated to redevelopment costs and obligations; and**

**(5) A school board of a school district may elect to have fifty percent of the portion of property tax revenue allocated to the school district by a county or municipality excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority no later than sixty days after the project or plan is adopted or approved by ordinance. The vote may occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue, the county collector, and every other taxing district in the redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the percentage of property tax revenue equal to the average percentage of property**



**tax revenue allocated to the school district over the preceding five years, and such percentage of revenue attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property within the redevelopment project area shall be allocated to the school district and shall not be allocated to redevelopment costs and obligations.**

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by

the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

- (a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;
- (b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;
- (c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;
- (d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;
- (e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;
- (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;
- (g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;
- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce in any way a property tax levied under section 205.971."; and

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

Representative Ruth raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

Representative Ross requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Reisch offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 46, Section 320.202, Line 33, by inserting the following after all of said section and line:

"321.320. **1. Except as provided in subsection 2 of this section**, if any property, located within the boundaries of a fire protection district, is included within a city having a population of forty thousand inhabitants or more, which city is not wholly within the fire protection district, and which city maintains a city fire department, the property is excluded from the fire protection district.

**2. Unless the municipality and fire protection district contract otherwise, a fire protection district serving an area included within any annexation on or after January 1, 2019, by a municipality located in any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants having a fire department, including simplified boundary changes, shall, following the annexation:**

- (1) Continue to provide fire protection services, including emergency medical services to such area;**
- (2) Levy and collect any tax upon all taxable property included within the annexed area authorized under chapter 321; and**
- (3) Enforce any fire protection and fire prevention ordinances adopted and amended by the fire protection district in such area."; and**

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

Representative Roden offered **House Amendment No. 1 to House Amendment No. 15**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 15*

AMEND House Amendment No. 15 to House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following:

**"municipality having a fire department, including";** and

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

**House Amendment No. 1 to House Amendment No. 15** was withdrawn.

Representative Ruth raised a point of order that a member was in violation of Rule 85.

Representative Ross requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

**House Amendment No. 15** was withdrawn.

On motion of Representative Alferman, **HCS SS SB 870, as amended**, was adopted.

On motion of Representative Alferman, **HCS SS SB 870, as amended**, was read the third time and passed by the following vote:

AYES: 101

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Baringer	Barnes 28	Basye	Beard
Beck	Black	Brown 57	Burnett	Burns
Butler	Chipman	Conway 10	Conway 104	Corlew
Cornejo	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Grier	Haahr	Haefner	Hannegan
Hansen	Helms	Higdon	Hill	Justus
Kelley 127	Kelly 141	Kendrick	Knight	Kolkmeier
Korman	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Matthiesen	McCreery	McGaugh
Morgan	Morris 140	Morse 151	Muntzel	Neely
Nichols	Pfautsch	Phillips	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Revis	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Sommer	Stephens 128	Stevens 46	Swan	Tate
Trent	Walker 3	Walsh	Wessels	White
Wiemann				

NOES: 039

Adams	Bahr	Bernskoetter	Berry	Bondon
Brattin	Brown 27	Christofanelli	Curtis	Curtman
Ellington	Fitzpatrick	Green	Gregory	Harris

Henderson	Hurst	Johnson	Kidd	Marshall
May	McGee	Meredith 71	Messenger	Moon
Mosley	Newman	Pierson Jr	Pietzman	Remole
Smith 85	Smith 163	Spencer	Stacy	Taylor
Unsicker	Vescovo	Washington	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 021

Bangert	Barnes 60	Carpenter	Cookson	Cross
DeGroot	Gray	Houghton	Houx	Mathews
McCann Beatty	McDaniel	Merideth 80	Miller	Mitten
Peters	Pogue	Shumake	Walker 74	Wood
Mr. Speaker				

VACANCIES: 002

Representative Ross declared the bill passed.

Representative Chipman assumed the Chair.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HB 1879, as amended**, relating to financial transactions involving public entities, was taken up by Representative Fraker.

Representative Fraker moved that the House refuse to adopt **SS SCS HCS HB 1879, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2116**, relating to watercraft, was taken up by Representative Ross.

On motion of Representative Ross, **SCS HCS HB 2116** was adopted by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Bahr	Baringer	Barnes 28	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 27	Brown 57	Burnett
Butler	Carpenter	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Cross	Curtis
Curtman	Davis	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Frederick
Gannon	Green	Gregory	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houx	Johnson	Justus

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Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Lant	Lauer	Lavender	Love
Lynch	Matthiesen	May	McCann Beatty	McCreery
McGaugh	McGee	Meredith 71	Merideth 80	Messenger
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Newman	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Razer	Redmon	Rehder	Reiboldt	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Washington	Wessels	Wiemann	Wilson	Wood

NOES: 003

Hurst	Marshall	Moon
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 022

Austin	Bangert	Barnes 60	Burns	Cookson
DeGroot	Franks Jr	Gray	Haahr	Houghton
Korman	Lichtenegger	Mathews	McDaniel	Neely
Peters	Pogue	Quade	Reisch	Smith 85
White	Mr. Speaker			

VACANCIES: 002

On motion of Representative Ross, **SCS HCS HB 2116** was truly agreed to and finally passed by the following vote:

AYES: 133

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 27	Brown 57
Burnett	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Cross
Curtis	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Ellebracht	Engler	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Green	Gregory	Grier
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Lant	Lauer	Lavender
Love	Lynch	Matthiesen	May	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Merideth 80
Messenger	Miller	Mitten	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Newman	Nichols



Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Razer	Rehder	Reiboldt	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Spencer	Stacy	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walsh	Washington	Wessels	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 003

Hurst Marshall Moon

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 024

Bangert	Barnes 60	Burns	Cookson	DeGroot
Franks Jr	Gray	Haahr	Higdon	Korman
Lichtenegger	Mathews	McDaniel	Neely	Peters
Pogue	Quade	Redmon	Reisch	Rone
Smith 85	Stephens 128	Walker 74	White	

VACANCIES: 002

Representative Chipman declared the bill passed.

### **THIRD READING OF SENATE BILLS - INFORMAL**

**SB 840**, relating to dietitians, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, the title of **SB 840**, relating to professional registration, was agreed to.

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

#### *House Amendment No. 1*

AMEND Senate Bill No. 840, Page 1, in the Title, Line 3, by deleting the word "dietitians" and inserting in lieu thereof the words "professional registration"; and

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

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

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

*House Amendment No. 2*

AMEND Senate Bill No. 840, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"256.462. 1. The board shall meet within forty-five days after appointment of its initial members. The board shall hold at least four regular meetings each year. Special meetings shall be held at such times as the rules of the board may provide and in accordance with notice requirements thereof.

2. The board shall elect annually from its own membership a chair, vice chair, and secretary-treasurer, none of whom shall hold that office for more than two consecutive one-year terms, and the director of the division of professional registration shall be the executive secretary to assist the board in carrying out its duties and responsibilities.

3. The board shall promulgate rules pursuant to chapter 536 and section 256.640, necessary for the administration and enforcement of sections 256.450 to 256.483.

4. The board shall prepare, administer, and grade or supervise the preparation, administering, and grading of oral and written examinations as required to administer and enforce sections 256.450 to 256.483. The board may adopt or recognize, in part or in whole, examinations prepared, administered, or graded by other organizations, on a regional or national basis, which the board determines are appropriate to measure the qualifications of an applicant for registration as a geologist in Missouri, provided that the individual's examination records are available to the board.

5. The board shall issue certificates of registration and shall renew and reissue certificates as provided in sections 256.450 to 256.483. The board may upon reissuing and renewal require the applicant to provide evidence of continued competence in the practice of geology.

6. The board shall promulgate, by rule, and issue a code of professional conduct for registered geologists. The board may suspend, revoke or refuse issuance or renewal of registration for any registered geologist who is found in violation of the code of professional conduct.

7. The board may refuse issuance or renewal of or suspend or revoke any certificate, and impose sanctions including restrictions on the practice of any individual geologist registered in Missouri for violations of sections 256.450 to 256.483 or the rules promulgated thereunder.

8. The board shall seek cease and desist orders and injunctions against any person violating sections 256.450 to 256.483 or the rules promulgated thereunder.

9. The board shall recognize and authorize the official use of the designation "registered geologist" for geologists registered under the provisions of sections 256.450 to 256.483.

~~10. [The board may enter into agreements with licenser organizations of other states having official registration responsibilities for the purposes of developing uniform standards for registration of geologists including education, examinations, and other procedures for the purposes of developing and entering into registration reciprocity agreements. All such agreements shall be in accordance with the provisions of sections 256.450 to 256.483.~~

~~11.]~~ The board may recognize and establish, by rule, specialty fields of geologic practice and establish qualifications, conduct examinations, and issue certificates of registration in such specialties to qualified applicants.

256.468. 1. An applicant for certification as a registered geologist shall complete and sign a personal data form, prescribed and furnished by the board, and shall provide the appropriate application fee. The personal data of an individual shall be considered confidential information.

2. The applicant shall have graduated from a course of study satisfactory to the board and which includes at least thirty semester or forty-five quarter hours of credit in geology.

3. The applicant shall provide to the board a detailed summary of actual geologic work, documenting that the applicant meets the minimum requirements for registration as a geologist, including a demonstration that the applicant has at least three years of postbaccalaureate experience in the practice of geology.

4. Except as provided in this section, no applicant shall be certified unless he or she shall have passed an examination covering the fundamentals, principles and practices of geology prescribed or accepted by the board.

5. Any person, upon application to the board and demonstration that the person meets the requirements of subsections 1 and 2 of this section and has passed that portion of the professional examination covering the fundamentals of geology, shall be awarded the geologist-registrant in-training certificate. The geologist then may use the title "geologist-registrant in-training" subject to the limitations of sections 256.450 to 256.483.

6. The board shall deny registration to an applicant who fails to satisfy the requirements of this section. The board shall not issue a certificate of registration pending the disposition in this or another state of any complaint alleging a violation of this chapter or the laws, rules, regulations and code of professional conduct applicable to registered geologists and regulated geologic work of which violation the board has notice. An applicant who is denied

registration shall be notified in writing within thirty days of the board's decision and the notice shall state the reason for denial of registration. Any person aggrieved by a final decision of the board on an application for registration may appeal that decision to the administrative hearing commission in the manner provided in section 621.120.

7. The board shall issue an appropriate certificate evidencing the issuance of the certificate of registration upon payment of the applicable registration fee to any applicant who has satisfactorily met all the requirements of this section for registration as a geologist. Such certificate shall show the full name of the registrant, shall have a serial number, and shall be dated and signed by an appropriate officer of the board under the seal of the board.

8. The certificate seal shall be prima facie evidence that the person named therein is entitled to all rights and privileges of a registered geologist under sections 256.450 to 256.483 and to practice geology as an individual, firm or corporation while such certificate remains unrevoked or unexpired.

9. The board may issue a certificate of registration to any individual who has made application and provided proof of certification of registration from another [~~state nongovernmental or governmental organization,~~ ~~or~~ country, approved by the board, provided that the registration or licensing requirements are substantially similar to the requirements of this section and the necessary fees have been paid. The board may require, by examination or other procedures, demonstration of competency pertaining to geologic conditions in Missouri.

10. The board shall reissue the certificate of registration of any registrant who, before the expiration date of the certificate and within a period of time and procedures established by the board, submits the required renewal application and fee.

11. The board, by rule, may establish conditions and fees for the reissuing of certificates of registration which have lapsed, expired, or have been suspended or revoked.

12. Registered geologists may purchase from the board, or other approved sources, a seal bearing the registered geologist's name, registration number, and the legend "Registered Geologist".

**324.009. 1. For purposes of this section, the following terms mean:**

(1) "License", a license, certificate, registration, permit, or accreditation that enables a person to legally practice an occupation or profession in a particular jurisdiction; except that "license" shall not include a certificate of license to teach in public schools under section 168.021;

(2) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses; except, for the purposes of this section, oversight body shall not include the state board of registration for the healing arts, the state board of nursing, the board of pharmacy, the state committee of psychologists, the Missouri dental board, the Missouri board for architects, professional engineers, professional land surveyors and professional landscape architects, the state board of optometry, or the Missouri veterinary medical board.

2. Any resident of Missouri who holds a valid current license issued by another state, territory of the United States, or the District of Columbia may submit an application for a license in Missouri in the same occupation or profession for which he or she holds the current license, along with proof of current licensure in the other jurisdiction, to the relevant oversight body in this state.

3. The oversight body in this state shall, within six months of receiving an application described in subsection 2 of this section, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession.

4. The oversight body shall not waive any examination, educational, or experience requirements for any applicant who is currently under disciplinary action with an oversight body outside the state or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.

5. The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.

6. Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.

7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.

8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

**9. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by Missouri statute or any reciprocity agreements with other states in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to imply no conflict between it and any compact, or any reciprocity agreements with other states in effect on August 28, 2018.**

324.071. 1. The applicant applying for a license to practice occupational therapy shall provide evidence of being initially certified by a certifying entity and has completed an application for licensure and all applicable fees have been paid.

2. The certification requirement shall be waived for those persons who hold a current registration by the board as an occupational therapist or occupational therapy assistant on August 28, 1997, provided that this application is made on or before October 31, 1997, and all applicable fees have been paid. All other requirements of sections 324.050 to 324.089 must be satisfied.

3. The person shall have no violations, suspensions, revocation or pending complaints for violation of regulations from a certifying entity or any governmental regulatory agency in the past five years.

~~4. The board may negotiate reciprocal contracts with other states, the District of Columbia, or territories of the United States which require standards for licensure, registration or certification considered to be equivalent or more stringent than the requirements for licensure pursuant to sections 324.050 to 324.089-]; and~~

Further amend said bill, Page 4, Section 324.210, Line 36, by inserting after all of said section and line the following:

"324.215. 1. The committee shall issue a license to each candidate who files an application and pays the fee as required by the provisions of sections 324.200 to 324.225 and who furnishes evidence satisfactory to the committee that the candidate has complied with the provisions of section 324.210 or with the provisions of subsection 2 of this section.

2. The committee may issue a license to any dietitian who has a valid current license to practice dietetics or medical nutrition therapy in ~~[any jurisdiction]~~ **another country**, provided that such person is licensed in a ~~[jurisdiction]~~ **country** whose requirements for licensure are substantially equal to, or greater than, the requirements for licensure of dietitians in Missouri at the time the applicant applies for licensure.

3. The committee may not allow any person to sit for the examination for licensure as a dietitian in this state who has failed the examination as approved by the committee three times, until the applicant submits evidence of satisfactory completion of additional course work or experience and has been approved by the committee for reexamination.

324.421. The council shall register without examination any interior designer certified, licensed or registered in ~~[another state or territory of the United States or]~~ a foreign country if the applicant has qualifications which are at least equivalent to the requirements for registration as a registered interior designer in this state and such applicant pays the required fees.

324.487. 1. It is unlawful for any person to practice acupuncture in this state, unless such person:

(1) Possesses a valid license issued by the board pursuant to sections 324.475 to 324.499; or

(2) Is engaged in a supervised course of study that has been authorized by the committee approved by the board, and is designated and identified by a title that clearly indicates status as a trainee, and is under the supervision of a licensed acupuncturist.

2. A person may be licensed to practice acupuncture in this state if the applicant:

(1) Is twenty-one years of age or older and ~~[meets one of the following requirements:~~

~~———(a) is actively certified as a Diplomate in Acupuncture by the National Commission for the Certification of Acupuncture and Oriental Medicine[; or~~

~~———(b) Is actively licensed, certified or registered in a state or jurisdiction of the United States which has eligibility and examination requirements that are at least equivalent to those of the National Commission for the Certification of Acupuncture and Oriental Medicine, as determined by the committee and approved by the board]; and~~

(2) Submits to the committee an application on a form prescribed by the committee; and

(3) Pays the appropriate fee.

3. The board shall issue a certificate of licensure to each individual who satisfies the requirements of subsection 2 of this section, certifying that the holder is authorized to practice acupuncture in this state. The holder shall have in his or her possession at all times while practicing acupuncture, the license issued pursuant to sections 324.475 to 324.499.

324.920. 1. The applicant for a statewide electrical contractor's license shall satisfy the following requirements:

- (1) Be at least twenty-one years of age;
- (2) Provide proof of liability insurance in the amount of five hundred thousand dollars, and post a bond with each political subdivision in which he or she will perform work, as required by that political subdivision;
- (3) Pass a standardized and nationally accredited electrical assessment examination that has been created and administered by a third party and that meets current national industry standards, as determined by the division;
- (4) Pay for the costs of such examination; and
- (5) Have completed one of the following:
  - (a) Twelve thousand verifiable practical hours installing equipment and associated wiring;
  - (b) Ten thousand verifiable practical hours installing equipment and associated wiring and have received an electrical journeyman certificate from a United States Department of Labor-approved electrical apprenticeship program;
  - (c) Eight thousand verifiable practical hours installing equipment and associated wiring and have received an associate's degree from a state-accredited program; or
  - (d) Four thousand verifiable practical hours supervising the installation of equipment and associated wiring and have received a four-year electrical engineering degree.

2. Electrical contractors who hold an electrical contractor license in good standing that was issued by any authority in this state that required prior to January 1, 2018, the passing of a standardized and nationally accredited written electrical assessment examination that is based upon the National Electrical Code and who have completed twelve thousand hours of verifiable practical experience shall be issued a statewide license. The provisions of this subsection shall apply only to electrical contractor licenses issued by a political subdivision with the legal authority to issue such licenses.

3. Each corporation, firm, institution, organization, company, or representative thereof engaging in electrical contracting shall have in its employ, at a supervisory level, at least one electrical contractor who possesses a statewide license in accordance with sections 324.900 to 324.945. A statewide licensed electrical contractor shall represent only one firm, company, corporation, institution, or organization at one time.

4. Any person operating as an electrical contractor in a political subdivision that does not require the contractor to hold a local license shall not be required to possess a statewide license under sections 324.900 to 324.945 to continue to operate as an electrical contractor in such political subdivision.

~~[5. The division may negotiate reciprocal agreements with other states, the District of Columbia, or territories of the United States which require standards for licensure, registration, or certification considered to be equivalent or more stringent than the requirements for licensure under sections 324.900 to 324.945.]~~

324.1110. 1. (1) The board shall require as a condition of licensure as a private investigator that the applicant pass a written examination as evidence of knowledge of investigator rules and regulations.

(2) In the event requirements have been met so that testing has been waived, qualification shall be dependent on a showing of, for the two previous years:

- (a) Registration and good standing as a business in this state; and
- (b) Two hundred fifty thousand dollars in business general liability insurance.

~~[(3) The board may review applicants seeking reciprocity. An applicant seeking reciprocity shall have undergone a licensing procedure similar to that required by this state and shall meet this state's minimum insurance requirements.]~~

2. The board shall require as a condition of licensure as a private fire investigator that the applicant:

- (1) Provide evidence of active certification as a fire investigator issued by the division of fire safety; and
- (2) Provide proof of liability insurance with coverage of at least one million dollars.

3. The board shall conduct a complete investigation of the background of each applicant for licensure as a private investigator or private fire investigator to determine whether the applicant is qualified for licensure under sections 324.1100 to 324.1148. The board shall outline basic qualification requirements for licensing as a private investigator, private investigator agency, private fire investigator, and private fire investigator agency.

328.085. 1. The board shall grant without examination a license to practice barbering to any applicant ~~[who holds a current barber's license which is issued by another state or territory whose requirements for licensure were equivalent to the licensing requirements in effect in Missouri at the time the applicant was licensed or]~~ who has practiced the trade in another state for at least two consecutive years. An applicant under this section shall pay the appropriate application and licensure fees at the time of making application. A licensee who is currently under

disciplinary action with another board of barbering shall not be licensed by reciprocity under the provisions of ~~[this chapter]~~ **section 324.009**.

2. Any person who has lawfully practiced or received training in another state who does not qualify for licensure without examination may apply to the board for licensure by examination. Upon application to the board, the board shall evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements and shall notify the applicant regarding his **or her** deficiencies and inform the applicant of the action which he **or she** must take to qualify to take the examination.

3. The applicant for licensure under this section shall pay a fee equivalent to the barber examination fee.

329.085. 1. Any person desiring an instructor license shall submit to the board a written application on a form supplied by the board showing that the applicant has met the requirements set forth in section 329.080 **or 324.009**. An applicant who has met all requirements as determined by the board shall be allowed to take the instructor examination, including any person who has been licensed three or more years as a cosmetologist, manicurist or esthetician. If the applicant passes the examination to the satisfaction of the board, the board shall issue to the applicant an instructor license.

2. The instructor examination fee and the instructor license fee for an instructor license shall be nonrefundable.

3. The instructor license renewal fee shall be in addition to the regular cosmetologist, esthetician or manicurist license renewal fee. For each renewal the instructor shall submit proof of having attended a teacher training seminar or workshop at least once every two years, sponsored by any university, or Missouri vocational association, or bona fide state cosmetology association specifically approved by the board to satisfy the requirement for continued training of this subsection. Renewal fees shall be due and payable on or before the renewal date and, if the fee remains unpaid thereafter in such license period, there shall be a late fee in addition to the regular fee.

4. Instructors duly licensed as physicians or attorneys or lecturers on subjects not directly pertaining to the practice pursuant to this chapter need not be holders of licenses provided for in this chapter.

5. ~~[The board shall grant instructor licensure upon application and payment of a fee equivalent to the sum of the instructor examination fee and the instructor license fee, provided the applicant establishes compliance with the cosmetology instructor requirements of another state, territory of the United States, or District of Columbia wherein the requirements are substantially equal or superior to those in force in Missouri at the time the application for licensure is filed and the applicant holds a current instructor license in the other jurisdiction at the time of making application.~~

~~6.]~~ Any person licensed as a cosmetology instructor prior to the training requirements which became effective January 1, 1979, may continue to be licensed as such, provided such license is maintained and the licensee complies with the continued training requirements as provided in subsection 3 of this section. Any person with an expired instructor license that is not restored to current status within two years of the date of expiration shall be required to meet the training and examination requirements as provided in this section and section 329.080.

329.130. 1. The board shall grant without examination a license to practice cosmetology to any applicant ~~[who holds a current license that is issued by another state, territory of the United States, or the District of Columbia whose requirements for licensure are substantially equal to the licensing requirements in Missouri at the time the application is filed or]~~ who has practiced cosmetology for at least two consecutive years in another state, territory of the United States, or the District of Columbia. The applicant under this subsection shall pay the appropriate application and licensure fees at the time of making application. A licensee who is currently under disciplinary action with another board of cosmetology shall not be licensed by reciprocity under the provisions of ~~[this chapter]~~ **section 324.009**.

2. Any person who lawfully practiced or received training in another state who does not qualify for licensure without examination may apply to the board for licensure by examination. Upon application to the board, the board shall evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements and shall notify the applicant regarding his or her deficiencies and inform the applicant of the action that he or she must take to qualify to take the examination. The applicant for licensure under this subsection shall pay the appropriate examination and licensure fees.

330.030. Any person desiring to practice podiatric medicine in this state shall furnish the board with satisfactory proof, including a statement under oath or affirmation that all representations are true and correct to the best knowledge and belief of the person submitting and signing same, subject to the penalties of making a false affidavit or declaration, that he or she is twenty-one years of age or over, and of good moral character, and that he or she has received at least four years of high school training, or the equivalent thereof, and has received a diploma or certificate of graduation from an approved college of podiatric medicine, recognized and approved by the board, having a minimum requirement of two years in an accredited college and four years in a recognized college of

podiatric medicine. Upon payment of the examination fee, and making satisfactory proof as aforesaid, the applicant shall be examined by the board, or a committee thereof, under such rules and regulations as said board may determine, and if found qualified, shall be licensed, upon payment of the license fee, to practice podiatric medicine as licensed; provided, that the board shall, under regulations established by the board, admit without examination legally qualified practitioners of podiatric medicine who hold licenses to practice podiatric medicine in ~~[any state or territory of the United States or the District of Columbia or]~~ any foreign country with equal educational requirements to the state of Missouri upon the applicant paying a fee equivalent to the license and examination fees required above.

331.030. 1. No person shall engage in the practice of chiropractic without having first secured a chiropractic license as provided in this chapter.

2. Any person desiring to procure a license authorizing the person to practice chiropractic in this state shall be at least twenty-one years of age and shall make application on the form prescribed by the board. The application shall contain a statement that it is made under oath or affirmation and that representations contained thereon are true and correct to the best knowledge and belief of the person signing the application, subject to the penalties of making a false affidavit or declaration, and shall give the applicant's name, address, age, sex, name of chiropractic schools or colleges which the person attended or of which the person is a graduate, and such other reasonable information as the board may require. The applicant shall give evidence satisfactory to the board of the successful completion of the educational requirements of this chapter, that the applicant is of good moral character, and that the chiropractic school or college of which the applicant is a graduate is teaching chiropractic in accordance with the requirements of this chapter. The board may make a final determination as to whether or not the school from which the applicant graduated is so teaching.

3. Before an applicant shall be eligible for licensure, the applicant shall furnish evidence satisfactory to the board that the applicant has received the minimum number of semester credit hours, as required by the Council on Chiropractic Education, or its successor, prior to beginning the doctoral course of study in chiropractic. The minimum number of semester credit hours applicable at the time of enrollment in a doctoral course of study must be in those subjects, hours and course content as may be provided for by the Council on Chiropractic Education or, in the absence of the Council on Chiropractic Education or its provision for such subjects, such hours and course content as adopted by rule of the board; however in no event shall fewer than ninety semester credit hours be accepted as the minimum number of hours required prior to beginning the doctoral course of study in chiropractic. The examination applicant shall also provide evidence satisfactory to the board of having graduated from a chiropractic college having status with the Commission on Accreditation of the Council on Chiropractic Education or its successor. Any senior student in a chiropractic college having status with the Commission on Accreditation on the Council on Chiropractic Education or its successor may take a practical examination administered or approved by the board under such requirements and conditions as are adopted by the board by rule, but no license shall be issued until all of the requirements for licensure have been met.

4. Each applicant shall pay upon application an application or examination fee. All moneys collected pursuant to the provisions of this chapter shall be nonrefundable and shall be collected by the director of the division of professional registration who shall transmit it to the department of revenue for deposit in the state treasury to the credit of the chiropractic board fund. Any person failing to pass a practical examination administered or approved by the board may be reexamined upon fulfilling such requirements, including the payment of a reexamination fee, as the board may by rule prescribe.

5. Every applicant for licensure by examination shall have taken and successfully passed all required and optional parts of the written examination given by the National Board of Chiropractic Examiners, including the written clinical competency examination, under such conditions as established by rule of the board, and all applicants for licensure by examination shall successfully pass a practical examination administered or approved by the board and a written examination testing the applicant's knowledge and understanding of the laws and regulations regarding the practice of chiropractic in this state. The board shall issue to each applicant who meets the standards and successful completion of the examinations, as established by rule of the board, a license to practice chiropractic. The board shall not recognize any correspondence work in any chiropractic school or college as credit for meeting the requirements of this chapter.

6. The board shall issue a license without examination to persons who have been regularly licensed to practice chiropractic in ~~[any other state, territory, or the District of Columbia, or in]~~ any foreign country, provided that the regulations for securing a license in the other ~~[jurisdiction]~~ **country** are equivalent to those required for licensure in the state of Missouri, when the applicant furnishes satisfactory evidence that the applicant has continuously practiced chiropractic for at least one year immediately preceding the applicant's application to the board and that the applicant is of good moral character, and upon the payment of the reciprocity license fee as

established by rule of the board. The board may require an applicant to successfully complete the Special Purposes Examination for Chiropractic (SPEC) administered by the National Board of Chiropractic Examiners if the requirements for securing a license in the other [jurisdiction] country are not equivalent to those required for licensure in the state of Missouri at the time application is made for licensure under this subsection.

7. Any applicant who has failed any portion of the practical examination administered or approved by the board three times shall be required to return to an accredited chiropractic college for a semester of additional study in the subjects failed, as provided by rule of the board.

8. A chiropractic physician currently licensed in Missouri shall apply to the board for certification prior to engaging in the practice of meridian therapy/acupressure/acupuncture. Each such application shall be accompanied by the required fee. The board shall establish by rule the minimum requirements for the specialty certification under this subsection. "Meridian therapy/acupressure/acupuncture" shall mean methods of diagnosing and the treatment of a patient by stimulating specific points on or within the body by various methods including but not limited to manipulation, heat, cold, pressure, vibration, ultrasound, light, electrocurrent, and short-needle insertion for the purpose of obtaining a biopositive reflex response by nerve stimulation.

9. The board may through its rulemaking process authorize chiropractic physicians holding a current Missouri license to apply for certification in a specialty as the board may deem appropriate and charge a fee for application for certification, provided that:

(1) The board establishes minimum initial and continuing educational requirements sufficient to ensure the competence of applicants seeking certification in the particular specialty; and

(2) The board shall not establish any provision for certification of licensees in a particular specialty which is not encompassed within the practice of chiropractic as defined in section 331.010.

333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is:

(1) At least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board; and

(2) A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

(1) Is at least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;

(2) Is a person of good moral character;

(3) Has completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board. If an applicant does not complete all requirements for licensure within five years from the date of his or her completion of an accredited program, his or her registration as an apprentice embalmer shall be automatically cancelled. The applicant shall be required to file a new application and pay applicable fees. No previous apprenticeship shall be considered for the new application;

(4) Upon due examination administered by the board, is possessed of a knowledge of the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry, restorative art, together with statutes, rules and regulations governing the care, custody, shelter and disposition of dead human bodies and the transportation thereof or has passed the national board examination of the Conference of Funeral Service Examining Boards. If any applicant fails to pass the state examination, he or she may retake the examination at the next regular examination meeting. The applicant shall notify the board office of his or her desire to retake the examination at least thirty days prior to the date of the examination. Each time the examination is retaken, the applicant shall pay a new examination fee in an amount established by the board;

(5) Has been employed full time in funeral service in a licensed funeral establishment and has personally embalmed at least twenty-five dead human bodies under the personal supervision of an embalmer who holds a current and valid Missouri embalmer's license [or an embalmer who holds a current and valid embalmer's license in a state with which the Missouri board has entered into a reciprocity agreement] during an apprenticeship of not less



than twelve consecutive months. "Personal supervision" means that the licensed embalmer shall be physically present during the entire embalming process in the first six months of the apprenticeship period and physically present at the beginning of the embalming process and available for consultation and personal inspection within a period of not more than one hour in the remaining six months of the apprenticeship period. All transcripts and other records filed with the board shall become a part of the board files.

4. If the applicant does not complete the application process within the five years after his or her completion of an approved program, then he or she must file a new application and no fees paid previously shall apply toward the license fee.

5. Examinations required by this section and section 333.042 shall be held at least twice a year at times and places fixed by the board. The board shall by rule and regulation prescribe the standard for successful completion of the examinations.

6. Upon establishment of his or her qualifications as specified by this section or section 333.042, the board shall issue to the applicant a license to practice funeral directing or embalming, as the case may require, and shall register the applicant as a duly licensed funeral director or a duly licensed embalmer. Any person having the qualifications required by this section and section 333.042 may be granted both a license to practice funeral directing and to practice embalming.

7. The board shall, upon request, waive any requirement of this chapter and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury.

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. Except as otherwise provided in section 41.950, applicants not entitled to a license pursuant to section 333.051 or 324.009 shall serve an apprenticeship for at least twelve consecutive months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state. The applicant shall devote at least fifteen hours per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be cancelled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve-month apprenticeship required by subsection 1 of this section and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has completed a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board or has successfully completed a course of study in funeral directing offered by an institution accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

333.051. ~~[1. Any individual holding a valid, unrevoked and unexpired license as a funeral director or embalmer in the state of his or her residence may be granted a license to practice funeral directing or embalming in this state on application to the board and on providing the board with such evidence as to his or her qualifications as is required by the board.~~

~~2. Any individual holding a valid, unrevoked and unexpired license as an embalmer or funeral director in another state having requirements substantially similar to those existing in this state may apply for a license to practice in this state by filing with the board a certified statement from the examining board of the state or territory in which the applicant holds his or her license showing the grade rating upon which the license was granted, together with a recommendation, and the board shall grant the applicant a license upon his or her successful completion of an examination over Missouri laws as required in section 333.041 or section 333.042 if the board finds that the applicant's qualifications meet the requirements for funeral directors or embalmers in this state at the time the applicant was originally licensed in the other state.~~

~~3.] A person holding a valid, unrevoked and unexpired license to practice funeral directing or embalming in another state or territory with requirements less than those of this state may, after five consecutive years of active experience as a licensed funeral director or embalmer in that state, apply for a license to practice in this state after passing a test to prove his or her proficiency, including but not limited to a knowledge of the laws and regulations of this state as to funeral directing and embalming.~~

337.510. 1. Each applicant for licensure as a professional counselor shall furnish evidence to the committee that the applicant is at least eighteen years of age, is of good moral character, is a United States citizen or is legally present in the United States; and

(1) The applicant has completed a course of study as defined by the board rule leading to a master's, specialist's, or doctoral degree with a major in counseling; and

(2) The applicant has completed acceptable supervised counseling as defined by board rule. If the applicant has a master's degree with a major in counseling as defined by board rule, the applicant shall complete at least two years of acceptable supervised counseling experience subsequent to the receipt of the master's degree. The composition and number of hours comprising the acceptable supervised counseling experience shall be defined by board rule. An applicant may substitute thirty semester hours of post master's graduate study for one of the two required years of acceptable supervised counseling experience if such hours are clearly related to counseling;

(3) After August 28, 2007, each applicant shall have completed a minimum of three hours of graduate level coursework in diagnostic systems either in the curriculum leading to a degree or as post master's graduate level course work;

(4) Upon examination, the applicant is possessed of requisite knowledge of the profession, including techniques and applications, research and its interpretation, and professional affairs and ethics.

~~2. [Any person who previously held a valid unrevoked, unsuspended license as a professional counselor in this state and who held a valid license as a professional counselor in another state at the time of application to the committee shall be granted a license to engage in professional counseling in this state upon application to the committee accompanied by the appropriate fee as established by the committee pursuant to section 337.507.~~

~~3.] Any person holding a current license, certificate of registration, or permit from another state or territory of the United States to practice as a professional counselor who **does not meet the requirements in section 324.009 and who** is at least eighteen years of age, is of good moral character, and is a United States citizen or is legally present in the United States may be granted a license without examination to engage in the practice of professional counseling in this state upon the application to the board, payment of the required fee as established by the board, and satisfying one of the following requirements:~~

(1) Approval by the American Association of State Counseling Boards (AASCB) or its successor organization according to the eligibility criteria established by AASCB. The successor organization shall be defined by board rule; or

(2) In good standing and currently certified by the National Board for Certified Counselors or its successor organization and has completed acceptable supervised counseling experience as defined by board rule. The successor organization shall be defined by board rule~~[- or~~

~~(3) Determination by the board that the requirements of the other state or territory are substantially the same as Missouri and certified by the applicant's current licensing entity that the applicant has a current license. The applicant shall also consent to examination of any disciplinary history].~~

~~[4.]~~ **3.** The committee shall issue a license to each person who files an application and fee and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of this act and has taken and passed a written, open-book examination on Missouri laws and regulations governing the practice of professional counseling as defined in section 337.500. The division shall issue a provisional professional counselor license to any applicant who meets all requirements of this section, but who has not completed the required acceptable supervised counseling experience and such applicant may reapply for licensure as a professional counselor upon completion of such acceptable supervised counseling experience.

[5-] 4. All persons licensed to practice professional counseling in this state shall pay on or before the license renewal date a renewal license fee and shall furnish to the committee satisfactory evidence of the completion of the requisite number of hours of continuing education as required by rule, which shall be no more than forty hours biennially. The continuing education requirements may be waived by the committee upon presentation to the committee of satisfactory evidence of the illness of the licensee or for other good cause.

337.520. 1. The division shall promulgate rules and regulations pertaining to:

- (1) The form and content of license applications required by the provisions of sections 337.500 to 337.540 **and section 324.009** and the procedures for filing an application for an initial or renewal license in this state;
- (2) Fees required by the provisions of sections 337.500 to 337.540 **and section 324.009**;
- (3) The content, conduct and administration of the licensing examination required by section 337.510;
- (4) The characteristics of "acceptable supervised counseling experience" as that term is used in section 337.510;
- (5) The equivalent of the basic educational requirements set forth in section 337.510;
- (6) The standards and methods to be used in assessing competency as a professional counselor;
- (7) Establishment and promulgation of procedures for investigating, hearing and determining grievances and violations occurring under the provisions of sections 337.500 to 337.540;
- (8) Development of an appeal procedure for the review of decisions and rules of administrative agencies existing under the constitution or laws of this state;
- (9) Establishment of a policy and procedure for reciprocity with ~~[other states, including]~~ states which do not have counselor licensing laws ~~[or]~~ **and** states whose licensing laws are not substantially ~~[the same as]~~ **similar to** those of this state;
- (10) The characteristics of "an acceptable educational institution" as that term is used in section 337.510;
- (11) The characteristics of an acceptable agent for the certification of an exempted occupation as listed in subdivisions (11) and (13) of section 337.505; and
- (12) The form and content of "ethical standards for counselors" as that term is used in subdivision (15) of subsection 2 of section 337.525.

2. No rule or portion of a rule promulgated under the authority of sections 337.500 to ~~[337.545]~~ **337.540** shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

337.615. 1. Each applicant for licensure as a clinical social worker shall furnish evidence to the committee that:

- (1) The applicant has a master's degree from a college or university program of social work accredited by the council of social work education or a doctorate degree from a school of social work acceptable to the committee;
- (2) The applicant has completed at least three thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, in no less than twenty-four months and no more than forty-eight consecutive calendar months. For any applicant who has successfully completed at least four thousand hours of supervised clinical experience with a qualified clinical supervisor, as defined in section 337.600, within the same time frame prescribed in this subsection, the applicant shall be eligible for application of licensure at three thousand hours and shall be furnished a certificate by the state committee for social workers acknowledging the completion of said additional hours;
- (3) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be promulgated by rule of the committee;
- (4) The applicant is at least eighteen years of age, is of good moral character, is a United States citizen or has status as a legal resident alien, and has not been convicted of a felony during the ten years immediately prior to application for licensure.

2. Any person holding a current license, certificate of registration, or permit from another state or territory of the United States or the District of Columbia to practice clinical social work **who does not meet the requirements of section 324.009 and** who has had no disciplinary action taken against the license, certificate of registration, or permit for the preceding five years may be granted a license to practice clinical social work in this state if the person ~~[meets one of the following criteria:~~

- ~~—(1) has received a masters or doctoral degree from a college or university program of social work accredited by the council of social work education and has been licensed to practice clinical social work for the preceding five years[; or~~
- ~~—(2) Is currently licensed or certified as a clinical social worker in another state, territory of the United States, or the District of Columbia having substantially the same requirements as this state for clinical social workers].~~

3. The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of this section.

337.627. 1. The committee shall promulgate rules and regulations pertaining to:

(1) The form and content of license applications required by the provisions of sections 337.600 to 337.689 **and section 324.009** and the procedures for filing an application for an initial or renewal license in this state;

(2) Fees required by the provisions of sections 337.600 to 337.689 **and section 324.009**;

(3) The characteristics of supervised clinical experience, supervised master experience, supervised advanced macro experience, and supervised baccalaureate experience;

(4) The standards and methods to be used in assessing competency as a licensed clinical social worker, licensed master social worker, licensed advanced macro social worker, and licensed baccalaureate social worker, including the requirement for continuing education hours;

(5) Establishment and promulgation of procedures for investigating, hearing and determining grievances and violations occurring pursuant to the provisions of sections 337.600 to 337.689;

(6) Development of an appeal procedure for the review of decisions and rules of administrative agencies existing pursuant to the constitution or laws of this state;

(7) Establishment of a policy and procedure for reciprocity with ~~[other states, including]~~ states which do not have clinical, master, advanced macro, or baccalaureate social worker licensing laws ~~[or]~~ **and** states whose licensing laws are not substantially ~~[the same as]~~ **similar to** those of this state; and

(8) Any other policies or procedures necessary to the fulfillment of the requirements of sections 337.600 to 337.689.

2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

337.644. 1. Each applicant for licensure as a master social worker shall furnish evidence to the committee that:

(1) The applicant has a master's or doctorate degree in social work from an accredited social work degree program approved by the council of social work education;

(2) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be determined by the state committee for social workers;

(3) The applicant is at least eighteen years of age, is of good moral character, is a United States citizen or has status as a legal resident alien, and has not been convicted of a felony during the ten years immediately prior to application for licensure;

(4) The applicant has submitted a written application on forms prescribed by the state board;

(5) The applicant has submitted the required licensing fee, as determined by the committee.

2. Any applicant who answers in the affirmative to any question on the application that relates to possible grounds for denial of licensure under section 337.630 shall submit a sworn affidavit setting forth in detail the facts which explain such answer and copies of appropriate documents related to such answer.

~~3. [Any person holding a valid unrevoked and unexpired license, certificate, or registration from another state or territory of the United States having substantially the same requirements as this state for master social workers may be granted a license to engage in the person's occupation in this state upon application to the committee accompanied by the appropriate fee as established by the committee under section 337.612.~~

~~4.] The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subsection 1 of this section [or with the provisions of subsection 3 of this section]. The license shall refer to the individual as a licensed master social worker and shall recognize that individual's right to practice licensed master social work as defined in section 337.600.~~

337.665. 1. Each applicant for licensure as a baccalaureate social worker shall furnish evidence to the committee that:

(1) The applicant has a baccalaureate degree in social work from an accredited social work degree program approved by the council of social work education;

(2) The applicant has achieved a passing score, as defined by the committee, on an examination approved by the committee. The eligibility requirements for such examination shall be determined by the state committee for social work;

(3) The applicant is at least eighteen years of age, is of good moral character, is a United States citizen or has status as a legal resident alien, and has not been convicted of a felony during the ten years immediately prior to application for licensure;

(4) The applicant has submitted a written application on forms prescribed by the state board;

(5) The applicant has submitted the required licensing fee, as determined by the committee.

2. Any applicant who answers in the affirmative to any question on the application that relates to possible grounds for denial of licensure pursuant to section 337.630 shall submit a sworn affidavit setting forth in detail the facts which explain such answer and copies of appropriate documents related to such answer.

3. ~~[Any person holding a valid unrevoked and unexpired license, certificate or registration from another state or territory of the United States having substantially the same requirements as this state for baccalaureate social workers may be granted a license to engage in the person's occupation in this state upon application to the committee accompanied by the appropriate fee as established by the committee pursuant to section 337.612.~~

~~4.] The committee shall issue a license to each person who files an application and fee as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence satisfactory to the committee that the applicant has complied with the provisions of subsection 1 of this section [or with the provisions of subsection 2 of this section].~~

~~5.] 4.~~ The committee shall issue a certificate to practice independently under subsection 3 of section 337.653 to any licensed baccalaureate social worker who has satisfactorily completed three thousand hours of supervised experience with a qualified baccalaureate supervisor in no less than twenty-four months and no more than forty-eight consecutive calendar months.

337.727. The committee shall promulgate rules and regulations pertaining to:

(1) The form and content of license applications required by the provisions of sections 337.700 to 337.739 **and section 324.009** and the procedures for filing an application for an initial or renewal license in this state;

(2) Fees required by the provisions of sections 337.700 to 337.739 **and section 324.009**;

(3) The content, conduct and administration of the licensing examination required by section 337.715;

(4) The characteristics of supervised clinical experience as that term is used in section 337.715;

(5) The equivalent of the basic educational requirements set forth in section 337.715;

(6) The standards and methods to be used in assessing competency as a marital and family therapist;

(7) Establishment and promulgation of procedures for investigating, hearing and determining grievances and violations occurring under the provisions of sections 337.700 to 337.739;

(8) Development of an appeal procedure for the review of decisions and rules of administrative agencies existing under the constitution or laws of this state;

(9) Establishment of a policy and procedure for reciprocity with ~~[other states, including]~~ states which do not have marital and family therapist licensing laws ~~[or]~~ **and** states whose licensing laws are not substantially ~~[the same as]~~ **similar to** those of this state; and

(10) Any other policies or procedures necessary to the fulfillment of the requirements of sections 337.700 to 337.739.

339.523. 1. A nonresident of this state who has complied with the provisions of sections 339.511, 339.513, 339.515, and 339.517 ~~[or section 339.521]~~ may obtain certification as a state-certified real estate appraiser or licensure as a state-licensed real estate appraiser by conforming to all of the provisions of sections 339.500 to 339.549 relating to state-certified real estate appraisers or state-licensed real estate appraisers.

2. Every applicant for certification or licensure pursuant to sections 339.500 to 339.545 who is not a resident of this state shall submit, with the application for certification, an irrevocable consent that service of process in any action against the applicant arising out of the applicant's activities as a state-certified real estate appraiser or state-licensed real estate appraiser may be made by delivery of the process to the executive director of the commission, if the plaintiff cannot, in the exercise of due diligence, effect personal service upon the applicant. The executive director shall immediately mail a copy of the materials served on the executive director by ordinary mail to the state-certified real estate appraiser or state-licensed real estate appraiser at both his or her principal place of business and his or her residence address.

344.030. 1. An applicant for an initial license shall file a completed application with the board on a form provided by the board, accompanied by an application fee as provided by rule payable to the department of health

and senior services. Information provided in the application **shall be** attested by signature to be true and correct to the best of the applicant's knowledge and belief.

2. No initial license shall be issued to a person as a nursing home administrator unless:

(1) The applicant provides the board satisfactory proof that the applicant is twenty-one years of age or over, of good moral character and a high school graduate or equivalent;

(2) The applicant provides the board satisfactory proof that the applicant has had a minimum of three years' experience in health care administration or two years of postsecondary education in health care administration or has satisfactorily completed a course of instruction and training prescribed by the board, which includes instruction in the needs properly to be served by nursing homes, the protection of the interests of residents therein, and the elements of good nursing home administration, or has presented evidence satisfactory to the board of sufficient education, training, or experience in the foregoing fields to administer, supervise and manage a nursing home; and

(3) The applicant passes the examinations administered by the board. If an applicant fails to make a passing grade on either of the examinations such applicant may make application for reexamination on a form furnished by the board and may be retested. If an applicant fails either of the examinations a third time, the applicant shall be required to complete a course of instruction prescribed and approved by the board. After completion of the board-prescribed course of instruction, the applicant may reapply for examination. With regard to the national examination required for licensure, no examination scores from other states shall be recognized by the board after the applicant has failed his or her third attempt at the national examination. There shall be a separate, nonrefundable fee for each examination. The board shall set the amount of the fee for examination by rules and regulations promulgated pursuant to section 536.021. The fee shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the examination.

3. ~~[The board may issue a license through reciprocity to any person who is regularly licensed as a nursing home administrator in any other state, territory, or the District of Columbia, if the regulations for securing such license are equivalent to those required in the state of Missouri. However, no license by reciprocity shall be issued until the applicant passes a special examination approved by the board, which will examine the applicant's knowledge of specific provisions of Missouri statutes and regulations pertaining to nursing homes. The applicant shall furnish satisfactory evidence that such applicant is of good moral character and has acted in the capacity of a nursing home administrator in such state, territory, or the District of Columbia at least one year after the securing of the license. The board, in its discretion, may enter into written reciprocal agreements pursuant to this section with other states which have equivalent laws and regulations.]~~

~~4.]~~ Nothing in sections 344.010 to 344.108, or the rules or regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator, who is employed by an institution listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., to administer institutions certified by such commission for the care and treatment of the sick in accordance with the creed or tenets of a recognized church or religious denomination, to demonstrate proficiency in any techniques or to meet any educational qualifications or standards not in accord with the remedial care and treatment provided in such institutions. The applicant's license shall be endorsed to confine the applicant's practice to such institutions.

~~5.]~~ 4. The board may issue a temporary emergency license for a period not to exceed ninety days to a person twenty-one years of age or over, of good moral character and a high school graduate or equivalent to serve as an acting nursing home administrator, provided such person is replacing a licensed nursing home administrator who has died, has been removed or has vacated the nursing home administrator's position. No temporary emergency license may be issued to a person who has had a nursing home administrator's license denied, suspended or revoked. A temporary emergency license may be renewed for one additional ninety-day period upon a showing that the person seeking the renewal of a temporary emergency license meets the qualifications for licensure and has filed an application for a regular license, accompanied by the application fee, and the applicant has taken the examination or examinations but the results have not been received by the board. No temporary emergency license may be renewed more than one time.

345.050. 1. To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person's good moral and ethical character, current competence and shall:

(1) Hold a master's or a doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;

(2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on

Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board; and

(3) Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

2. To be eligible for licensure by the board without examination, each applicant shall make application on forms prescribed by the board, submit the application fee and shall be of good moral and ethical character, submit an activity statement and meet one of the following requirements:

(1) The board shall issue a license to any speech-language pathologist or audiologist who is licensed in another ~~jurisdiction~~ **country** and who has had no violations, suspension or revocations of a license to practice speech-language pathology or audiology in any jurisdiction; provided that, such person is licensed in a ~~jurisdiction~~ **country** whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure; or

(2) Hold the certificate of clinical competence issued by the American Speech-Language-Hearing Association in the area in which licensure is sought.

346.055. 1. An applicant may obtain a license provided the applicant:

(1) Is at least eighteen years of age; and

(2) Is of good moral character; and

(3) Successfully passes a qualifying examination as described under sections 346.010 to 346.250; and

(4) (a) Holds an associate's degree or higher, from a state or regionally accredited institution of higher education, in hearing instrument sciences; or

(b) Holds an associate's level degree or higher, from a state or regionally accredited institution of higher education and submits proof of completion of the International Hearing Society's Distance Learning for Professionals in Hearing Health Sciences Course; or

(c) Holds a master's or doctoral degree in audiology from a state or regionally accredited institution; or

(d) Holds a current, unsuspended, unrevoked license from another ~~jurisdiction~~ **country** if the standards for licensing in such ~~other jurisdiction~~ **country**, as determined by the board, are substantially equivalent to or exceed those required in paragraph (a) or (b) of this subdivision; or

(e) Holds a current, unsuspended, unrevoked license from another ~~jurisdiction~~ **country**, has been actively practicing as a licensed hearing aid fitter or dispenser in another ~~jurisdiction~~ **country** for no less than forty-eight of the last seventy-two months, and submits proof of completion of advance certification from either the International Hearing Society or the National Board for Certification in Hearing Instrument Sciences.

2. The provisions of subsection 1 of this section shall not apply to any person holding a valid Missouri hearing instrument specialist license under this chapter when applying for the renewal of that license. These provisions shall apply to any person holding a hearing instrument specialist-in-training permit at the time of their application for licensure or renewal of said permit.

3. (1) The board shall promulgate reasonable standards and rules for the evaluation of applicants for purposes of determining the course of instruction and training required of each applicant for a hearing instrument specialist license under the requirement of subdivision (4) of subsection 1 of this section.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

~~374.785. [1. The director shall issue a license for a period of two years to any surety recovery agent who is licensed in another jurisdiction and who:~~

~~——— (1) Has no violations, suspensions, or revocations of a license to engage in fugitive recovery in any jurisdiction; and~~

~~——— (2) Is licensed in a jurisdiction whose requirements are substantially equal to or greater than the requirements for a surety recovery agent license in Missouri at the time the applicant applies for a license.~~

~~——— 2. Any surety recovery agent who is licensed in another state shall also be subject to the same training requirements as in state surety recovery agents prescribe to under section 374.784.~~

~~——— 3.] For the purpose of surrender of the defendant, a surety recovery agent may apprehend the defendant anywhere within the state of Missouri before or after the forfeiture of the undertaking without personal liability for~~

false imprisonment or may empower any surety recovery agent to make apprehension by providing written authority endorsed on a certified copy of the undertaking and paying the lawful fees.

~~[4. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in this section, shall be required to pay the same fee as required of resident applicants. Within the limits provided in this section, the director may negotiate reciprocal compacts with licensing entities of other states for the admission of licensed surety recovery agents from Missouri in other states.]~~

643.228. 1. Required training courses for certification under section 643.225 shall first be accredited by the state. To be accredited, training programs shall meet the training certification and recertification requirements for each specialty area outlined in the United States EPA's model accreditation plan, 40 CFR Part 763, including passage of a course examination for these courses, and the certification requirements for air sampling professionals outlined in section 643.225. Such accreditation shall be obtained biennially. A representative of the department or the department of health and senior services shall be permitted to attend, monitor and evaluate any training program without charge to the state. Such evaluations may be conducted without prior notice. Refusal to allow such an evaluation is sufficient grounds for loss of certificate of accreditation.

2. An accreditation fee of one thousand dollars per course category shall be paid prior to issuance or renewal of a certificate of accreditation, however, no individual, group, agency or organization shall pay more than three thousand dollars for all course categories for which accreditation is requested at the same time.

~~[3. The director may engage in reciprocity agreements with other states that have established accreditation criteria for certification training programs that meet or exceed Missouri's accreditation criteria.]~~

701.312. 1. The director of the department of health and senior services shall develop a program to license lead inspectors, risk assessors, lead abatement supervisors, lead abatement workers, project designers and lead abatement contractors. The director shall promulgate rules and regulations including, but not limited to:

- (1) The power to issue, restrict, suspend, revoke, deny and reissue licenses;
- (2) The power to issue notices of violation, written notices and letters of warning;
- (3) ~~[The ability to enter into reciprocity agreements with other states that have similar licensing provisions;~~
- ~~—————(4)] Fees for any such licenses;~~
- ~~[(5)] (4)~~ Training, education and experience requirements; and
- ~~[(6)] (5)~~ The implementation of work practice standards, reporting requirements and licensing standards.

2. The director shall require, as a condition of licensure, lead abatement contractors to purchase and maintain liability and errors and omissions insurance. The director shall require a licensee or an applicant for licensure to provide evidence of their ability to indemnify any person that may suffer damage from lead-based paint activities of which the licensee or applicant may be liable.

701.314. The director of the department of health and senior services shall develop a program to accredit training providers to train lead inspectors, risk assessors, lead abatement supervisors, lead abatement workers and project designers. The director shall promulgate rules and regulations including, but not limited to:

- (1) The power to grant, restrict, suspend, revoke, deny or renew accreditation;
- (2) The power to issue notices of violation, written notices and letters of warning;
- (3) ~~[The ability to enter into reciprocity agreements with other states that have similar accreditation provisions;~~
- ~~—————(4)] Fees for any such accreditation;~~
- ~~[(5)] (4)~~ The curriculum for training;
- ~~[(6)] (5)~~ The development of standards for accreditation; and
- ~~[(7)] (6)~~ Procedures for monitoring, training, record keeping and reporting requirements for training providers.

~~[339.521. An applicant who is certified or licensed under the laws of another state may obtain certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser in this state upon such terms and conditions as may be determined by the board, provided that such terms and conditions shall comply with the minimum criteria for certification or licensure issued by the appraiser qualifications board of the appraisal foundation.]~~

~~[374.735. 1. The department may, in its discretion, grant a license without requiring an examination to a bail bond agent who has been licensed in another state immediately preceding his or her applying to the department, if the department is satisfied by proof adduced by the applicant that:~~

- ~~(1) The qualifications of the other state are at least equivalent to the requirements for initial licensure as a bail bond agent in this state pursuant to the provisions of sections 374.695 to 374.775, provided that the other state licenses Missouri residents in the same manner; and~~



- ~~(2) The applicant has no suspensions or revocations of a license to engage in the bail bond or fugitive recovery business in any jurisdiction.~~
- ~~2. Every applicant for a license pursuant to this section, upon showing the necessary qualifications as provided in this section, shall be required to pay the same fee as the fee required to be paid by resident applicants.~~
- ~~3. Within the limits provided in this section, the department may negotiate reciprocal compacts with licensing entities of other states for the admission of licensed bail bond agents from Missouri in other states.~~
- ~~4. All applicants applying for licenses in this state after the enactment of said act shall complete the education requirement as stated in section 374.710. If the bail bond agent or general bail bond agent has been licensed in another state and has a license in Missouri at the time said act becomes law, said individual shall not be required to complete the twenty-four hours of initial basic training.]~~

~~[700.662. 1. The commission may waive the training and examination requirements of subsection 1 of section 700.659 and grant an installer license to an applicant who pays the applicable fee and demonstrates to the commission's satisfaction that his or her current license, registration, or certification requirements as an installer in another state, the District of Columbia, or territories of the United States substantially meets or exceeds the requirements in sections 700.650 to 700.680.~~

~~2. The commission may negotiate reciprocal agreements that allow licensed installers in Missouri to become licensed in other states, the District of Columbia, or territories of the United States.]; and~~

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

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

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

AMEND House Amendment No. 2 to Senate Bill No. 840, Page 6, Line 13, by inserting immediately after said line the following:

"326.319. 1. All moneys payable pursuant to the provisions of this chapter shall be collected by the division of professional registration who shall transmit them to the department of revenue for deposit in the state treasury to the credit of a fund to be known as the "State Board of Accountancy Fund" which is hereby created.

2. Notwithstanding the provisions of section 33.080 to the contrary, money in the fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule certificate or permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**

3. In any proceeding in which a remedy provided by subsection 1 or 2 of section 326.310 is imposed, the board may also require the respondent licensee to pay the costs of the proceeding if the board is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the "Missouri State Board of Accountancy Investigation Fund", which is hereby created, to be used solely for investigations as provided in this chapter. The moneys shall not be considered in calculating amounts to be transferred to general revenue as provided in subsection 2 of this section. The fund shall be used solely for board investigations.

4. The board shall set the amount of the fees which this chapter authorizes and requires by rule pursuant to chapter 536. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be deposited in the state treasury to the credit of the "State Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated to the board by the general assembly from this fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**"; and

Further amend said amendment, Page 9, Line 28, by inserting immediately after said line the following:

"332.061. All funds received pursuant to the provisions of this chapter shall be transmitted by the director of the division of professional registration to the department of revenue for deposit in the state treasury to the credit of the "Dental Board Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated from the dental board fund by the legislature. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium ~~[is]~~ **exceeds** two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**"; and

Further amend said amendment, Page 11, Line 44, by inserting immediately after said line the following:

"333.231. 1. All fees payable under this chapter shall be collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the fund to be known as the "Board of Embalmers and Funeral Directors' Fund".

2. All compensation of board members and employees and all expenses incident to the administration of this chapter shall be paid out of the board of embalmers and funeral directors' fund. No expense of this board shall ever be paid out of any other fund of the state, either by deficiency bill or otherwise.

3. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**

334.050. 1. There is hereby established in the office of the state treasurer a fund to be known as the "Board of Registration for the Healing Arts Fund". All fees of any kind and character authorized to be charged by the board shall be collected by the director of the division of professional registration and shall be transmitted to the department of revenue for deposit in the state treasury for credit to this fund, to be disbursed only in payment of expenses of maintaining the board and for the enforcement of the provisions of law concerning professions regulated by the board; and no other money shall be paid out of the state treasury for carrying out these provisions. Warrants shall be issued on the state treasurer for payment out of said fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three~~

times the appropriation from the board's funds for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount in the fund [~~which~~] that exceeds **two times** the [~~appropriate multiple of the appropriations from the board's funds for the preceding fiscal year~~] **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**

3. The board shall charge each person applying to and appearing before it for examination for certificate of licensure to practice as physician and surgeon, an examination fee. Should the examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant failing to pass the examination may return to any meeting and be examined upon payment of a reexamination fee.

335.036. 1. The board shall:

(1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the board may appoint, employ and fix the compensation of a legal counsel and such board personnel as defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the provisions of sections 335.011 to 335.096;

(2) Adopt and revise such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 335.011 to 335.096;

(3) Prescribe minimum standards for educational programs preparing persons for licensure pursuant to the provisions of sections 335.011 to 335.096;

(4) Provide for surveys of such programs every five years and in addition at such times as it may deem necessary;

(5) Designate as "approved" such programs as meet the requirements of sections 335.011 to 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall annually publish a list of such programs;

(6) Deny or withdraw approval from educational programs for failure to meet prescribed minimum standards;

(7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

(8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096, and may incur such necessary expenses therefor;

(9) Keep a record of all the proceedings; and make an annual report to the governor and to the director of the department of insurance, financial institutions and professional registration;

(10) Establish an impaired nurse program.

2. The board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund. All administrative costs and expenses of the board shall be paid from appropriations made for those purposes. The board is authorized to provide funding for the nursing education incentive program established in sections 335.200 to 335.203.

4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of [~~the appropriation~~] **expenses** from the board's funds for the preceding **three completed** fiscal [~~year or, if the board requires by rule, permit renewal less frequently than yearly, then three~~] ~~times the appropriation from the board's funds for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount in the fund [~~which~~] that exceeds **two times** the [~~appropriate multiple of the appropriations from the board's funds for the preceding fiscal year~~] **amount of such three-year average. However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**~~

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this chapter shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said amendment, Page 16, Line 28, by inserting immediately after said section and line the following:

"338.070. 1. The board of pharmacy shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to chapter 536. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter. All fees shall be paid before an applicant may be admitted to examination or his or her name placed upon the register of pharmacists, or before any license or permit, or any renewal thereof, is issued by the board.

2. All fees payable pursuant to the provisions of this chapter shall be collected by the division of professional registration and transmitted to the department of revenue for deposit in the state treasury to the credit of the fund to be known as the "Board of Pharmacy Fund".

3. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the **average** amount of ~~[the appropriation]~~ **expenses** from the board's funds for the preceding **three completed** fiscal ~~[year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year]~~ **years**. The amount, if any, in the fund which shall lapse is that amount in the fund ~~[which]~~ **that** exceeds **two times** the ~~[appropriate multiple of the appropriations from the board's funds for the preceding fiscal year]~~ **amount of such three-year average**. **However, no moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year 2020.**"; and

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

Representative Plocher raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the underlying amendment.

Representative Chipman requested a parliamentary ruling.

The Parliamentary Committee took the point of order under advisement.

The Parliamentary Committee ruled the point of order not well taken.

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

Which motion was defeated.

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

On motion of Representative Bernskoetter, **SB 840, as amended**, was read the third time and passed by the following vote:

AYES: 115

Adams	Anderson	Andrews	Arthur	Bahr
Baringer	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Butler
Carpenter	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Cross	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzwater	Francis	Franklin	Franks Jr
Frederick	Gannon	Gregory	Grier	Haahr

Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Johnson	Justus	Kelley 127
Kelly 141	Kendrick	Kidd	Knight	Kolkmeier
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	May	McCreery	McGaugh
Meredith 71	Messenger	Miller	Morgan	Morris 140
Morse 151	Muntzel	Neely	Newman	Nichols
Pierson Jr	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Roberts	Roden	Roeber	Rone	Ross
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walsh
Wessels	White	Wiemann	Wilson	Wood

NOES: 013

Barnes 28	Beck	Brown 27	Burnett	Gray
Green	Hurst	McCann Beatty	Moon	Mosley
Revis	Rowland 29	Washington		

PRESENT: 000

ABSENT WITH LEAVE: 033

Alferman	Anders	Austin	Bangert	Barnes 60
Burns	Conway 10	Cookson	Curtis	Curtman
Ellington	Fitzpatrick	Fraker	Higdon	Houghton
Houx	Korman	Mathews	Matthiesen	McDaniel
McGee	Merideth 80	Mitten	Peters	Pfautsch
Phillips	Pietzman	Pogue	Rhoads	Rowland 155
Smith 85	Walker 74	Mr. Speaker		

VACANCIES: 002

Representative Chipman declared the bill passed.

## COMMITTEE REPORTS

**Committee on Economic Development**, Chairman Rehder reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1278**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Beck, Berry, Ellebracht, Fitzwater, Green, Knight, Lant, Pietzman, Rehder and Washington

Noes (0)

Absent (3): Grier, Miller and Plocher

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS#2 SCS SB 802**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Beck, Berry, Ellebracht, Fitzwater, Knight, Lant, Pietzman, Rehder and Washington

Noes (1): Green

Absent (3): Grier, Miller and Plocher

**Committee on General Laws**, Chairman Cornejo reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 574**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Anderson, Basye, Carpenter, Cornejo, Cross, Evans, Mathews, McCreery, Merideth (80), Roeber, Schroer and Taylor

Noes (0)

Absent (1): Arthur

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Anderson, Basye, Carpenter, Cornejo, Cross, Evans, Mathews, McCreery, Merideth (80), Roeber, Schroer and Taylor

Noes (0)

Absent (1): Arthur

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 884**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Anderson, Basye, Cornejo, Cross, Evans, Mathews, Roeber, Schroer and Taylor

Noes (3): Carpenter, McCreery and Merideth (80)

Absent (1): Arthur

**Committee on Judiciary**, Chairman Corlew reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 966**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Beard, Corlew, DeGroot, Ellebracht, Gregory, Mitten, Roberts, Toalson Reisch and White

Noes (1): Marshall

Absent (0)

**Committee on Local Government**, Chairman Dogan reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Adams, Baringer, Burnett, Dogan, Hannegan, Houghton, McGaugh, Muntzel and Wilson

Noes (0)

Absent (3): Brattin, Grier and Wessels

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SB 704**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (8): Adams, Baringer, Dogan, Hannegan, Houghton, McGaugh, Muntzel and Wilson

Noes (1): Burnett

Absent (3): Brattin, Grier and Wessels

**Special Committee on Tourism**, Chairman Justus reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1697**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Bangert, Barnes (28), Brown (27), Cookson, Franklin, Gannon, Hannegan, Justus, Matthiesen and Tate

Noes (1): Spencer

Absent (2): Miller and Nichols

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1698**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Bangert, Barnes (28), Brown (27), Cookson, Franklin, Gannon, Hannegan, Justus, Matthiesen and Tate

Noes (1): Spencer

Absent (2): Miller and Nichols

**Committee on Transportation**, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2287**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Kolkmeier, Korman, May, Reiboldt, Runions, Ruth and Tate

Noes (1): Hurst

Absent (3): Corlew, Comejo and Razer

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 919**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (8): Hurst, Kolkmeier, Korman, May, Reiboldt, Runions, Ruth and Tate

Noes (0)

Absent (3): Corlew, Comejo and Razer

**Committee on Veterans**, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (12): Barnes (28), Brattin, Conway (10), Davis, Dohrman, Gray, Kelley (127), Lynch, Pike, Shumake, Tate and Wilson

Noes (0)

Absent (1): Beck

**Committee on Consent and House Procedure**, Chairman Pfautsch reporting:

Mr. Speaker: Your Committee on Consent and House Procedure, to which was referred **SB 819**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent** by the following vote:

Ayes (9): Beard, Black, Kelly (141), Love, McCreery, Pfautsch, Pike, Razer and Stevens (46)

Noes (0)

Absent (4): Muntzel, Schroer, Trent and Washington

**Committee on Rules - Administrative Oversight**, Vice-Chairman Sommer reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 1975**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:



Ayes (7): Berry, Engler, Evans, Johnson, Mathews, Sommer and Wiemann

Noes (4): Carpenter, Franks Jr., Runions and Unsicker

Absent (3): Austin, Barnes (60) and Roeber

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SCS SBs 603, 576 & 898**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Austin, Berry, Engler, Evans, Johnson, Mathews, Sommer and Wiemann

Noes (4): Carpenter, Franks Jr., Runions and Unsicker

Absent (2): Barnes (60) and Roeber

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 687**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Berry, Carpenter, Engler, Evans, Johnson, Mathews, Runions, Sommer and Wiemann

Noes (2): Franks Jr. and Unsicker

Absent (3): Austin, Barnes (60) and Roeber

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SB 695**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Austin, Carpenter, Evans, Franks Jr., Johnson, Mathews, Runions, Sommer and Unsicker

Noes (1): Berry

Absent (4): Barnes (60), Engler, Roeber and Wiemann

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SCS SB 843**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Austin, Berry, Carpenter, Engler, Evans, Johnson, Mathews, Sommer and Wiemann

Noes (3): Franks Jr., Runions and Unsicker

Absent (2): Barnes (60) and Roeber

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SB 881**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (12): Austin, Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (2): Barnes (60) and Roeber

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

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCR 60**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bondon, Curtis, Eggleston, Fitzwater, Houx, Lavender, Shull (16), Shumake and Wessels

Noes (0)

Absent (5): Butler, Gregory, Haahr, Rhoads and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HCR 77**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Curtis, Eggleston, Fitzwater, Haahr, Houx, Lavender, Shull (16), Shumake and Wessels

Noes (0)

Absent (4): Butler, Gregory, Rhoads and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS HCR 105**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Curtis, Eggleston, Fitzwater, Haahr, Houx, Lavender, Shull (16), Shumake and Wessels

Noes (0)

Absent (4): Butler, Gregory, Rhoads and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2223**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bondon, Eggleston, Fitzwater, Haahr, Houx, Lavender, Shull (16), Shumake and Wessels

Noes (1): Curtis

Absent (4): Butler, Gregory, Rhoads and Rone

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2564**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Bondon, Curtis, Eggleston, Fitzwater, Haahr, Houx, Lavender, Shull (16), Shumake and Wessels

Noes (0)

Absent (4): Butler, Gregory, Rhoads and Rone

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SBs 603, 576 & 898** - Fiscal Review  
**HCS SS SB 881** - Fiscal Review

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1492**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 907** entitled:

An act to authorize the conveyance of certain state properties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1007** entitled:

An act to repeal sections 36.020, 36.030, 36.031, 36.040, 36.050, 36.060, 36.070, 36.080, 36.090, 36.100, 36.110, 36.120, 36.130, 36.140, 36.150, 36.170, 36.180, 36.190, 36.200, 36.210, 36.220, 36.225, 36.240, 36.250, 36.260, 36.270, 36.280, 36.290, 36.300, 36.310, 36.320, 36.340, 36.360, 36.380, 36.390, 36.400, 36.440, 36.470, 36.510, 37.010, 105.055, 207.085, 621.075, and 630.167, RSMo, and to enact in lieu thereof thirty-eight new sections relating to the state personnel law, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Cookson.

## ADJOURNMENT

Representative Vescovo moved that the House stand adjourned until 9:45 a.m., Wednesday, May 2, 2018, for the administrative order of business and that the House hereby grants leave for committees to meet during the administrative order of business.

Which motion was adopted.

## COMMITTEE HEARINGS

### CONFERENCE COMMITTEE ON BUDGET

Wednesday, May 2, 2018, 12:00 PM, Senate Lounge.

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

Conference Committee on Budget for SCS HCS HB 2002, SCS HCS HB 2003,

SCS HCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, as amended, SCS HCS HB 2007, as amended, SCS HCS HB 2008, SCS HCS HB 2009, SS SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013  
CANCELLED

#### CONSERVATION AND NATURAL RESOURCES

Wednesday, May 2, 2018, 8:15 AM, House Hearing Room 1.

Public hearing will be held: HB 2473

Executive session will be held: SB 706

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

#### FISCAL REVIEW

Wednesday, May 2, 2018, 9:00 AM, House Hearing Room 7.

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

#### FISCAL REVIEW

Thursday, May 3, 2018, 9:00 AM, House Hearing Room 6.

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

#### FISCAL REVIEW

Friday, May 4, 2018, 9:00 AM, House Hearing Room 7.

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

#### INSURANCE POLICY

Wednesday, May 2, 2018, 9:45 AM, House Hearing Room 6.

Executive session will be held: SB 575

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

#### JOINT COMMITTEE ON LEGISLATIVE RESEARCH - PERSONNEL SUBCOMMITTEE

Thursday, May 3, 2018, 8:15 AM, Room 117A (Legislative Research).

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

Personnel meeting.

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

#### PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 2, 2018, 12:30 PM or upon conclusion of morning session (whichever is later), House Hearing Room 6.

Public hearing will be held: SCS SB 824

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

#### RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, May 2, 2018, 5:00 PM or upon the conclusion of afternoon session (whichever is later), House Hearing Room 7.

Public hearing will be held: SS#2 SCS SB 590

Executive session will be held: HCS SCS SBs 807 & 577, SCR 43, HCS HB 2289, SS SCS SB 568, SS#2 SCS SB 590, HCS SCS SB 598, SS SB 882, SB 919

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

**RULES - LEGISLATIVE OVERSIGHT**

Wednesday, May 2, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 5.

Executive session will be held: HCS SS SB 597, HCS SCS SB 769, HCS SB 871, HCS SB 951, HCS SCS SB 953, SCS SBs 999 & 1000, HB 1891

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

**RULES - LEGISLATIVE OVERSIGHT**

Thursday, May 3, 2018, 9:30 AM, House Hearing Room 7.

Executive session will be held: SS SCS SB 600, SS SCS SBs 627 & 925, HCS SS SCS SB 918, HCS SB 850, HCS SB 793, HCS SB 693

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

**SPECIAL COMMITTEE ON INNOVATION AND TECHNOLOGY**

Wednesday, May 2, 2018, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 3.

Public hearing will be held: HB 2634

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

Room changed to HR 3.

CORRECTED

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Wednesday, May 2, 2018, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 6.

Executive session will be held: SB 891

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

**SPECIAL INVESTIGATIVE COMMITTEE ON OVERSIGHT**

Wednesday, May 2, 2018, 8:00 AM, B-22, 201 West Capitol Ave, Jefferson City, MO.

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

This is a closed meeting pursuant to HR 5565 and Article III, Section 18 of the Missouri Constitution.

**TRANSPORTATION**

Wednesday, May 2, 2018, 8:00 AM, House Hearing Room 5.

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

Informational meeting.

**WAYS AND MEANS**

Thursday, May 3, 2018, 8:00 AM, House Hearing Room 7.

Executive session will be held: SS#2 SB 674

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

**HOUSE CALENDAR**

SIXTY-FIFTH DAY, WEDNESDAY, MAY 2, 2018

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 61 - Shumake

**HOUSE BILLS FOR PERFECTION - REVISION**

HRB 2 - Shaul (113)

**HOUSE BILLS FOR PERFECTION**

HCS HB 2234 - Rehder

HCS HB 1444 - Eggleston

HCS HB 1722 - Moon

HB 2211 - Kidd

HB 2421 - Pfautsch

HB 2159 - Hurst

HCS HB 2125 - Helms

HB 1977 - Redmon

HB 2232 - Ross

HCS HB 2233 - Ross

HB 2409 - Fraker

HCS HB 2295 - Helms

HB 2334 - Shaul (113)

HCS HB 2335 - Black

HCS HB 2180 - Kolkmeier

HB 2184 - Bondon

HCS HB 1929 - Corlew

HB 1837 - Rhoads

HCS HB 2411 - Pike

HB 2453 - Austin

HB 2590 - Gregory

HB 1811 - Smith (85)

HCS HB 2397 - Dogan

HCS HB 1457 - Lauer

HB 1715 - Phillips

HB 1470 - Kelley (127)

HCS HB 1491 - Kelley (127)

HB 1767 - Arthur

HB 1966 - Cornejo

HB 2139 - Morris (140)

HB 1846 - Cornejo

HB 1485 - Brown (57)

HB 2549 - Morse (151)  
HCS HBs 2061 & 2219 - Kidd  
HCS HB 1260 - Schroer  
HB 1742 - Davis  
HCS#2 HB 1802 - Miller  
HCS HB 2257 - Redmon  
HCS HB 2324 - Korman  
HCS HB 2393 - Cookson  
HB 2403 - Muntzel  
HB 2425 - Alferman  
HCS HB 2410 - Bernskoetter  
HB 2480 - Rhoads  
HCS HB 2580 - Bondon  
HB 2681 - Corlew  
HCS HB 2247 - Roeber  
HB 2384 - Barnes (60)  
HB 1662 - Swan  
HCS HB 1857 - Shaul (113)  
HCS HB 1803 - Matthiesen  
HB 1397 - Shaul (113)  
HCS HB 2210 - Christofanelli

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HB 2460 - Vescovo  
HB 1590 - Smith (163)  
HB 2381 - Sommer  
HB 2352 - Fraker  
HB 1728 - Lant  
HB 1378 - Trent  
HCS HB 1424 - Roeber  
HB 1569 - Christofanelli  
HCS HB 1549 - Alferman  
HB 1626 - Morris (140)  
HCS HB 1363 - Kidd  
HB 1290 - Henderson  
HCS HB 1248 - Pike  
HCS HB 2364 - Bondon  
HCS HB 2356 - Haefner  
HB 1906 - Higdon  
HCS HB 2038 - Fraker  
HCS HB 1273 - Kendrick  
HCS HB 1577 - Wiemann  
HCS HB 1870 - Barnes (60)  
HB 1901 - Cross

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HB 1972 - Wiemann  
HB 1431 - Barnes (28)  
HB 1454 - May  
HB 1795 - Bernskoetter  
HCS HB 2157 - Bahr  
HB 2632 - Dinkins  
HB 2607 - Knight  
HCS HB 2259 - Lichtenegger  
HB 2644 - Rowland (29)

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 55 - Basye  
HCR 87 - Black  
HCS HCR 77 - Matthiesen  
HCS HCR 105 - Fitzwater  
HCR 60 - Morris (140)

#### **HOUSE COMMITTEE BILLS FOR THIRD READING**

HCB 15, (Fiscal Review 4/25/18), E.C. - Frederick  
HCB 23, E.C. - Dogan

#### **HOUSE BILLS FOR THIRD READING - INFORMAL**

HCS HB 1885, (Fiscal Review 4/18/18) - Bahr

#### **SENATE BILLS FOR SECOND READING**

SS SCS SB 907  
SCS SB 1007

#### **SENATE BILLS FOR THIRD READING**

SS SB 705 - Bondon  
HCS SB 727 - Bondon  
SCS SB 892 - Walker (3)  
HCS SB 681 - Ruth  
SB 649 - Engler  
SS SCS SB 549 - Rehder  
SS#5 SB 564, E.C. - Berry  
HCS SB 659 - Redmon  
HCS SS SCS SB 707 - Engler  
HCS SS SCS SB 782 - Wiemann  
HCS SS SCS SBs 603, 576 & 898, (Fiscal Review 5/1/18) - Bahr  
HCS SB 695 - Swan



HCS SS SCS SB 843, E.C. - Ross  
SB 819 - Neely  
HCS SS SB 881, (Fiscal Review 5/1/18) - Davis  
HCS SB 687 - Swan

**SENATE BILLS FOR THIRD READING - INFORMAL**

SB 626 - Kidd  
SB 708 - Fitzpatrick  
SCS SB 644 - Pfautsch  
HCS SCS SB 718 - Rhoads  
SB 625 - Miller  
HCS SS SCS SB 547 - Curtman  
HCS SB 806 - Neely  
HCS SB 743 - Redmon  
SCS SB 862 - Mathews  
SB 757 - Tate  
SB 768 - Berry  
HCS SS SCS SBs 894 & 921 - Fitzwater  
SCS SB 990 - Alferman  
SCS SB 629 - Miller

**BILLS CARRYING REQUEST MESSAGES**

SS SCS HCS HB 1879, as amended (request Senate recede/grant conference) - Fraker

**BILLS IN CONFERENCE**

HCS SB 569, as amended - Fraker  
SCS HCS HB 2002 - Fitzpatrick  
SCS HCS HB 2003 - Fitzpatrick  
SCS HCS HB 2004 - Fitzpatrick  
SCS HCS HB 2005 - Fitzpatrick  
SCS HCS HB 2006, as amended - Fitzpatrick  
SCS HCS HB 2007, as amended - Fitzpatrick  
SCS HCS HB 2008 - Fitzpatrick  
SCS HCS HB 2009 - Fitzpatrick  
SS SCS HCS HB 2010 - Fitzpatrick  
SCS HCS HB 2011 - Fitzpatrick  
SCS HCS HB 2012 - Fitzpatrick  
SCS HCS HB 2013 - Fitzpatrick  
SS HB 1858 - Christofanelli

**HOUSE RESOLUTIONS**

HR 4878 - Shaul (113)

HR 5237 - Fraker

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

HCS HB 1 - Fitzpatrick

CCS SCS HCS HB 2 - Fitzpatrick

CCS SCS HCS HB 3 - Fitzpatrick

CCS SCS HCS HB 4 - Fitzpatrick

CCS SCS HCS HB 5 - Fitzpatrick

CCS SCS HCS HB 6 - Fitzpatrick

CCS SCS HCS HB 7 - Fitzpatrick

CCS SCS HCS HB 8 - Fitzpatrick

CCS SCS HCS HB 9 - Fitzpatrick

CCS SCS HCS HB 10 - Fitzpatrick

CCS SCS HCS HB 11 - Fitzpatrick

CCS SCS HCS HB 12 - Fitzpatrick

SCS HCS HB 13 - Fitzpatrick

CCS SCS HCS HB 17 - Fitzpatrick

SCS HCS HB 18 - Fitzpatrick