

# JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

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SIXTY-NINTH DAY, TUESDAY, MAY 8, 2018

The House met pursuant to adjournment.

Speaker Pro Tem Haahr in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

*I therefore beg you to live a life worthy of the calling to which you have been called. (Ephesians 4:1)*

Eternal God, who in Your word has revealed to us the way, the truth, and the life, lead us, we pray, to walk in Your way, help us to believe Your truth, and give us courage to live Your life. Strengthen our hearts that in the midst of doubts within and disturbances without we may hold fast to those things we believe to be right and good for all people.

Grant Your blessings to all who work under the dome of this capitol and to all who serve our State. May all of us be made strong to do what ought to be done and what must be done if law and order is to prevail, if justice is to be done, and if people are to live together in peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Max Politte.

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

AYES: 119

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beck	Bernskoetter	Black
Bondon	Brattin	Burnett	Burns	Butler
Christofanelli	Conway 104	Cookson	Corlew	Cornejo
Cross	Davis	DeGroot	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Gregory	Haahr	Haefner
Hannegan	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelly 141	Kendrick	Knight	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	Mathews	McCreery	McGaugh
Meredith 71	Merideth 80	Miller	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Nichols	Pfausch
Phillips	Pierson Jr	Pietzman	Pike	Quade

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Razer	Redmon	Rehder	Reisch	Remole
Revis	Rhoads	Roden	Rone	Rowland 155
Runions	Ruth	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Stacy	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wood	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 042

Adams	Beard	Berry	Brown 27	Brown 57
Carpenter	Chipman	Conway 10	Curtis	Curtman
Dinkins	Ellebracht	Ellington	Green	Grier
Hansen	Kelley 127	Kidd	Kolkmeyer	Matthiesen
May	McCann Beatty	McDaniel	McGee	Messenger
Mitten	Moon	Neely	Newman	Peters
Plocher	Pogue	Reiboldt	Roberts	Roeber
Ross	Rowland 29	Schroer	Smith 85	Spencer
Stephens 128	Wilson			

VACANCIES: 002

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SB 743**, relating to elementary and secondary education, was taken up by Representative Redmon.

On motion of Representative Redmon, the title of **HCS SB 743** was agreed to.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"161.106. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall ~~continue to~~ handle the funds from the **career and technical student** organizations ~~[in the same manner as it did during school year 2011-12]~~, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds."; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after said line the following:

**"160.430. 1. For purposes of this section and sections 160.432 and 160.435, "school of innovation" means a program approved by the school board of a school district with a curriculum, delivery method, or instructional model different from the traditional school model. A program qualifies as a school of innovation even if it does not have a building or facility that is separate from other district grade-level school buildings.**

**2. Students may attend a school of innovation and still be considered enrolled in a traditional school building for the purposes of cocurricular activities, extracurricular activities, and general courses available to both students in the school of innovation and students in the traditional public school setting.**

**3. The board of education of a school district may, by a majority vote of the entire board, establish a school of innovation. Before the vote, the board members shall prepare and distribute to all members a written description of the educational mission of the school of innovation, the research that supports that mission, the educational goals for the school of innovation, and the process the district intends to use to determine if the school of innovation is meeting those goals.**

**4. The school day, school hours, and school term of a school of innovation may be different from other schools in the district. Schools of innovation shall be required to meet the minimum school day or school term requirements in sections 160.011, 160.041, 171.031, and 171.033.**

**5. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a school of innovation shall equal, upon completion of the school year, one hundred five percent of the hours of attendance possible for the same or similar program delivered in the traditional school setting offered in the district. State funding shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of the program, with distribution of state funding to a school district at each increment equal to fifty-two and one-half percent of hours of attendance possible for the same or similar program delivered in the traditional program in the district.**

**6. For the first three years a school of innovation exists, the graduation rates, attendance rates, and scores on the statewide assessments established under section 160.518 of the students enrolled in the school of innovation shall not be considered when determining a district's accreditation status, unless the district chooses for those scores and rates to be considered.**

**7. The board of a school district that has established a school of innovation shall annually review the overall academic performance of the school of innovation and the progress the school of innovation has made toward achieving the educational goals set when the school was established. The board may, by a majority vote of the entire board, alter, amend, extend, or change the goals or educational mission of the school of innovation. The board may at any time vote to revoke the school's status as a school of innovation.**

**8. A superintendent of a school district with a school of innovation, or his or her designee, may assign specific teachers and district employees to a school of innovation, regardless of existing policies, practices, or collective bargaining agreements.**

**9. (1) The board of a school district that has established a school of innovation may, at its discretion, pay a teacher assigned to and teaching in the school of innovation more than what the teacher would otherwise receive on the teacher salary schedule in order to compensate for the additional training, alternative lesson plans, extended hours, and additional duties associated with the position.**

**(2) Teachers assigned to a school of innovation may earn tenure in the district, but the teachers have no right or entitlement to continue to work in a school of innovation.**

**(3) Teaching contracts for teachers assigned to a school of innovation shall not include a set number of days, months, or working hours. A teacher assigned to a school of innovation shall receive a school calendar outlining general attendance expectations.**

**(4) If a district reassigns a teacher from a school of innovation and then pays the teacher on the teacher salary schedule for the district, the reassignment shall not be considered a demotion under sections 168.102 to 168.130, even if the teacher's compensation is reduced.**

10. Notwithstanding any provision of chapter 169 or any other provision of law, a teacher receiving retirement benefits under chapter 169 may, without losing his or her retirement benefits, teach on a full-time or part-time basis in a school of innovation if the teacher is certificated and has teaching experience in a subject that is essential to the mission of the school of innovation and the district can demonstrate that it has been unsuccessful in employing a teacher with the same certification and relevant experience in the subject area. A retired teacher who is employed to work at a school of innovation under this subsection shall not be eligible to earn tenure.

11. A school district that establishes a school of innovation may allow students who are not residents of the district to attend the school of innovation upon payment of tuition by the student, parents, or the student's resident school district or charter school. The school district that establishes the school of innovation shall not be responsible for the transportation of nonresident students. A school district may enter into an agreement with the district that has established the school of innovation to share staff, facilities, or other resources in lieu of or in addition to tuition.

12. (1) The board of a school district that has established or that seeks to establish a school of innovation may apply to the state board of education for a waiver of a state statute or regulation that impedes the establishment of a school of innovation or that is otherwise a barrier to the innovative educational mission.

(2) The state board of education shall hold a public hearing to determine if a waiver should be granted. The state board of education may, by a majority vote of the entire state board, waive a state statute or regulation for the limited purpose of operating the school of innovation. Such waiver shall last three years and may be extended by the state board of education for three-year terms upon evidence that the waiver has resulted in the desired educational innovation and opportunity.

13. The department of elementary and secondary education shall review all existing laws, regulations, and processes and take action to remove any identified barriers to school districts using innovative education models. The department of elementary and secondary education shall report to the governor before December 1, 2018, any state or federal statutes or regulations that could impede the establishment of schools of innovation.

14. Subject to appropriation, the governor, or a task force appointed by the governor, shall annually award ten competitive grants to school districts for the establishment, implementation, or expansion of schools of innovation.

160.432. A school district may enter into an agreement with one or more other school districts to provide students access to courses or schools, including schools of innovation. School districts may enter into agreements to share staff, facilities, or other resources in lieu of or in addition to tuition paid by a district for its students to access the courses or schools, including schools of innovation. The school district sponsoring the course or school, including the school of innovation, shall retain financial and legal responsibility unless determined otherwise in the agreement.

160.435. 1. A school district may enter into an agreement with one or more other school districts to cooperatively provide schools to educate resident students of all participating districts. Such schools shall be known as "cooperative schools". Cooperative school services may be provided in the facilities of any of the cooperating districts or in facilities leased by the cooperating districts or through a third-party vendor. The agreement shall describe the nature of the services to be provided. Services may include full-day instruction, individual courses, a specialized program of studies, or the establishment of a shared school of innovation.

2. Districts participating in a cooperative school shall equally share financial and legal responsibility for the school, courses, and employees assigned to such schools and courses, unless otherwise determined in the agreement. Participating districts shall contribute funds, facilities, staff, or other resources to operate the cooperative school as determined in the agreement.

3. A cooperative school shall be governed by a committee, with one appointed representative from each participating school district. The committee shall have the legal authority to create and oversee a budget, enter into contracts, employ staff, and pay bills associated with the cooperative school. The financial resources devoted to the cooperative school by the participating districts shall be kept in a separate account, shall be solely devoted to the cooperative school, and shall carry over from year to year to the benefit of the cooperative school.

4. If an agreement under this section expires and no new agreement is reached, a cooperative school may be dissolved by a unanimous vote of the representatives on the committee governing the cooperative school or by a vote of the boards of education of all the participating school districts. If dissolved, all resources, debt, or legal liability incurred shall be divided in accordance with the agreement.

5. Eligible students from participating districts shall have an equal opportunity to attend the cooperative school, as determined by the agreement. Any student enrolled in a participating district shall be reported by the sending participating district for state aid purposes. The cooperative school shall share information and student records with the school districts in which students are enrolled.

6. The committee governing the cooperative school shall employ teachers and other staff necessary to operate the cooperative school. The teaching or administrative contracts shall be with the committee governing the cooperative school rather than with the participating school districts. Teachers teaching at a cooperative school may earn tenure in the cooperative school in accordance with sections 168.102 to 168.130 but shall not earn tenure with any participating district based on employment in the cooperative school.

7. Teachers who were employed by a participating school district immediately before their employment with the cooperative school shall not lose years toward tenure in the participating district or lose tenure previously earned in the participating school district. However, the teacher shall not continue to earn years toward tenure in the participating district during his or her employment with the cooperative school.

8. If the committee governing the cooperative school determines that the school needs to reduce or rearrange staff due to a decrease in student enrollment, reorganization of the program, or financial conditions, teaching staff shall be placed on leaves of absence from the cooperative school in accordance with section 168.124. If a teacher is placed on leave of absence from the cooperative school but has previously earned tenure in a participating district immediately before his or her employment in the cooperative school, the participating district may reemploy the tenured teacher, and the teacher shall be considered tenured upon reemployment. If a teacher is placed on leave of absence from the cooperative school but was a probationary teacher in a participating district immediately before his or her employment with the cooperative school, and the participating district reemploys the teacher, the teacher shall not have lost years toward tenure previously earned with the participating district.

160.545. 1. There is hereby established [~~within the department of elementary and secondary education~~] the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

- (1) All students be graduated from school;
- (2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and
- (3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

- (1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and
- (2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and
- (3) [~~Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and~~—(4)] Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

[(5)] (4) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary

education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision ~~[(5)]~~ (4) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 8 of this section.

8. The department of higher education shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection ~~[40]~~ 11 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a high school in the state for at least ~~[three]~~ two years ~~[immediately prior to graduation]~~ that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are ~~[dependants]~~ **dependents** of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who ~~[in the school year immediately preceding graduation]~~ meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the ~~[three-year]~~ **two-year** attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school **or through the semester immediately before taking the course for which he or she seeks reimbursement** as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

9. **A student who meets the requirements established in subsection 8 of this section immediately before taking the course for which he or she seeks reimbursement shall receive reimbursement of the cost of tuition, books, and fees for any dual credit or dual enrollment course offered in a high school in association with a public community college or vocational or technical school, subject to the requirements of subsection 11 of this section. Eligible students who qualify for reimbursement under this subsection shall also receive reimbursement for the costs associated with an advanced placement course or test.**

10. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[10-] 11. For a two-year private vocational or technical school to obtain reimbursements under subsection 8 of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution."; and

Further amend said bill and page, Section 162.401, Line 9, by inserting immediately after said line the following:

"162.1250. 1. School districts shall receive state school funding under sections 163.031, 163.043, and 163.087 for resident students who are enrolled in the school district and who are taking a virtual course or full-time virtual program offered by the school district. The school district may offer instruction in a virtual setting using technology, intranet, and internet methods of communications that could take place outside of the regular school district facility. The school district may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with district policy to any resident student of the district who is enrolled in the school district. Nothing in this section shall preclude a private, parochial, or home school student residing within a school district offering virtual courses or virtual programs from enrolling in the school district in accordance with the combined enrollment provisions of section 167.031 for the purposes of participating in the virtual courses or virtual programs.

2. Charter schools shall receive state school funding under section 160.415 for students enrolled in the charter school who are completing a virtual course or full-time virtual program offered by the charter school. Charter schools may offer instruction in a virtual setting using technology, intranet, and internet methods of communications. The charter school may develop a virtual program for any grade level, kindergarten through twelfth grade, with the courses available in accordance with school policy and the charter school's charter to any student enrolled in the charter school.

3. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a district or charter school virtual class shall equal, upon course completion, ~~ninety-four~~ **ninety-five** percent of the hours of attendance possible for such class delivered in the nonvirtual program in the student's resident district or charter school. Course completion shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments, with distribution of state funding to a school district or charter school at each increment equal to forty-seven **and one-half** percent of hours of attendance possible for such course delivered in the nonvirtual program in a student's school district of residence or charter school.

4. When courses are purchased from an outside vendor, the district or charter school shall ensure that they are aligned with the ~~show me curriculum~~ **state learning** standards and comply with state requirements for teacher certification. The state board of education reserves the right to request information and materials sufficient to evaluate the online course. Online classes should be considered like any other class offered by the school district or charter school.

5. Any school district or charter school that offers instruction in a virtual setting, develops a virtual course or courses, or develops a virtual program of instruction shall ensure that the following standards are satisfied:

- (1) The virtual course or virtual program utilizes appropriate content-specific tools and software;
- (2) Orientation training is available for teachers, instructors, and students as needed;
- (3) Privacy policies are stated and made available to teachers, instructors, and students;

(4) Academic integrity and internet etiquette expectations regarding lesson activities, discussions, electronic communications, and plagiarism are stated to teachers, instructors, and students prior to the beginning of the virtual course or virtual program;

(5) Computer system requirements, including hardware, web browser, and software, are specified to participants;

(6) The virtual course or virtual program architecture, software, and hardware permit the online teacher or instructor to add content, activities, and assessments to extend learning opportunities;

(7) The virtual course or virtual program makes resources available by alternative means, including but not limited to, video and podcasts;

(8) Resources and notes are available for teachers and instructors in addition to assessment and assignment answers and explanations;

(9) Technical support and course management are available to the virtual course or virtual program teacher and school coordinator;

(10) The virtual course or virtual program includes assignments, projects, and assessments that are aligned with students' different visual, auditory, and hands-on learning styles;

(11) The virtual course or virtual program demonstrates the ability to effectively use and incorporate subject-specific and developmentally appropriate software in an online learning module; and

(12) The virtual course or virtual program arranges media and content to help transfer knowledge most effectively in the online environment.

6. Any special school district shall count any student's completion of a virtual course or program in the same manner as the district counts completion of any other course or program for credit.

7. A school district or charter school may contract with multiple providers of virtual courses or virtual programs, provided they meet the criteria for virtual courses or virtual programs under this section.

**162.1251. 1. Any individual, organization, company, or charter school that offers a virtual course in Missouri, other than a school district, may request certification of the course by the department of elementary and secondary education. The department shall certify only courses that meet the following requirements as well as other factors determined relevant by the department to verify quality:**

**(1) The course is aligned with the state learning standards;**

**(2) The course is taught by a teacher who is certificated to teach in the state of Missouri;**

**(3) The course and its delivery method meet federal accessibility requirements to accommodate those who are disabled;**

**(4) The course complies with state and federal privacy requirements for student records;**

**(5) The course meets the same requirements imposed on virtual courses under section 162.1250;**

**(6) The course provider does not discriminate on the basis of race, color, religion, sex, national origin, ancestry, disability, English language learner status, or income level; and**

**(7) If the department requires that school districts administer a statewide assessment or end-of-course assessment in relation to the course, the course provider pays for and administers the assessment to students enrolled in the course.**

**2. The department of elementary and secondary education may charge a fee to all virtual course providers to pay for the costs of certification and recertification of virtual courses. The department may at any time request information and materials or interview staff or students to evaluate or reevaluate the virtual course or to verify continuing compliance with the requirements established by the department. The department shall investigate any complaint made against a virtual course provider. The department may revoke certification of a course or refuse to recertify a course if the course does not meet the requirements of this section or other relevant laws, the course provider does not comply with requests for information, or the department has articulable concerns regarding the quality of the course or the instruction provided in the course.**

**3. Each virtual course provider offering a course certified under this section shall annually report to the department of elementary and secondary education and post on the provider's website a report card detailing the number of students who have enrolled in the course and the number of students who have completed the course with a passing grade. If there is a statewide assessment or end-of-course assessment related to the course, the report card shall include the aggregate assessment scores of the students who took the assessment.**

**4. A virtual course provider offering a course certified under this section shall immediately transfer records upon the request of the parent, the student, or the school district or charter school that has paid for part or all of the virtual course for which the records are requested, regardless of whether additional tuition**

or fees are owed for the course. School districts and charter schools are required to accept transferred credit from any virtual course certified by the department of elementary and secondary education upon receipt of adequate records verifying completion of the course by the student.

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

162.1252. 1. (1) If a school district or charter school does not offer a particular course a student wishes to take or a course substantially similar to the course a student wishes to take in the school the student attends and the school the student attends gives instruction in a grade or grades not lower than the sixth nor higher than the twelfth grade, the student or his or her parent may submit a written request to the superintendent or his or her designee or the principal of the charter school for the district or charter school to provide the course to the student virtually or otherwise. The written request shall explain why the district or charter school should provide the course to the student. The superintendent or his or her designee or the principal of the charter school shall notify the student or parent of his or her decision with respect to the request within forty-five days of receipt.

(2) If the superintendent or his or her designee or the principal of the charter school declines to offer the course virtually or otherwise, the parent or student may submit a written request to the school board or the governing board of the charter school to provide the course to the student. The school board or the governing board of the charter school shall act on the request within forty-five days of receipt. If the request is denied or not acted upon, and there is a certified virtual course offered in accordance with section 162.1251, the district or charter school shall pay the tuition for the student to take the course if the student meets the requirements of subsection 2 of this section; except that, the district or charter school is required to pay for only one virtual course each semester for a student.

2. To qualify for payment of a virtual course by the district or charter school, the student shall be currently enrolled in the school district or charter school and shall have been enrolled in and regularly attending the school district or charter school for at least one school year. If the student is receiving special educational services, as defined in section 162.675, the student's individualized education program team shall approve the course as appropriate for the student. The district or charter school is not required to pay the tuition for a student to take a virtual course if the student has dropped out of or failed to complete a virtual course within the past three years.

3. No school district or charter school shall pay, for any one course for a student, more than fourteen percent of the state adequacy target, as defined in section 163.011. The virtual course provider shall bill the school district or charter school on a monthly basis. If a student discontinues enrollment in the district or charter school, drops out of the course, or fails to adequately participate in the course, the district or charter school may stop making monthly payments to the virtual course provider.

4. If a school district or charter school pays for a virtual course as required in this section, the district or charter school may collect state aid for the course. For purposes of calculation and distribution of state school funding, attendance of a student enrolled in a virtual course shall equal, upon course completion, ninety-five percent of the hours of attendance possible for a similar course delivered in the nonvirtual program in the student's resident district or charter school. Course completion shall be calculated in two increments, fifty percent completion and one hundred percent completion, based on the student's completion of defined assignments and assessments, with distribution of state funding to a school district or charter school at each increment equal to forty-seven and one-half percent of hours of attendance possible for such course delivered in the nonvirtual program in the student's school district of residence or charter school.

5. The virtual course provider shall provide the school district or charter school all student records and progress reports regarding the performance and attendance of the district or charter school students taking the course.

6. Nothing in this section shall require any school district, any charter school, or the state to provide computers, equipment, or internet access to any student.

**7. For purposes of this section, "charter school" shall mean a charter school that has declared itself a local educational agency.";** and

Further amend said bill, Page 2, Section 163.018, Line 39, by inserting immediately after said line the following:

"167.231. 1. Within all school districts except metropolitan districts the board of education shall provide transportation to and from school for all pupils living more than three and one-half miles from school and may provide transportation for all pupils. State aid for transportation shall be paid as provided in section 163.161 only on the basis of the cost of pupil transportation for those pupils living one mile or more from school, including transportation provided to and from publicly operated university laboratory schools. The board of education may provide transportation for pupils living less than one mile from school at the expense of the district and may prescribe reasonable rules and regulations as to eligibility of pupils for transportation, and, notwithstanding any other provision of law, no such district shall be subject to an administrative penalty when the district demonstrates pursuant to rule established by the state board of education that such students are required to cross a state highway or county arterial in the absence of sidewalks, traffic signals, or a crossing guard and that no existing bus stop location has been changed to permit a district to evade such penalty. If no increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from the school, the board may transport said pupils. If an increase in the tax levy of the school district is required to provide transportation for pupils living less than one mile from school, the board shall submit the question at a public election. If a two-thirds majority of the voters voting on the question at the election are in favor of providing the transportation, the board shall arrange and provide therefor.

2. The proposal and the ballots may be in substantially the following form:

Shall the board of education of the school district provide transportation at the expense of the district for pupils living less than one mile from school and be authorized to levy an additional tax of cents on the one hundred dollars assessed valuation to provide funds to pay for such transportation service?

YES  NO

(If you are in favor of the proposition (or question), place an X in the box opposite "YES". If you are opposed to the proposition (or question), place an X in the box opposite "NO".)

3. The board of education of any school district may provide transportation to and from school for any public school pupil not otherwise eligible for transportation under the provisions of state law, and may prescribe reasonable rules and regulations as to eligibility for transportation, if the parents or guardian of the pupil agree in writing to pay the actual cost of transporting the pupil. The minimum charge would be the actual cost of transporting the pupil for ninety school days, which actual cost is to be determined by the average per-pupil cost of transporting children in the school district during the preceding school year. The full actual cost shall be paid by the parent or guardian of the pupil and shall not be paid out of any state school aid funds or out of any other revenues of the school district. The cost of transportation may be paid in installments, and the board of education shall establish the cost of the transportation and the time or times and method of payment.

**4. A school district or charter school may arrange to have students transported using alternative methods such as existing public transportation or vehicles other than a school bus, as long as the district or charter school pays the cost of the transportation or provides for the transportation without cost to the student.**

168.011. 1. No person shall be employed to teach in any position in a public school until he **or she** has received a valid certificate of license entitling him **or her** to teach in that position.

2. Teaching in the state of Missouri, performing other related education duties, school administration, and teacher education are hereby declared to be professions with all the appropriate rights, responsibilities and privileges accorded to other recognized professions.

**3. A district may collect state aid for a student attending a course virtually, through videoconferencing or electronically, even if the supervising employee in the classroom is not a certificated employee as long as the person teaching the course has a valid certificate of license entitling him or her to teach in that position or is employed by a postsecondary institution and is teaching a dual credit, dual enrollment, or advanced placement course.**

168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

- (a) Recommendation of a state-approved baccalaureate-level teacher preparation program;
- (b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and
- (c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; [✗]

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, or special education. For certification in the area of elementary education, ninety contact hours in the classroom shall be required, of which at least thirty shall be in an elementary classroom. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

- (a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;
- (b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;
- (c) Attainment of a successful performance-based teacher evaluation; and
- (d) ~~Participate~~ **Participation** in a beginning teacher assistance program; **or**

**(6) By the state board, under rules and regulations prescribed by it, on the basis of specialized knowledge and experience in a discrete subject area for which the certificate is issued.**

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

- (a) Participate in a mentoring program approved and provided by the district for a minimum of two years;
- (b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and
- (c) Participate in a beginning teacher assistance program.

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
  - b. Possesses a master's degree; or
  - c. Obtains a rigorous national certification as approved by the state board of education.
4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career

continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

**170.039. 1. (1) School districts and charter schools sponsored by local boards of education may award an enrolled student credit for a high school course if the student is able to demonstrate proficiency in the knowledge, skills, and competencies in the subject area to the satisfaction of the district or charter school sponsored by a local board of education, regardless of whether the student has enrolled in the course with the district or charter school sponsored by a local board of education or completed the course.**

**(2) Districts and charter schools sponsored by local boards of education that offer proficiency-based credit as described in this section shall notify parents and students in the student handbook or, if a district or charter school sponsored by a local board of education does not provide a student handbook, through other means determined by the district or charter school sponsored by a local board of education.**

**(3) A student who chooses to demonstrate competency to earn credit as described in this section shall take any statewide assessments associated with any course for which the student earns proficiency-based credit.**

**2. A student who earns proficiency-based credits shall not be required to graduate earlier than his or her age-related cohorts even if the student earns more credits than necessary to graduate. However, if a student graduates from high school earlier than his or her age-related cohorts due to proficiency-based credits earned by the student, the district may continue to collect state aid for the student until the student's age-related cohorts graduate. The state aid earned in this manner shall be used to provide services to students who are at risk of not graduating on time or at all or to increase the number of students attending a career center from the number of students who attended in the 2017-18 school year.**

**3. If a student graduates early due to proficiency-based credits earned by the student, the district's collection of state aid for the student as described in subsection 2 of this section shall be determined by counting each course for which the student earned proficiency-based credit as equaling ninety-five percent of the hours of attendance possible for such course even though the student never actually attended the course. The district shall count only those courses necessary for the district to claim full-time status for the student until the student's age-related cohorts graduate."; and**

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

**"610.031. 1. If the attorney general concludes that any person may have engaged in any act, conduct, or practice that violates any provision of chapter 109 or this chapter, the attorney general may apply for an order issued by a judge of the circuit court of Cole County to serve a civil investigative demand on any person who the attorney general believes may have information or evidence relevant to the suspected violation. A judge shall issue the order to serve the civil investigative demand if the judge finds that probable cause exists that a violation of chapter 109 or this chapter has occurred. Once a judge has issued an order to serve a civil investigative demand, the demand issued under this section may seek any information and documents that could be obtained by means of a subpoena duces tecum issued by a court of this state. A civil**

investigative demand issued under this section may also require answers to written interrogatories that would be permitted by the Missouri supreme court rules.

2. A civil investigative demand issued under this section shall:

- (1) State the statute or statutes that the attorney general believes may have been violated;
- (2) Describe the class or classes of information and evidence to be produced with sufficient specificity so as to fairly indicate the material demanded;
- (3) Prescribe a return date, which shall be at least thirty days, by which the information and evidence is to be produced;
- (4) Identify the members of the attorney general's staff to whom the information and evidence requested is to be produced; and
- (5) Provide notice to the recipient of the demand of the recipient's ability to file a petition in the circuit court of Cole County to extend the return date for good cause or to quash or modify any portion of the demand.

3. Service of a civil investigative demand issued under this section may be made by:

- (1) Delivering a duly executed copy thereof to the person to be served, or to a partner or any officer or agent authorized by appointment or by law to receive service of process on behalf of such person;
- (2) Delivering a duly executed copy thereof to the principal place of business or the residence in this state of the person to be served;
- (3) Mailing by registered or certified mail a duly executed copy thereof addressed to the person to be served, at the person's principal place of business or residence in this state, or if such person has no place of business or residence in this state, to his or her principal office, place of business, or his or her residence; or
- (4) Mailing by registered or certified mail a duly executed copy thereof, requesting a return receipt signed by the addressee only, to the last known place of business, residence, or abode within or without this state of such person.

4. At any time prior to the return date specified in a civil investigative demand issued under this section or within twenty days after the civil investigative demand is served, whichever is earlier, the recipient of the civil investigative demand may file a petition in the circuit court of Cole County seeking to extend the return date for good cause or to quash or modify any portion of the civil investigative demand. A civil investigative demand issued under this section shall only be quashed or modified on the same basis as a subpoena duces tecum issued by a court of this state.

5. If any person fails to comply with any portion of a civil investigative demand served under this section, the attorney general may file a petition for an order to enforce the civil investigative demand. The attorney general may file such petition in the circuit court of Cole County or in any circuit court where such person has his or her principal place of business or residence. Any person who refuses to comply with an order enforcing a civil investigative demand shall be found in contempt.

6. Any person who, with the intent to avoid, evade, or prevent compliance with a civil investigative demand issued under this section, removes, conceals, withholds, destroys, alters, or falsifies any information or evidence responsive to a civil investigative demand served under this section shall be guilty of a class A misdemeanor. The attorney general shall have concurrent jurisdiction to enforce the provisions of this subsection.

7. No information, documentary material, or physical evidence requested pursuant to a civil investigative demand issued under this section shall, unless otherwise ordered by a court for good cause shown, be produced for or the contents thereof be disclosed to, any person other than the authorized employee of the attorney general without the consent of the person who produced such information, documentary material or physical evidence; provided, that under such reasonable terms and conditions as the attorney general shall prescribe, such information, documentary material or physical evidence shall be made available for inspection and copying by the person who produced such information, documentary material or physical evidence, or any duly authorized representative of such person. The attorney general, or any attorney designated by him or her, may use the information, documentary material, or physical evidence in the enforcement of chapter 109 or this chapter, by presentation before any court or by disclosure to law enforcement agencies of this state.

610.033. There is created within the office of the attorney general a transparency division. No assistant attorney general while assigned to the transparency division shall participate in the prosecution or defense of any civil claim on behalf of the state, any agency of the state, or any officer of the state, except the prosecution of an action alleging a violation of any provision of chapter 109 or this chapter."; and

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

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

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after all of said section and line and the following:

**"161.026. 1. Notwithstanding the provisions of section 161.032 or any other provision of law, the governor shall, by and with the advice and consent of the senate, appoint a teacher representative to the state board of education who shall attend all meetings and participate in all deliberations of the board. The teacher representative shall not have the right to vote on any matter before the board or be counted in establishing a quorum under section 161.082.**

**2. The teacher representative shall be an active classroom teacher. For purposes of this section, "active classroom teacher" means a resident of the state of Missouri who is a full-time teacher with at least five years of teaching experience in the state of Missouri, who is certified to teach under the laws governing the certification of teachers in Missouri, and who is not on leave at the time of the appointment to the position of teacher representative. The teacher representative shall have the written support of the local school board prior to accepting the appointment.**

**3. The term of the teacher representative shall be four years, and appointments made under this section shall be made in rotation from each congressional district beginning with the first congressional district and continuing in numerical order.**

**4. If a vacancy occurs for any reason in the position of teacher representative, the governor shall appoint, by and with the advice and consent of the senate, a replacement for the unexpired term. Such replacement shall be a resident of the same congressional district as the teacher representative being replaced, shall meet the qualifications set forth under subsection 2 of this section, and shall serve until his or her successor is appointed and qualified. If the general assembly is not in session at the time for making an appointment, the governor shall make a temporary appointment until the next session of the general assembly, when the governor shall nominate a person to fill the position of teacher representative.**

**5. If the teacher representative ceases to be an active classroom teacher, as defined under subsection 2 of this section, or fails to follow the board's attendance policy, the teacher representative's position shall immediately become vacant unless an absence is caused by sickness or some accident preventing the teacher representative's arrival at the time and place appointed for the meeting.**

**6. The teacher representative shall receive the same reimbursement for expenses as members of the state board of education receive under section 161.022.**

**7. At no time shall more than one nonvoting member serve on the state board of education.**

**8. The provisions of this section shall expire on August 28, 2025.**

161.072. **1.** The state board of education shall meet semiannually in December and in June in Jefferson City. Other meetings may be called by the president of the board on seven days' written notice to the members. In the absence of the president, the commissioner of education shall call a meeting on request of three members of the board, and if both the president and the commissioner of education are absent or refuse to call a meeting, any three members of the board may call a meeting by similar notices in writing. The business to come before the board shall be available by free electronic record at least seven business days prior to the start of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available by free electronic media within forty-eight hours following the conclusion of every meeting. Any materials prepared for the members of the board by the staff shall be delivered to the members at least five days before the meeting, and to the extent such materials are public records as defined in section 610.010 and are not permitted to be closed under section 610.021, shall be made available by free electronic media at least five business days in advance of the meeting.

**2. Upon an affirmative vote of the members of the board who are present and who are not teacher representatives, a given meeting closed under sections 610.021 and 610.022 shall be closed to the teacher representative.";** and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

**"168.800. 1. If a school district uses a salary schedule in which a teacher receives a higher salary if he or she has earned a master's degree, the school district shall compensate any teacher who has earned thirty credit hours in graduate-level or undergraduate-level courses in a field closely related to subjects taught by the teacher and approved by the school board of the district as if the teacher had earned the master's degree required to receive a higher salary on the salary schedule. If the district's salary schedule has different levels of compensation based on the type of master's degree, the district shall compensate the teacher as if the teacher had earned the master's degree with the lowest level of compensation on the salary schedule.**

**2. The department of elementary and secondary education shall ensure that its evaluations, data collections, and website are updated to reflect the requirements of this section.";** and

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

Representative Walker (3) raised a point of order that a member was in violation of Rule 85.

The Chair advised members to constrain comments to the amendment under consideration.

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

"164.011. 1. The school board of each district annually shall prepare an estimate of the amount of money to be raised by taxation for the ensuing school year, the rate required to produce the amount, and the rate necessary to sustain the school or schools of the district for the ensuing school year, to meet principal and interest payments on the bonded debt of the district and to provide the funds to meet other legitimate district purposes. In preparing the estimate, the board shall have sole authority in determining what part of the total authorized rate shall be used to provide revenue for each of the funds as authorized by section 165.011. Prior to setting tax rates for the teachers' and incidental funds, the school board of each school district annually shall set the tax rate for the capital projects fund as necessary to meet the expenditures of the capital projects fund after all transfers allowed pursuant to subsection 4 of section 165.011. Furthermore the tax rate set in the capital projects fund shall not require the reduction of the equalized combined tax rates for the teachers' and incidental funds to be less than the greater of the minimum operating levy for the current year for school purposes established under subsection 2 of section 163.021.

2. The school board of each district shall forward the estimate to the county clerk on or before September first. In school districts divided by county lines, the estimate shall be forwarded to the proper officer of each county in which any part of the district lies.

**3. When revising its tax rate each year, the aggregate increase in the valuation of property assessed by the state tax commission for the current year over that of the previous year shall be considered new construction and improvement.**

**4. The department of elementary and secondary education and any other government agency involved in the tax rate process shall update the necessary forms, reports, and documents in order to implement the provisions of this section.";** and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"115.646. **1. No contribution or expenditure of public funds shall be made directly by any officer, employee or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. For the purposes of this subsection, the term "contribution or expenditure" shall include, but not be limited to, any use of funds or equipment, supplies, facilities, electricity, ink, paper, or employee time paid for by the political subdivision. For the purposes of this subsection, the term "political subdivision" shall include any political subdivision of the state, and any special district or subdistrict, including any school district. This section shall not be construed to prohibit any public official of a political subdivision from making public appearances or from issuing press releases concerning any such ballot measure, provided that the political subdivision makes no direct contribution or expenditure of public funds to produce, print, or distribute any such press release.**

**2. Any purposeful violation of this section shall be a class B misdemeanor.";** and

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting after all of said line the following:

**"170.314. 1. The provisions of this section shall be known and may be cited as the "Missouri S.A.F.E. (Strategic Action For Emergencies) Act".**

**2. There is hereby established the "School Safety Task Force". The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. Any such support involving monetary expenses shall first be approved by the chair of the joint committee on education. All task force members shall be appointed before November 1, 2018. The membership of the task force shall be inclusive and reflect the racial, gender, geographic, urban, rural, and economic diversity of the state. The membership of the task force shall consist of all of the following:**

- (1) A teacher, appointed by the governor;**
- (2) The commissioner of education, or his or her designee;**
- (3) The commissioner of higher education, or his or her designee;**
- (4) The president of a four-year university, appointed by a council comprised of presidents and chancellors of public institutions of higher education in Missouri;**
- (5) The superintendent of the Missouri state highway patrol, or his or her designee;**

- (6) The director of the department of mental health, or his or her designee;
- (7) The director of the state emergency management agency, or his or her designee;
- (8) The commissioner of the office of administration, or his or her designee;
- (9) A school superintendent, appointed by a statewide association of school superintendents;
- (10) A member of a local school board, appointed by a statewide association of school boards;
- (11) A school resource officer, appointed by a statewide association of school resource officers;
- (12) A licensed school counselor, appointed by a statewide association supporting school counselors;
- (13) A sheriff, appointed by a statewide association of sheriffs;
- (14) A police chief, appointed by a statewide association of police chiefs;
- (15) A local emergency management director, appointed by a statewide association of emergency management and public safety professionals;
- (16) The chair of the house elementary and secondary education committee, or his or her designee;
- (17) The chair of the senate education committee, or his or her designee;
- (18) A member of the house of representatives, appointed by the speaker of the house of representatives;
- (19) A member of the senate, appointed by the president pro tempore of the senate;
- (20) An attorney specializing in education law, appointed by the Missouri bar association;
- (21) The state fire marshal, or his or her designee;
- (22) An active law enforcement officer with experience in active shooter and other emergency situations in schools, appointed by a statewide association of peace officers;
- (23) A licensed clinical social worker, appointed by a statewide organization supporting licensed clinical social workers;
- (24) A school psychologist, appointed by a statewide association supporting school psychologists; and
- (25) A school social worker, appointed by a statewide association supporting school social workers.

3. Any member of the task force who is appointed under this section shall serve a term of three years. A member of the task force may be reappointed to serve on the task force. Any vacancy in such appointed membership shall be filled for the remainder of the unexpired term in the manner of the original appointment.

4. The school safety task force shall be divided into four subcommittees. The chair and vice chair of the task force, along with the chairs of each subcommittee, shall comprise the executive committee of the task force, which shall set the duties of the subcommittees. Each subcommittee shall study one of the following four issues:

- (1) School climate and discipline;
- (2) Mental health and special needs of students;
- (3) Physical security and emergency preparedness; and
- (4) Substance abuse and gang intervention.

5. The school safety task force shall:

- (1) Complete a comprehensive annual review and assessment of state laws, rules, protocols, and minimum standards in place concerning school safety and security;
- (2) Identify gaps in school safety and security that need to be addressed;
- (3) Examine the various funding streams for school-based mental health services and determine how these streams may best be used in order to provide more accessible and efficient delivery of mental health programs;
- (4) Examine school mental health staffing ratios and provide suggestions that allow for the full delivery of services and effective school-community partnerships, including collaboration between school districts;
- (5) Develop standards for district-level policies to promote effective school discipline and mental health intervention services;
- (6) Examine current intra- and interagency collaboration and suggest ways to improve cooperation;
- (7) Examine how to best support multitiered systems of support; and
- (8) As needed, submit recommendations for immediate, achievable legislative actions to the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the appropriate legislative committees to ensure that public schools across the state are as safe, secure, and protected as possible.

6. The task force shall hold its first meeting no later than February 1, 2019, with the date, time, and location of the meeting designated by the speaker of the house of representatives.

7. The task force shall meet at least four times within one year of the effective date of this section, and at least annually thereafter, to determine if any recommendations should be made to the general assembly to enhance school safety.

8. At the first meeting of the task force, the task force shall elect a chair, vice chair, and other officers, as determined by the task force, and shall set dates, times, and locations of subsequent meetings. A simple majority of appointed members shall constitute a quorum for any task force committee or subcommittee, but a committee or subcommittee may hear testimony without a quorum.

9. Members of the task force shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the task force according to the policies and procedures of their respective appointing authorities.

10. If the task force has any legislative recommendations, it shall submit its findings and recommendations in writing to the general assembly by December thirty-first of each year.

170.315. 1. There is hereby established the Active Shooter and Intruder Response Training ~~for Schools~~ Program (ASIRT).

2. (1) Each school district and each charter school shall establish:

(a) A schools safety and emergency response procedure; and

(b) An active shooter and intruder response training program.

(2) Both the procedure and the training required to be established under this subsection shall include and address timely response to emergencies including, but not limited to, invasions by armed outsiders, hostage situations, armed students, and any other dangerous situations.

3. Each school district and charter school ~~may, by July 1, 2014,~~ shall include in its teacher and school employee training a component on how to properly respond to students who provide them with information about a threatening situation and how to address situations in which there is a potentially dangerous or armed intruder in the school. Training ~~may~~ shall also include information and techniques on how to address situations where an active shooter is present in the school or on school property.

~~2-~~ 4. Each school district and charter school ~~may~~ shall conduct the active shooter and intruder response training on an annual basis. ~~If no formal training has previously occurred, the length of the training may be eight hours. The length of annual continuing training may be four hours.~~

~~3-~~ 5. All school personnel of each school district and each charter school shall participate in the annual active shooter and intruder response training, which shall include a simulated active shooter and intruder response drill conducted and led by law enforcement professionals. Each drill ~~may~~ shall include an explanation of its purpose and a safety briefing. The training shall require each participant to know and understand how to respond in the event of an actual emergency on school property or at a school event. The drill ~~may~~ shall include:

(1) Allowing school personnel to respond to the simulated emergency in whatever way they have been trained or informed; and

(2) Allowing school personnel to attempt and implement new methods of responding to the simulated emergency based upon previously used unsuccessful methods of response.

~~4-~~ 6. All instructors for the active shooter and intruder response training program shall be certified by the department of public safety's peace officers standards training commission.

~~5-~~ 7. School districts and charter schools ~~may~~ shall consult and collaborate with the department of public safety, law enforcement authorities, emergency response agencies, ~~and~~ or other organizations and entities trained to deal with active shooters or potentially dangerous or armed intruders to develop and establish the active shooter and intruder response training program and the schools safety and emergency response procedure.

~~6-~~ 8. Public schools shall foster an environment in which students feel comfortable sharing information they have regarding a potentially threatening or dangerous situation with a responsible adult."; and

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

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

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

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting after all of said section and line the following:

"170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) Present students with the latest medically factual information regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;

(4) Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan;

(5) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person [~~Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure~~];

(6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

(7) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline; ~~and~~

(8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends; **and**

**(9) Teach pupils about sexual harassment, sexual violence, and consent:**

**(a) For the purposes of this subdivision, the term "consent" shall mean a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent;**

**(b) For the purposes of this subdivision, the term "sexual harassment" shall mean uninvited and unwelcome verbal or physical behavior of a sexual nature, especially by a person in authority toward a subordinate;**

**(c) For the purposes of this subdivision, the term "sexual violence" shall mean causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent.**

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

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

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother."; and

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

Representative Rhoads assumed the Chair.

Representative Kelly (141) offered **House Amendment No. 1 to House Amendment No. 9**.

*House Amendment No. 1  
to  
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 743, Page 1, Lines 28 and 29, by deleting all of said lines and inserting in lieu thereof the following:

"be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;"; and

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

On motion of Representative Kelly (141), **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Burnett offered **House Amendment No. 2 to House Amendment No. 9**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 743, Page 2, Lines 32 through 44, by deleting all of said lines and inserting in lieu thereof the following:

~~"[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.~~

~~8. As used in this section, the following terms mean:~~

~~(1) "Abortion", the same meaning as such term is defined in section 188.015;~~

~~(2) "Abortion services":~~

~~(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;~~

~~(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not necessary to save the life of the mother; or~~

~~(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.]; and"; and~~

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Alferman	Anderson	Andrews	Austin	Bahr
Barnes 60	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Chipman
Christofanelli	Conway 104	Cookson	Corlew	Cornejo
Cross	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	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	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	Matthiesen	McDaniel
McGaugh	Messenger	Miller	Moon	Morris 140
Morse 151	Muntzel	Neely	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowland 155	Ruth	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walsh	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 041

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burnett	Burns	Butler

Carpenter	Conway 10	Curtis	Ellington	Franks Jr
Green	Harris	Kendrick	Lavender	May
McCann Beatty	McCreery	McGee	Meredith 71	Merideth 80
Morgan	Mosley	Newman	Nichols	Pierson Jr
Quade	Razer	Revis	Roberts	Rowland 29
Smith 85	Stevens 46	Unsicker	Walker 74	Washington
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 27	Curtman	Davis	Ellebracht	Gray
Mitten	Peters	Pogue	Reisch	Runions
Schroer	Spencer			

VACANCIES: 002

Representative Burnett moved that **House Amendment No. 2 to House Amendment No. 9** be adopted.

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

AYES: 037

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burnett	Burns	Butler
Carpenter	Conway 10	Curtis	Ellington	Franks Jr
Gray	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Meredith 80	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Razer
Roberts	Rowland 29	Smith 85	Stevens 46	Unsicker
Walker 74	Wessels			

NOES: 110

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Chipman	Christofanelli
Conway 104	Corlew	Cross	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Francis
Franklin	Frederick	Gannon	Green	Gregory
Grier	Haahr	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Higdon	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	Matthiesen	McDaniel
McGaugh	Messenger	Miller	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

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

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes 60	Brown 27	Cookson	Cornejo	Curtman
Ellebracht	Kendrick	Mitten	Peters	Pogue
Revis	Runions	Schroer	Washington	

VACANCIES: 002

On motion of Representative Rehder, **House Amendment No. 9**, as amended, was adopted.

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

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

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

**(1) "School librarian", a teacher who holds a certificate of license to teach under section 168.021 and is certified as a library media specialist by the department of elementary and secondary education;**

**(2) "School library information and technology program", a school-based program that is staffed by a school librarian and that provides a broad, flexible array of services, resources, and instruction that support student mastery of the essential academic learning requirements and state standards in all subject areas and the implementation of any school improvement plan of the district.**

**2. Before July 1, 2019, the department of elementary and secondary education shall develop a process for recognition of a district's school library information and technology program.**

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

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

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

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

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after said line the following:

**"171.200. 1. This section and section 173.1551 shall be known and may be cited as the "Cronkite New Voices Act".**

**2. For purposes of this section, the following terms mean:**

**(1) "School-sponsored media", any material that is prepared, substantially written, published, or broadcast by a student journalist at a public high school, distributed or generally made available to members of the student body, and prepared under the direction of a student-media advisor. The term "school-sponsored media" does not include any media intended for distribution or transmission solely in the classroom in which the media is produced;**

**(2) "Student journalist", a public high school student who gathers, compiles, writes, edits, photographs, records, produces, or prepares content for dissemination in school-sponsored media;**

**(3) "Student-media advisor", an individual employed, appointed, or designated by a school district to supervise or provide instruction relating to school-sponsored media.**

**3. Subject to the provisions of this section, the freedom of the press in school-sponsored media shall be protected. A student journalist has the right to exercise freedom of speech and of the press in school-sponsored media. Material in school-sponsored media shall not be suppressed solely because it involves political or controversial subject matter.**

**4. School districts and student-media advisors may regulate the number, length, frequency, and format of school-sponsored media. Review of material prepared for school-sponsored media and encouragement of the expression of such material in a manner that is consistent with professional standards of English and journalism shall not be deemed to be or construed as an abridgement of the right to freedom of expression in school-sponsored media or a restraint on publication of the material therein.**

**5. A school district shall not authorize any prior restraint of any school-sponsored media except if the administration or student-media advisor reasonably determines or anticipates that the media:**

**(1) Is libelous or slanderous;**

**(2) Constitutes an invasion of privacy;**

**(3) Violates federal or state law;**

**(4) Is a threat of violence;**

**(5) Advertises a product or service that is illegal or is not permitted to be sold to minors by law;**

**(6) Violates the rights of others;**

**(7) Is likely to incite students to commit an unlawful act or to violate school district policy or procedure;**

**(8) Is likely to materially and substantially disrupt or interfere with the orderly operation of the school; or**

**(9) Is vulgar, obscene, offensively lewd, profane, threatening, or intimidating.**

**6. Subject to the limitations imposed by this section, student journalists are responsible for determining the news, opinion, and advertising content of school-sponsored media. Student-media advisors are responsible for teaching and encouraging free and responsible expression of material and professional standards of English and journalism. No student-media advisor shall be disciplined, terminated from employment, transferred, or relieved of duties imposed under this subsection for refusal to abridge or infringe upon the right to freedom of expression conferred by this section.**

**7. No publication or other expression of matter by students in the exercise of rights under this section shall be deemed to be an expression of a school district's policy. No school district, member of the board of education, student-media advisor, or employee of a school district shall be held liable in any civil or criminal action for any publication or other expression of matter by student journalists in the exercise of rights under this section except to the extent that such persons or entities have interfered with or altered the content of the student speech or expression, and then only to the extent of the interference or alteration of the speech or expression.**

**8. Each school district shall adopt a written policy regarding the freedom of the press and expression by students in accordance with this section. The policy shall include reasonable provisions for the time, place, and manner of student expression. The policy may also include limitations regarding language that may be defined as vulgar, obscene, offensively lewd, profane, harassing, threatening, or intimidating.**

**173.1551. 1. For purposes of this section, the following terms mean:**

**(1) "School-sponsored media", any material that is prepared, substantially written, published, or broadcast by a student journalist at a public institution of higher education in this state, distributed or**

generally made available to members of the student body, and prepared under the direction of a student-media advisor. The term "school-sponsored media" does not include any media intended for distribution or transmission solely in the classroom in which the media is produced;

(2) "Student journalist", a student of a public institution of higher education who gathers, compiles, writes, edits, photographs, records, produces, or prepares content for dissemination in school-sponsored media;

(3) "Student-media advisor", an individual employed, appointed, or designated by a public institution of higher education in this state to supervise or provide instruction relating to school-sponsored media.

2. Subject to the provisions of this section, the freedom of the press in school-sponsored media shall be protected. A student journalist has the right to exercise freedom of speech and of the press in school-sponsored media. Material in school-sponsored media shall not be suppressed solely because it involves political or controversial subject matter.

3. Subject to subsection 4 of this section, a student journalist is responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. This subsection shall not be construed to prevent a student-media advisor from teaching professional standards of English and journalism to student journalists.

4. This section does not authorize or protect expression by a student that:

(1) Is libelous or slanderous;

(2) Constitutes an invasion of privacy;

(3) Violates federal or state law;

(4) Is likely to incite students to commit an unlawful act or to violate institution policy or procedure; or

(5) Is likely to materially and substantially disrupt or interfere with the orderly operation of the institution.

5. Except as provided in subsection 4 of this section, a student journalist at a public institution of higher education in the state shall not be disciplined for exercising his or her freedom of expression in school-sponsored media.

6. A student-media advisor at a public institution of higher education in the state shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for protecting or refusing to infringe on the rights of student journalists outlined in this section.

7. No publication or other expression of matter by students in the exercise of rights under this section shall be deemed to be an expression of an institution's policy. No public institution of higher education or a member of the institution's governing body or employee thereof shall be held liable in any civil or criminal action for any publication or other expression of matter by student journalists in the exercise of rights under this section except to the extent that such persons or entities actively participated in the conduct that is the subject of the civil or criminal action.

177.086. 1. Any school district authorizing the construction of facilities which may exceed an expenditure of [~~fifteen~~] **fifty** thousand dollars shall publicly advertise, once a week for two consecutive weeks, in a newspaper of general circulation, qualified pursuant to chapter 493, located within the city in which the school district is located, or if there be no such newspaper, in a qualified newspaper of general circulation in the county, or if there be no such newspaper, in a qualified newspaper of general circulation in an adjoining county, and may advertise in business, trade, or minority newspapers, for bids on said construction.

2. No bids shall be entertained by the school district which are not made in accordance with the specifications furnished by the district and all contracts shall be let to the lowest responsible bidder complying with the terms of the letting, provided that the district shall have the right to reject any and all bids.

3. All bids must be submitted sealed and in writing, to be opened publicly at time and place of the district's choosing."; and

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

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

**HCS SB 743, as amended**, was laid over.

On motion of Representative Vescovo, the House recessed until 2:15 p.m.

**AFTERNOON SESSION**

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

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 034

Alferman	Anders	Andrews	Basye	Beard
Bondon	Burnett	Burns	Conway 10	Dogan
Engler	Francis	Gannon	Hannegan	Henderson
Hurst	Justus	Kelley 127	Kelly 141	Korman
Mathews	Matthiesen	May	Morse 151	Muntzel
Neely	Redmon	Reiboldt	Revis	Roeber
Rowland 29	Taylor	Walsh	White	

NOES: 001

Curtis

PRESENT: 081

Adams	Anderson	Austin	Bahr	Bangert
Baringer	Beck	Berry	Brattin	Chipman
Christofanelli	Conway 104	Corlew	Cross	Davis
Dinkins	Dohrman	Eggleston	Evans	Fitzwater
Franklin	Franks Jr	Frederick	Gregory	Grier
Haefner	Hansen	Harris	Helms	Higdon
Hill	Houghton	Houx	Johnson	Kendrick
Knight	Kolkmeyer	Lauer	Lichtenegger	Love
Lynch	Marshall	McCann Beatty	McCreery	McGaugh
Meredith 71	Messenger	Miller	Moon	Morgan
Mosley	Newman	Nichols	Pfautsch	Pike
Quade	Razer	Reisch	Rhoads	Roberts
Roden	Ross	Rowland 155	Runions	Ruth
Schroer	Shaul 113	Shumake	Smith 163	Spencer
Stacy	Stephens 128	Swan	Tate	Vescovo
Walker 3	Washington	Wiemann	Wilson	Wood

Mr. Speaker

ABSENT WITH LEAVE: 045

Arthur	Barnes 60	Barnes 28	Bernskoetter	Black
Brown 27	Brown 57	Butler	Carpenter	Cookson
Cornejo	Curtman	DeGroot	Ellebracht	Ellington
Fitzpatrick	Fraker	Gray	Green	Haahr
Kidd	Lant	Lavender	McDaniel	McGee
Merideth 80	Mitten	Morris 140	Peters	Phillips
Pierson Jr	Pietzman	Plocher	Pogue	Rehder
Remole	Rone	Shull 16	Smith 85	Sommer
Stevens 46	Trent	Unsicker	Walker 74	Wessels

VACANCIES: 002

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SB 743, as amended**, relating to elementary and secondary education, was again taken up by Representative Redmon.

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

#### *House Amendment No. 12*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after said line the following:

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

- (1) [~~"Blind persons", individuals who:~~  
~~\_\_\_\_\_ (a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or~~  
~~\_\_\_\_\_ (b) Have a reasonable expectation of visual deterioration; or~~  
~~\_\_\_\_\_ (c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity;~~  
~~\_\_\_\_\_ (2)] "Braille", the system of reading and writing through touch [~~commonly known as standard English~~ braille];~~

~~[(3)]~~ (2) "Student", any student who [~~is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142]~~ **has an impairment in vision that, even with correction, adversely affects a child's educational performance and who is determined eligible for special education services under the Individuals with Disabilities Education Act.**

2. All students ~~may~~ **shall** receive instruction in braille reading and writing as part of their individualized education plan **unless the individual education program team determines, after an evaluation of a student's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the student's future needs for instruction in braille or the use of braille, that instruction in braille or the use of braille is not appropriate.** No student shall be denied ~~the opportunity of~~ instruction in braille reading and writing solely because the student has some remaining vision.

3. Instruction in braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with ~~his~~ **the student's** sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

- (1) How braille will be implemented as the primary mode for learning through integration with normal classroom activities. If braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;
- (2) The date on which braille instruction will commence;
- (3) The level of competency in braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and
- (4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C."; and

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

On motion of Representative Ruth, **House Amendment No. 12** was adopted.

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

## House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"160.665. 1. Any school district within the state may designate one or more elementary or secondary school teachers [Ø], administrator **or other designated school personnel** as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher [Ø], administrator **or other designated school personnel**. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.

2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms or a self-defense spray device in any school in the district. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of his or her personal control while that firearm or device is on school property. Any school protection officer who violates this subsection may be removed immediately from the classroom and subject to employment termination proceedings.

3. A school protection officer has the same authority to detain or use force against any person on school property as provided to any other person under chapter 563.

4. Upon detention of a person under subsection 3 of this section, the school protection officer shall immediately notify a school administrator and a school resource officer, if such officer is present at the school. If the person detained is a student then the parents or guardians of the student shall also be immediately notified by a school administrator.

5. Any person detained by a school protection officer shall be turned over to a school administrator or law enforcement officer as soon as practically possible and shall not be detained by a school protection officer for more than one hour.

6. Any teacher [Ø], administrator **or other designated school personnel** of an elementary or secondary school who seeks to be designated as a school protection officer shall request such designation in writing, and submit it to the superintendent of the school district which employs him or her as a teacher [Ø], administrator **or other designated school personnel**. Along with this request, any teacher [Ø], administrator **or other designated school personnel** seeking to carry a concealed firearm on school property shall also submit proof that he or she has a valid concealed carry endorsement or permit, and all teachers ~~[Ø]~~, administrators **and other designated school personnel** seeking the designation of school protection officer shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

7. No school district may designate a teacher [Ø], administrator **or other designated school personnel** as a school protection officer unless such person has successfully completed a school protection officer training program, which has been approved by the director of the department of public safety. No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.

8. Any school district that designates a teacher [Ø], administrator **or other designated school personnel** as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation, which shall include the following:

- (1) The full name, date of birth, and address of the officer;
- (2) The name of the school district; and
- (3) The date such person was designated as a school protection officer.

Notwithstanding any other provisions of law to the contrary, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a request for public records made under chapter 610.

9. A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer in writing of the revocation. The school

district shall also within thirty days of the revocation notify the director of the department of public safety in writing of the revocation of the designation of such person as a school protection officer. A person who has had the designation of school protection officer revoked has no right to appeal the revocation decision.

10. The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies.

11. Before a school district may designate a teacher ~~[or]~~, administrator **or other designated school personnel** as a school protection officer, the school board shall hold a public hearing on whether to allow such designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located. The board may determine at a closed meeting, as "closed meeting" is defined under section 610.010, whether to authorize the designated school protection officer to carry a concealed firearm or a self-defense spray device."; and

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

Representative Redmon raised a point of order that members were in violation of Rule 85.

The Chair took the point of order under advisement.

Representative Brattin offered **House Substitute Amendment No. 1 for House Amendment No. 13.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 13*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"160.665. 1. Any school district within the state may designate one or more ~~[elementary or secondary school teachers or administrators]~~ **employees of the district** as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the ~~[teacher or administrator]~~ **employee**. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.

2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms or a self-defense spray device in any school in the district. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of his or her personal control while that firearm or device is on school property. Any school protection officer who violates this subsection may be removed immediately from the classroom and subject to employment termination proceedings.

3. **Any ammunition in the possession of a school protection officer who is carrying a concealed firearm while on school property in his or her role as an employee of the district shall be Dynamic Research Technologies ammunition or ammunition equivalent to or similar to such ammunition.**

4. A school protection officer has the same authority to detain or use force against any person on school property as provided to any other person under chapter 563.

~~[4-]~~ 5. Upon detention of a person under subsection ~~[3]~~ 4 of this section, the school protection officer shall immediately notify a school administrator and a school resource officer, if such officer is present at the school. If the person detained is a student then the parents or guardians of the student shall also be immediately notified by a school administrator.

~~[5-]~~ 6. Any person detained by a school protection officer shall be turned over to a school administrator or law enforcement officer as soon as practically possible and shall not be detained by a school protection officer for more than one hour.

~~[6-]~~ **7.** Any ~~[teacher or administrator of an elementary or secondary school]~~ **employee of a district** who seeks to be designated as a school protection officer shall request such designation in writing, and submit it to the superintendent of the school district which employs him or her ~~[as a teacher or administrator]~~. Along with this request, any ~~[teacher or administrator]~~ **employee** seeking to carry a concealed firearm on school property shall also submit proof that he or she has a valid concealed carry endorsement or permit, and all ~~[teachers and administrators]~~ **employees** seeking the designation of school protection officer shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

~~[7-]~~ **8.** No school district may designate ~~[a teacher or administrator]~~ **an employee** as a school protection officer unless such person has successfully completed a school protection officer training program, which has been approved by the director of the department of public safety. No school district shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.

~~[8-]~~ **9.** Any school district that designates ~~[a teacher or administrator]~~ **an employee** as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation, which shall include the following:

- (1) The full name, date of birth, and address of the officer;
- (2) The name of the school district; and
- (3) The date such person was designated as a school protection officer.

Notwithstanding any other provisions of law to the contrary, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a request for public records made under chapter 610.

~~[9-]~~ **10.** A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer in writing of the revocation. The school district shall also within thirty days of the revocation notify the director of the department of public safety in writing of the revocation of the designation of such person as a school protection officer. A person who has had the designation of school protection officer revoked has no right to appeal the revocation decision.

~~[10-]~~ **11.** The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies.

~~[11- Before a school district may designate a teacher or administrator]~~ **12. If an employee submits a request for designation as a school protection officer to the superintendent, the school board shall promptly hold a public hearing ~~[on]~~ and determine by a vote at the hearing whether to allow such designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district is located. The request for designation as a school protection officer shall also require the school board ~~[may determine at]~~ to hold a closed meeting, as "closed meeting" is defined under section 610.010, and determine by a vote at the closed meeting whether to authorize the designated school protection officer to carry a concealed firearm or a self-defense spray device. The school board shall hold the closed meeting and vote on the issue regardless of whether the employee specifically requested authorization to carry a concealed firearm or a self-defense spray device on school property in his or her request for designation as a school protection officer.**

**13. Each school district shall consider implementing a school protection officer program consistent with the provisions of this section. The school board of each school district shall hold a public hearing and determine by a vote at the hearing whether to implement such a program.**

**14. Any school board that approves a school protection officer program by a vote described in subsection 13 of this section shall notify all the employees of the district of the program and the option to request designation as a school protection officer.";** and

Further amend said bill, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

"590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. **The director shall allow private companies to serve as training centers and operate training programs under this section.** The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a department of public safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the ~~[elementary school teacher or administrator]~~ **employee** is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement or permit.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and indicate whether the individual has a valid concealed carry endorsement or permit. The instructor shall also provide a copy of such certificate to the director of the department of public safety.

**6. The POST commission shall establish requirements for the continuing education of all school protection officers. All school protection officers shall annually receive four hours of firearms skill development training.**

**7. At least two times each year, all school protection officers shall participate in a joint training on school protection with a local law enforcement agency.";** and

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

Representative Taylor assumed the Chair.

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Bondon
Brattin	Brown 57	Chipman	Christofanelli	Conway 104
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Frederick	Gannon	Gregory	Haefner	Hannegan
Hansen	Helms	Henderson	Higdon	Hill
Houghton	Houx	Hurst	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeyer
Korman	Lant	Lauer	Love	Lynch
Marshall	Mathews	Matthiesen	McGaugh	Messenger
Moon	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Pike	Redmon	Rehder	Reiboldt
Reisch	Remole	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: 038

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	Curtis
Ellebracht	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Razer
Revis	Roberts	Rowland 29	Runions	Stevens 46
Unsicker	Washington	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 024

Arthur	Barnes 60	Black	Brown 27	Burns
Conway 10	Cookson	Corlew	Ellington	Evans
Grier	Haahr	Lichtenegger	McDaniel	Miller
Mitten	Peters	Phillips	Pietzman	Plocher
Pogue	Rhoads	Smith 85	Walker 74	

VACANCIES: 002

On motion of Representative Brattin, **House Substitute Amendment No. 1 for House Amendment No. 13** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 096

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Berry	Bondon	Brattin
Brown 57	Chipman	Christofanelli	Conway 104	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dohrman	Eggleston	Engler	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gregory	Haefner	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Knight	Kolkmeyer	Korman	Lant	Lauer
Love	Lynch	Marshall	Mathews	Matthiesen
McGaugh	Messenger	Moon	Morris 140	Morse 151
Muntzel	Neely	Pfautsch	Pike	Redmon
Rehder	Reiboldt	Reisch	Remole	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: 038

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	Conway 10
Curtis	Ellebracht	Ellington	Franks Jr	Gray
Green	Kendrick	Lavender	May	McCann Beatty
McCreery	McGee	Meredith 71	Merideth 80	Morgan
Mosley	Nichols	Pierson Jr	Quade	Razer
Revis	Roberts	Rowland 29	Runions	Stevens 46
Unsicker	Washington	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 027

Arthur	Barnes 60	Bernskoetter	Black	Brown 27
Burns	Cookson	Corlew	Dogan	Evans
Grier	Haahr	Hannegan	Kidd	Lichtenegger
McDaniel	Miller	Mitten	Newman	Peters
Phillips	Pietzman	Plocher	Pogue	Rhoads
Smith 85	Walker 74			

VACANCIES: 002

### Representative Pfautsch offered **House Amendment No. 14.**

#### *House Amendment No. 14*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting after all of said line the following:

"161.217. 1. The department of elementary and secondary education, in collaboration with the Missouri Head Start State Collaboration Office and the departments of health and senior services, mental health, and social services, shall develop, as a three-year pilot program, a voluntary early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.

2. Participation in the early learning quality assurance report pilot program shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.

3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.

5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after August 28, ~~2016~~ **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 three 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."; and

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

On motion of Representative Pfautsch, **House Amendment No. 14** was adopted.

Representative Roeber offered **House Amendment No. 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates;  
(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;  
(3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;

(4) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

(5) In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission and does not discriminate based on parents' ability to pay fees or tuition except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school or in the case of a workplace charter school, a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter ~~[alternative and special purpose]~~ schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school who have been enrolled for a full academic year shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.

4. A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522;
- (3) The results of background checks on the charter school's board members; and

(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

5. When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

6. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

7. The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools."; and

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

Representative Vescovo moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Christofanelli	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	Dinkins
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzpatrick	Fitzwater	Francis	Franklin	Frederick
Gannon	Gregory	Grier	Haefner	Hannegan
Hansen	Henderson	Higdon	Hill	Houghton
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Knight	Kolkmeier	Korman	Lant	Lauer
Love	Lynch	Mathews	Matthiesen	McGaugh
Messenger	Moon	Morris 140	Morse 151	Muntzel
Neely	Pfautsch	Pike	Redmon	Reiboldt
Remole	Roeber	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	Wilson	Wood	Mr. Speaker

NOES: 039

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	Conway 10
Curtis	Franks Jr	Gray	Green	Harris
Kendrick	Lavender	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Pierson Jr	Quade
Razer	Revis	Roberts	Rowland 29	Runions
Stevens 46	Unsicker	Washington	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 032

Arthur	Barnes 60	Brown 27	Brown 57	Burns
Chipman	Cookson	DeGroot	Ellebracht	Ellington
Fraker	Haahr	Helms	Houx	Kidd
Lichtenegger	Marshall	McDaniel	Miller	Peters
Phillips	Pietzman	Plocher	Pogue	Rehder
Reisch	Rhoads	Roden	Rone	Smith 85
Walker 74	Wiemann			

VACANCIES: 002

On motion of Representative Roeber, **House Amendment No. 15** was adopted.

Representative Swan offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting after all of said line the following:

"304.060. 1. The state board of education shall adopt and enforce regulations not inconsistent with law to cover the design and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and such regulations shall by reference be made a part of any such contract with a school district. The state board of education may adopt rules and regulations governing the use of other vehicles owned by a district or operated under contract with any school district in this state and used for the purpose of transporting school children. The operator of such vehicle shall be licensed in accordance with section 302.272, and such vehicle shall transport no more children than the manufacturer suggests as appropriate for such vehicle. The state board of education may also adopt rules and regulations governing the use of authorized common carriers for the transportation of students on field trips or other special trips for educational purposes. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations. The state board of education shall cooperate with the state transportation department and the state highway patrol in placing suitable warning signs at intervals on the highways of the state.

**2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of Missouri in an urban district containing the greater part of the population of a city which has more than three hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be for additional transportation services, and shall not replace or fulfill any of the school district's obligations pursuant to section 167.231. The school district may notify students of the option to use district contracted transportation services.**

**3.** Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with such regulations in any contract executed by him on behalf of a school district shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any such regulations shall be guilty of breach of contract and such contract shall be cancelled after notice and hearing by the responsible officers of such school district.

~~[3-]~~ **4.** Any other provision of the law to the contrary notwithstanding, in any county of the first class with a charter form of government adjoining a city not within a county, school buses may bear the word "special."; and

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

Representative May offered **House Amendment No. 1 to House Amendment No. 16**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 16*

AMEND House Amendment No. 16 to House Committee Substitute for Senate Bill No. 743, Page 1, Line 1, by inserting after the number "743," the following:

"Page 1, Section 162.401, Line 9, by inserting after all of said section and line the following:

"162.1100. 1. There is hereby established within each city not within a county a school district to be known as the "Transitional School District of (name of city)", which shall be a body corporate and politic and a subdivision of the state. The transitional school district shall be coterminous with the boundaries of the city in which the district is located. Except as otherwise provided in this section and section 162.621, the transitional school district shall be subject to all laws pertaining to "seven-director districts", as defined in section 160.011. The transitional school district shall have the responsibility for educational programs and policies determined by a final judgment of a federal school desegregation case to be needed in providing for a transition of the educational system of the city from control and jurisdiction of a federal court school desegregation order, decree or agreement and such other programs and policies as designated by the governing body of the school district.

2. (1) The governing board of the transitional school district shall consist of three residents of the district: one shall be appointed by the governing body of the district, one shall be appointed by the mayor of the city not within a county and one shall be appointed by the president of the board of aldermen of the city not within a county. The members of the governing board shall serve without compensation for a term of three years, or until their successors have been appointed, or until the transitional district is dissolved or terminated. Any tax approved for the transitional district shall be assigned to the governing body of the school district in a city not within a county after dissolution or termination of the transitional district.

(2) In the event that the state board of education shall declare the school district of a city not within a county to be unaccredited, the member of the governing board of the transitional district appointed by the governing body of the district as provided in subdivision (1) of this subsection shall, within ninety days, be replaced by a chief executive officer nominated by the state board of education and appointed by the governor with the advice and consent of the senate. The chief executive officer need not be a resident of the district but shall be a person of recognized administrative ability, shall be paid in whole or in part with funds from the district, and shall have all other powers and duties of any other general superintendent of schools, including appointment of staff. The chief executive officer shall serve for a term of three years or until his **or her** successor is appointed or until the transitional district is dissolved or terminated. His **or her** salary shall be set by the state board of education.

3. In the event that the school district loses its accreditation, upon the appointment of a chief executive officer, any powers granted to any existing school board in a city not within a county on or before August 28, 1998, shall be vested with the special administrative board of the transitional school district containing such school district so long as the transitional school district exists, except as otherwise provided in section 162.621.

4. The special administrative board's powers and duties shall include:

(1) Creating an academic accountability plan, taking corrective action in underperforming schools, and seeking relief from state-mandated programs;

(2) Exploration of alternative forms of governance for the district;

(3) Authority to contract with nonprofit corporations to provide for the operation of schools;

(4) Oversight of facility planning, construction, improvement, repair, maintenance and rehabilitation;

(5) Authority to establish school site councils to facilitate site-based school management and to improve the responsiveness of the schools to the needs of the local geographic attendance region of the school;

(6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding establishment of neighborhood schools.

5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a school desegregation case which subjects a district in which a transitional district is located in this state to a federal court's jurisdiction may authorize or require the governing body of a transitional school district established under this section to establish the transitional district's operating levy for school purposes, as defined pursuant to section 163.011, at a level not to exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as determined by the department of elementary and secondary education which may be substituted for all or part of such property tax.

(2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this subsection shall:

(a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant to sections 99.700 to 99.715; and

(b) Effective January 1, 2002, be subject to any new or existing tax increment financing adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax increment financing.

(3) The transitional school district shall not be subject to the provisions of section 162.081, sections 163.021 and 163.023 with respect to any requirements to maintain a minimum value of operating levy or any consequences provided by law for failure to levy at least such minimum rate. No operating levy or increase in the operating levy or sales tax established pursuant to this section shall be collected for a transitional school district unless prior approval is obtained from a simple majority of the district's voters. The board of the transitional district shall place the matter before the voters prior to March 15, 1999.

6. (1) The special administrative board established in this section shall develop, implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to review and approval of the state board of education. The plan shall ensure that all students meet or exceed grade-level standards established by the state board of education pursuant to section 160.514;

(2) The special administrative board shall establish student performance standards consistent with the standards established by the state board of education pursuant to section 160.514 for preschool through grade twelve in all skill and subject areas, subject to review and approval of the state board of education for the purpose of determining whether the standards are consistent with standards established by the state board of education pursuant to section 160.514;

(3) All students in the district who do not achieve grade-level standards shall be required to attend summer school; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(4) No student shall be promoted to a higher grade level unless that student has a reading ability at or above one grade level below the student's grade level; except that the provisions of this subsection shall not apply to students receiving special education services pursuant to sections 162.670 to 162.999;

(5) The special administrative board established in this section shall develop, implement and annually update a professional development plan for teachers and other support staff, subject to review and approval of the state board of education.

7. The school improvement plan established pursuant to this section shall ensure open enrollment and program access to all students in the district, and, consistent with the Missouri and United States Constitutions, shall give first priority to residents of the city for admission to magnet schools. The school board shall take all practicable and constitutionally permissible steps to ensure that all magnet schools operate at full capacity. Students who change residence within the district shall be allowed to continue to attend the school in which they were initially enrolled for the remainder of their education at grade levels served by that school, and transportation shall be provided by the district to allow such students to continue to attend such school of initial enrollment.

8. To the extent practicable, the special administrative board shall ensure that per pupil expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given grade level.

9. The special administrative board shall ensure that early childhood education is available throughout the district.

10. The special administrative board shall ensure that vocational education instruction is provided within the district.

11. The special administrative board shall establish an accountability officer whose duty shall be to ensure that academically deficient schools within the district are raised to acceptable condition within two years.

12. The transitional school district in any city not within a county shall be dissolved on July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional district to continue to accomplish the purposes for which it was created. The state board of education may cause the termination of the transitional school district at any time upon a determination that the transitional district has accomplished the purposes for which it was established and is no longer needed. **If the transitional school district is classified as fully accredited, the state board of education shall terminate it and return governance to the elected board of the school district containing the territory of the dissolved transitional school district within thirty days. If the transitional school district is fully accredited before August 28, 2018, the state board of education shall terminate it at its first meeting to occur on or after August 28, 2018.** The state board of education may cause the reestablishment of

the transitional school district at any time upon a determination that it is necessary for the transitional district to be reestablished to accomplish the purposes established in this section. The state board of education shall provide notice to the governor and general assembly of the termination or reestablishment of the transitional school district and the termination or reestablishment shall become effective thirty days following such determination. Upon dissolution of a transitional school district pursuant to this section, nothing in this section shall be construed to reduce or eliminate any power or duty of any school district or districts containing the territory of the dissolved transitional school district unless such transitional school district is reestablished by the state board of education pursuant to this section."; and

Further amend said bill,"; and

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

Representative May moved that **House Amendment No. 1 to House Amendment No. 16** be adopted.

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

AYES: 059

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brattin	Burnett	Burns
Butler	Carpenter	Conway 10	Curtis	Dinkins
Ellington	Engler	Franks Jr	Gray	Green
Haefner	Hansen	Harris	Higdon	Hurst
Johnson	Kendrick	Lavender	Marshall	Matthiesen
May	McCann Beatty	McCreery	Meredith 71	Merideth 80
Mitten	Moon	Morgan	Morse 151	Mosley
Neely	Newman	Nichols	Pierson Jr	Quade
Razer	Remole	Revis	Roberts	Roden
Rowland 29	Runions	Shull 16	Stevens 46	Tate
Unsicker	Washington	Wessels	White	

NOES: 073

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bondon	Christofanelli	Conway 104	Corlew
Cornejo	Curtman	Davis	DeGroot	Dogan
Dohrman	Eggleston	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gregory	Hannegan	Helms	Henderson	Hill
Houghton	Justus	Kelly 141	Knight	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
McGaugh	Messenger	Morris 140	Muntzel	Pfautsch
Pike	Plocher	Redmon	Reiboldt	Reisch
Roeber	Rone	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Taylor
Trent	Vescovo	Walker 3	Walsh	Wiemann
Wilson	Wood	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 029

Bahr	Barnes 60	Bernskoetter	Berry	Black
Brown 27	Brown 57	Chipman	Cookson	Cross
Ellebracht	Grier	Haahr	Houx	Kelley 127
Kidd	Kolkmeyer	Mathews	McDaniel	McGee
Miller	Peters	Phillips	Pietzman	Pogue
Rehder	Rhoads	Smith 85	Walker 74	

VACANCIES: 002

On motion of Representative Swan, **House Amendment No. 16** was adopted.

Representative Lynch assumed the Chair.

Representative Korman offered **House Amendment No. 17**.

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

**"178.931. 1. Beginning July 1, 2018, and thereafter, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to the amount calculated under subsection 2 of this section but at least the amount necessary to ensure that at least twenty-one dollars is paid for each six-hour or longer day worked by a handicapped employee.**

**2. In order to calculate the monthly amount due to each sheltered workshop, the department shall:**

**(1) Determine the quotient obtained by dividing the appropriation for the fiscal year by twelve; and**

**(2) Divide the amount calculated under subdivision (1) of this subsection among the sheltered workshops in proportion to each sheltered workshop's number of hours submitted to the department for the preceding calendar month.**

**3. The department shall accept, as prima facie proof of payment due to a sheltered workshop, information as designated by the department, either in paper or electronic format. A statement signed by the president, secretary, and manager of the sheltered workshop, setting forth the dates worked and the number of hours worked each day by each handicapped person employed by that sheltered workshop during the preceding calendar month, together with any other information required by the rules or regulations of the department, shall be maintained at the workshop location.**

~~[178.930. 1. (1) Beginning July 1, 2009, and until June 30, 2010, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to ninety dollars for each standard workweek (Monday through Friday) of up to and including thirty hours worked during the preceding calendar month. Eighteen dollars shall be paid for each six-hour or longer day worked by a handicapped employee on Saturdays or Sundays. For each handicapped worker employed by a sheltered workshop for less than a thirty-hour week or a six-hour day on Saturdays or Sundays, the workshop shall receive a percentage of the corresponding amount normally paid based on the percentage of time worked by the handicapped employee.~~

~~(2) Beginning July 1, 2010, and thereafter, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to ninety-five dollars for each standard workweek (Monday through Friday) of up to and including thirty hours worked during the preceding calendar month. Nineteen dollars shall be paid for each six-hour or longer day worked by a handicapped employee on Saturdays or Sundays. For each handicapped worker employed by a sheltered workshop for less than a thirty-hour week~~

~~or a six-hour day on Saturdays or Sundays, the workshop shall receive a percentage of the corresponding amount normally paid based on the percentage of time worked by the handicapped employee.~~

~~2. The department shall accept, as prima facie proof of payment due to a sheltered workshop, information as designated by the department, either in paper or electronic format. A statement signed by the president, secretary, and manager of the sheltered workshop, setting forth the dates worked and the number of hours worked each day by each handicapped person employed by that sheltered workshop during the preceding calendar month, together with any other information required by the rules or regulations of the department, shall be maintained at the workshop location.~~

~~3. There is hereby created in the state treasury the "Sheltered Workshop Per Diem Revolving Fund" which shall be administered by the commissioner of the department of elementary and secondary education. All moneys appropriated pursuant to subsection 1 of this section shall be deposited in the fund and expended as described in subsection 1 of this section.~~

~~4. The balance of the sheltered workshop per diem revolving fund shall not exceed five hundred thousand dollars at the end of each fiscal year and shall be exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund. Any unexpended balance in the sheltered workshop per diem revolving fund at the end of each fiscal year exceeding five hundred thousand dollars shall be deposited in the general revenue fund.]~~

Section B. Because immediate action is necessary to ensure that as many people can be employed in sheltered workshops as possible, and that the employment of people can occur as soon as possible, the repeal of section 178.930 and the enactment of section 178.931 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal of section 178.930 and the enactment of section 178.931 of this act shall be in full force and effect on July 1, 2018, or upon its passage and approval, whichever occurs later."; and

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

Representative Redmon offered **House Amendment No. 1 to House Amendment No. 17.**

*House Amendment No. 1  
to  
House Amendment No. 17*

AMEND House Amendment No. 17 to House Committee Substitute for Senate Bill No. 743, Page 2, Lines 24 to 32, by deleting all of said lines and inserting in lieu thereof the following:

~~"shall be deposited in the general revenue fund.]"~~; and"; and

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

On motion of Representative Redmon, **House Amendment No. 1 to House Amendment No. 17** was adopted.

On motion of Representative Korman, **House Amendment No. 17, as amended**, was adopted.

Representative Rowland (155) offered **House Amendment No. 18.**

## House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

- (1) "District" or "school district", when used alone, may include seven-director, urban, and metropolitan school districts;
- (2) "Elementary school", a public school giving instruction in a grade or grades not higher than the eighth grade;
- (3) "Family literacy programs", services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:
  - (a) Interactive literacy activities between parents and their children;
  - (b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;
  - (c) Parent literacy training that leads to high school completion and economic self sufficiency; and
  - (d) An age-appropriate education to prepare children of all ages for success in school;
- (4) "Graduation rate", the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;
- (5) "High school", a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;
- (6) "Metropolitan school district", any school district the boundaries of which are coterminous with the limits of any city which is not within a county;
- (7) "Public school" includes all elementary and high schools operated at public expense;
- (8) "School board", the board of education having general control of the property and affairs of any school district;
- (9) "School term", a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. **In school year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required with no minimum number of school days required.** A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment aligned with the student's career academic plan for a total of ~~one thousand forty-four~~ **the required number of hours as provided in this subdivision;**
- (10) "Secretary", the secretary of the board of a school district;
- (11) "Seven-director district", any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;
- (12) "Taxpayer", any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;
- (13) "Town", any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;
- (14) "Urban school district", any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.041. 1. The "minimum school day" consists of three hours for schools with a five-day school week or four hours for schools with a four-day school week in which the pupils are under the guidance and direction of teachers in the teaching process. A "school month" consists of four weeks of five days each for schools with a five-

day school week or four weeks of four days each for schools with a four-day school week. **In school year 2019-20 and subsequent years, no minimum number of school days shall be required, and "school day" shall mean any day in which, for any amount of time, pupils are under the guidance and direction of teachers in the teaching process.** The "school year" commences on the first day of July and ends on the thirtieth day of June following.

2. Notwithstanding the provisions of subsection 1 of this section, the commissioner of education is authorized to reduce the required number of hours ~~and~~ or days in which the pupils are under the guidance and direction of teachers in the teaching process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033 prevents students from attending the public school facility.

Such reduction shall not extend beyond two calendar years in duration."; and

Further amend said bill, Page 2, Section 163.018, Line 39, by inserting after all of said section and line the following:

"163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041 for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all-day students or six hours for one-half-day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033. **In school year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance with no minimum number of school days shall be required for each pupil or group of pupils; except that, the board shall provide a minimum of five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils with no minimum number of school days;**

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111 for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district; **and**

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed.

2. For the 2006-07 school year and thereafter, no school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an operating levy for school purposes, as determined pursuant to section 163.011, of not less than two dollars and seventy-five cents after all adjustments and reductions. Any district which is required, pursuant to Article X, Section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to Section 10(c) of Article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has

an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530 to allocate revenue to the professional development committee of the district.

5. No school district shall receive more state aid, as calculated in subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, if the district did not comply in the preceding school year with the requirements of subsection 5 of section 163.031.

6. Any school district that levies an operating levy for school purposes that is less than the performance levy, as such term is defined in section 163.011, shall provide written notice to the department of elementary and secondary education asserting that the district is providing an adequate education to the students of such district. If a school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed to be a result of insufficient local effort. The provisions of this subsection shall not apply to any special district established under sections 162.815 to 162.940.

163.073. 1. When an education program, as approved under section 219.056, is provided for pupils by the division of youth services in one of the facilities operated by the division for children who have been assigned there by the courts, the division of youth services shall be entitled to state aid for pupils being educated by the division of youth services in an amount to be determined as follows: the total amount apportioned to the division of youth services shall be an amount equal to the average per weighted average daily attendance amount apportioned for the preceding school year under section 163.031, multiplied by the number of full-time equivalent students served by facilities operated by the division of youth services. The number of full-time equivalent students shall be determined by dividing by one hundred seventy-four days the number of student-days of education service provided by the division of youth services to elementary and secondary students who have been assigned to the division by the courts and who have been determined as inappropriate for attendance in a local public school. A student day shall mean one day of education services provided for one student. **In school year 2019-20 and subsequent years, the number of full-time equivalent students shall be the quotient of the number of student-hours of education service provided by the division of youth services to elementary and secondary students who have been assigned to the division by the courts, and who have been determined as inappropriate for attendance in a local public school, divided by one thousand forty-four hours. A student hour shall mean one hour of education services provided for one student.** In addition, other provisions of law notwithstanding, the division of youth services shall be entitled to funds under section 163.087. The number of full-time equivalent students as defined in this section shall be considered as "September membership" and as "average daily attendance" for the apportioning of funds under section 163.087.

2. The educational program approved under section 219.056 as provided for pupils by the division of youth services shall qualify for funding for those services provided to handicapped or severely handicapped children. The department of elementary and secondary education shall cooperate with the division of youth services in arriving at an equitable funding for the services provided to handicapped children in the facilities operated by the division of youth services.

3. Each local school district or special school district constituting the domicile of a child placed in programs or facilities operated by the division of youth services or residing in another district pursuant to assignment by the division of youth services shall pay toward the per pupil cost of educational services provided by the serving district or agency an amount equal to the average sum produced per child by the local tax effort of that district. A special school district shall pay the average sum produced per child by the local tax efforts of the component districts. This amount paid by the local school district or the special school district shall be on the basis of full-time equivalence as determined in section 163.011, not to exceed the actual per pupil local tax effort.

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date, **days of planned attendance**, and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. **In school year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required for the school term with no minimum number of school days.** In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033. **In school year 2019-20 and subsequent years, such calendar shall include thirty-six make-up hours for possible loss of attendance due to inclement weather, as defined in subsection 1 of section 171.033, with no minimum number of make-up days.**

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

~~[7. No school day for schools with a five day school week shall be longer than seven hours except for vocational schools which may adopt an eight hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, and any school that adopts a four day school week in accordance with section 171.029.]~~

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. (1) A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays.

(2) **Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one thousand forty-four hours for the school year, except as otherwise provided under subsections 3 and 4 of this section.**

3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

(2) **In school year 2019-20 and subsequent years, a school district may be exempt from the requirement to make up school lost or cancelled due to inclement weather in the school district when the school district has made up the thirty-six hours required under subsection 2 of this section and half the number of additional lost or cancelled hours up to forty-eight, resulting in no more than sixty total make-up hours required by this section.**

4. The commissioner of education may provide, for any school district ~~[in which schools are in session for twelve months of each calendar year]~~ that cannot meet the minimum school calendar requirement of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week and one thousand forty-four hours of actual pupil attendance **or, in school year 2019-20 and**

**subsequent years, one thousand forty-four hours of actual pupil attendance**, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather[~~-flooding~~] or fire.

~~[171.029. 1. The school board of any school district in the state, upon adoption of a resolution by the vote of a majority of all its members to authorize such action, may establish a four-day school week or other calendar consisting of less than one hundred seventy-four days in lieu of a five-day school week. Upon adoption of a four-day school week or other calendar consisting of less than one hundred seventy-four days, the school shall file a calendar with the department of elementary and secondary education in accordance with section 171.031. Such calendar shall include, but not be limited to, a minimum term of one hundred forty-two days and one thousand forty-four hours of actual pupil attendance.—~~

~~2. If a school district that attends less than one hundred seventy-four days meets at least two fewer performance standards on two successive annual performance reports than it met on its last annual performance report received prior to implementing a calendar year of less than one hundred seventy-four days, it shall be required to revert to a one hundred seventy-four day school year in the school year following the report of the drop in the number of performance standards met.— When the number of performance standards met reaches the earlier number, the district may return to the four-day week or other calendar consisting of less than one hundred seventy-four days in the next school year.]~~

Section B. The repeal of section 171.029 of this act shall become effective July 1, 2019."; and

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

On motion of Representative Rowland (155), **House Amendment No. 18** was adopted.

Representative Sommer offered **House Amendment No. 19**.

*House Amendment No. 19*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section 162.401, Line 9, by inserting after all of said line the following:

"162.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall determine a child is gifted only if the child meets the definition of gifted children as provided in section 162.675.

**4. Any district with a gifted education program approved under subsection 2 of this section shall have a policy, approved by the board of education of the district, that establishes a process that outlines the procedures and conditions under which parents or guardians may request a review of the decision that determined that their child did not qualify to receive services through the district's gifted education program.**

**5. School districts and school district employees shall be immune from liability for any and all acts or omissions relating to the decision that a child did not qualify to receive services through the district's gifted education program.**

**162.722. 1. Each school district shall establish a policy, approved by the board of education of the district, that allows acceleration for students who demonstrate:**

**(1) Advanced performance or potential for advanced performance; and**

(2) **The social and emotional readiness for acceleration.**

**2. The policy shall allow, for students described in this section, at least the following types of acceleration:**

- (1) **Subject acceleration; and**
- (2) **Whole grade acceleration."; and**

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

On motion of Representative Sommer, **House Amendment No. 19** was adopted.

Representative Christofanelli offered **House Amendment No. 20.**

*House Amendment No. 20*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting immediately after all of said section and line the following:

**"171.054. 1. Any absence of a student from a public school, including any charter school, on a particular day or days or at a particular time of day for the reason that the student's parent or legal guardian is an active duty member of the uniformed services and:**

- (1) **Has been called to duty for and will deploy within the next month to a combat zone or combat support posting;**
- (2) **Is on leave from a deployment to a combat zone or combat support posting; or**
- (3) **Has returned, within the previous month, from deployment to a combat zone or combat support posting**

**shall be counted as excused to the extent permitted under subsection 2 of this section.**

**2. The school board of each school district and the governing body of each charter school shall allow at least five days of excused absences for any student to visit the student's parent or legal guardian relative to the leave or deployment of the parent or legal guardian, as described under subsection 1 of this section. Nothing shall prevent the school board or governing body of a charter school from establishing a policy that allows more than five days of such excused absences.**

**3. The student granted an excused absence under this section and his or her parent or legal guardian shall be responsible for obtaining assignments from the student's teacher or teachers before any period of excused absence."; and**

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

On motion of Representative Christofanelli, **House Amendment No. 20** was adopted.

Representative Unsicker offered **House Amendment No. 21.**

*House Amendment No. 21*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section 162.401, Line 9, by inserting immediately after all of said line the following:

**"162.702. 1. A private school that is contacted by the parents or guardians of any child for purposes of enrolling their child in the private school shall provide the parents or guardians of the child with the informational materials described in subsection 2 of this section at least one day before the child officially enrolls in the private school.**

**2. The department of elementary and secondary education shall develop the informational materials to be provided to parents or guardians under subsection 1 of this section and post the materials on its website. The informational materials shall:**

(1) Describe the state's obligation under the Individuals with Disabilities Education Act (IDEA) to ensure a free appropriate public education in the least restrictive environment is made available to all eligible children with disabilities and summarize how the courts have interpreted this obligation;

(2) Explain that if parents or guardians of a child with a disability decide to enroll their child in a private school, the child is considered a parentally placed private school child under the IDEA and does not have the right to a free appropriate public education; and

(3) Describe the level of services and due process rights required under the IDEA for a child with a disability enrolled in a public school in comparison to the level of services and due process rights required under the IDEA for a child with a disability enrolled in a private school."; and

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

Representative Taylor resumed the Chair.

Representative Unsicker moved that **House Amendment No. 21** be adopted.

Which motion was defeated.

Representative Lauer offered **House Amendment No. 22**.

*House Amendment No. 22*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting after said section and line the following:

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

(1) "ACT assessment", the ACT assessment or the ACT Plus Writing assessment;

(2) "WorkKeys", the ACT WorkKeys assessments required for the National Career Readiness Certificate.

2. (1) In any school year in which the department of elementary and secondary education directs a state-funded census administration of the ACT assessment to any group of students, any student who would be allowed or required to participate in the census administration shall receive the opportunity, on any date within three months before the census administration, to participate in a state-funded administration of WorkKeys.

(2) Any student who participated in a state-funded administration of WorkKeys as described under subdivision (1) of this subsection shall not participate in any state-funded census administration of the ACT assessment.

(3) The department of elementary and secondary education shall not require school districts or charter schools to administer the ACT assessment to any student who participated in a state-funded administration of WorkKeys as described under subdivision (1) of this subsection.

3. (1) In any school year in which a school district directs the administration of the ACT assessment to any group of its students to be funded by the district, any student who would be allowed or required to participate in the district-funded administration shall receive the opportunity, on any date within three months before the administration, to participate in an administration of WorkKeys funded by the school district.

(2) Nothing in this section shall require a school district to fund the administration of the ACT assessment to any student who participated in a district-funded administration of WorkKeys as described under subdivision (1) of this subsection."; and

Further amend said bill, Page 2, Section 163.018, Line 39, by inserting after said section and line the following:

**"167.902. 1. The department of economic development shall annually identify occupations in which a critical need or shortage of trained personnel exists in the labor markets in this state and provide such**

information to the state board of education. Upon receipt of such data, the state board of education shall, in collaboration with the department of economic development, compile the following data and information:

- (1) Information on how to obtain industry-recognized certificates and credentials;
  - (2) Information on how to obtain a license and the requirements for a license when licensure is required for an occupation;
  - (3) Access to assessments and interest inventories that provide insight into the types of careers that would be suitable for students;
  - (4) Resources that describe the types of skills and occupations most in demand in the current job market and those skills and occupations likely to be in high demand in future years;
  - (5) Resources that describe the typical salaries for occupations and salary trends;
  - (6) Information on how to obtain financial assistance for postsecondary education;
  - (7) Information on how to choose a college, school, or apprenticeship that aligns with the student's career goals and values;
  - (8) Information on self-employment;
  - (9) Resources related to creating a resume, interviewing, networking, and finding job opportunities;
- and
- (10) Information on the skills and traits necessary to succeed in various careers.

2. The educational materials and data derived from the state board of education's collaboration with the department of economic development under subsection 1 of this section shall be distributed by the board to each high school in this state for the purpose of emphasizing areas of critical workforce needs and shortages in the labor markets in this state to high school students to support such students' career pathway decisions. Each high school shall provide its students with the information provided to the school by the state board of education before November first of every school year.

168.024. 1. For purposes of this section, "local business externship" means an experience in which a teacher, supervised by his or her school or school district, gains practical experience at a business in the local community in which the teacher is employed through observation and interaction with employers and employees who are working on issues related to subjects taught by the teacher.

2. Any hours spent in a local business externship shall count as contact hours of professional development under section 168.021."; and

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

On motion of Representative Lauer, **House Amendment No. 22** was adopted.

Representative Matthiesen offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. **The district may satisfy this notice requirement by posting a copy of the policy and procedures on the district's website.** All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their

assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in section 556.061 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Rape in the first degree under section 566.030;
- (6) Sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023;
- (10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture of a controlled substance under section 579.055;
- (11) Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027;
- (15) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;
- (16) Rape in the second degree under section 566.031;
- (17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, or 566.069;
- (21) Sodomy in the second degree pursuant to section 566.061;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse in the first degree pursuant to section 566.100; **or**
- (24) ~~Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090; or~~  
~~(25)] Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225[;]~~

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her

suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of

the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

Further amend said bill, Page 2, Section 163.018, Line 39, by inserting after all of said section and line the following:

~~"167.117. 1. [In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second or third degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third degree and a written agreement as to the procedure for the reporting of such incidents of third degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.] For purposes of this section, "on school premises" means on any school property including, but not limited to, a school playground or school parking lot; on any school bus in service on behalf of the school district; or while involved in school activities regardless of whether the activity is on or off school property.~~

2. In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on ~~[the] school premises[~~-, including but not limited to the school playground or the school parking lot, on a school bus or at a school activity whether on or off of school property]~~~~ any controlled substance as defined in section 195.010 or any weapon as defined in subsection 6 of section 160.261 in violation of school policy, the principal shall ~~[immediately]~~ **as soon as reasonably practical** report such incident to the appropriate local law enforcement agency and to the superintendent. **In any instance when a school employee becomes aware that a pupil is in possession of a controlled substance or any weapon on school premises, the school employee shall as soon as reasonably practical report such incident to the principal.**

3. ~~[In any instance when a teacher becomes aware of an assault as set forth in subsection 1 of this section or finds a pupil in possession of a weapon or controlled substances as set forth in subsection 2 of this section, the teacher shall immediately report such incident to the principal.] In any instance when a pupil is believed to have committed an act listed in subdivisions (1) to (24) of subsection 2 of section 160.261 on school premises, the principal shall as soon as reasonably practical report such incident to the appropriate law enforcement~~

agency; to the superintendent; and, if there is a victim, to the parents or legal guardian of each victim. In any instance when a school employee becomes aware that a pupil has committed an act listed in subdivisions (1) to (24) of subsection 2 of section 160.261 on school premises, the school employee shall as soon as reasonably practical report such incident to the principal.

4. A school employee, superintendent, or such person's designee who in good faith provides information to law enforcement or juvenile authorities pursuant to this section or section 160.261 or provides information to law enforcement or juvenile authorities regarding an instance in which a pupil is believed to have committed a crime on school premises shall not be civilly liable for providing such information.

5. Any school official responsible for reporting pursuant to this section or section 160.261 who willfully neglects or refuses to perform this duty shall be subject to the penalty established pursuant to section 162.091."; and

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

Speaker Richardson resumed the Chair.

On motion of Representative Matthiesen, **House Amendment No. 23** was adopted.

Representative Rowland (155) offered **House Amendment No. 24**.

*House Amendment No. 24*

AMEND House Committee Substitute for Senate Bill No. 743, Page 2, Section 163.018, Line 39, by inserting after all of said section and line the following:

**"167.128. 1. If a school district contains a facility that serves neglected or delinquent children residing in a court-ordered group home, an institution for neglected children, or an institution for delinquent children, the department of elementary and secondary education shall be prohibited from creating any report or publication related to the Missouri school improvement program, or any successor program, in which data from the district's regularly enrolled pupils is aggregated with data from the children residing in such facilities.**

**2. Nothing in this section shall exempt the district in which a facility described in this section is located from providing educational services according to federal law. However, for accountability purposes under state and federal law, the department of elementary and secondary education shall not count the students residing in any such facility as part of the school district in which the facility is located, but shall instead aggregate all neglected and delinquent children residing in facilities described in this section and issue any reports as if the students and facilities were their own separate local educational agency.";** and

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

On motion of Representative Rowland (155), **House Amendment No. 24** was adopted.

Representative Sommer offered **House Amendment No. 25**.

*House Amendment No. 25*

AMEND House Committee Substitute for Senate Bill No. 743, Page 1, Section 162.401, Line 9, by inserting after all of said line the following:

**"162.720. 1. [Where a sufficient number of children] If three percent or more of students enrolled in a school district are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, [districts may establish special programs for such gifted children] the district shall establish a state-approved gifted program for gifted children.**

2. If a school district has an average daily attendance of three hundred fifty students or less, the district's gifted program shall not be required to provide gifted services by a teacher certificated to teach gifted education. If any teacher who provides gifted services through such district's gifted program is not certificated to teach gifted education, the teacher shall annually participate in at least six clock hours of professional development focused on gifted services.

3. The state board of education shall determine standards for such **gifted** programs and **gifted services**. Approval of ~~such~~ **gifted** programs shall be made by the state department of elementary and secondary education based upon project applications submitted ~~[by July fifteenth of each year]~~ **at a time and in a form determined by the department of elementary and secondary education.**

~~[3-]~~ 4. No district shall make a determination as to whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall determine a child is gifted only if the child meets the definition of gifted children as provided in section 162.675.

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

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

On motion of Representative Sommer, **House Amendment No. 25** was adopted.

On motion of Representative Redmon, **HCS SB 743, as amended**, was adopted.

On motion of Representative Redmon, **HCS SB 743, as amended**, was read the third time and passed by the following vote:

AYES: 085

Alferman	Anderson	Andrews	Austin	Barnes 60
Basye	Beard	Bondon	Brattin	Brown 57
Christofanelli	Conway 104	Corlew	Cornejo	Cross
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzwater	Francis
Franklin	Frederick	Gannon	Grier	Haefner
Hannegan	Hansen	Helms	Henderson	Higdon
Houghton	Houx	Justus	Kelley 127	Kelly 141
Knight	Kolkmeyer	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Mathews	Matthiesen
Messenger	Miller	Morris 140	Morse 151	Muntzel
Neely	Pfautsch	Pike	Plocher	Redmon
Rehder	Reiboldt	Reisch	Rhoads	Roden
Roeber	Rone	Rowland 155	Ruth	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Stacy
Stephens 128	Swan	Tate	Trent	Vescovo
Walker 3	Walsh	White	Wood	Mr. Speaker

NOES: 059

Adams	Anders	Arthur	Bahr	Bangert
Baringer	Barnes 28	Beck	Bernskoetter	Berry
Burnett	Burns	Butler	Carpenter	Conway 10
Curtis	Curtman	Ellington	Franks Jr	Gray

Green	Harris	Hill	Hurst	Johnson
Kendrick	Lavender	Marshall	May	McCann Beatty
McCreery	McDaniel	McGaugh	McGee	Meredith 71
Merideth 80	Mitten	Moon	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Razer
Remole	Revis	Roberts	Ross	Runions
Spencer	Stevens 46	Taylor	Unsicker	Walker 74
Washington	Wessels	Wiemann	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 017

Black	Brown 27	Chipman	Cookson	Ellebracht
Fitzpatrick	Fraker	Gregory	Haahr	Kidd
Peters	Phillips	Pietzman	Pogue	Rowland 29
Schroer	Smith 85			

VACANCIES: 002

Speaker Richardson declared the bill passed.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **HB 2015** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 2015** was delivered to the Governor by the Chief Clerk of the House.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 660, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### **BILLS CARRYING REQUEST MESSAGES**

**HCS SB 660, as amended**, relating to mental health, was taken up by Representative Fitzwater.

Representative Fitzwater moved that the House refuse to recede from its position on **HCS SB 660, as amended**, and grant the Senate a conference.

Which motion was adopted.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

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

**HCS SB 660:** Representatives Fitzwater, Ruth, Haefner, Walker (74), and Stevens (46)

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1** and **House Amendment No. 2, as amended**, to **SB 768** and has taken up and passed **SB 768, as amended**.

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SS SCS SB 918**, relating to working animals, was taken up by Representative Houghton.

On motion of Representative Houghton, the title of **HCS SS SCS SB 918**, relating to political subdivisions, was agreed to.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, In the Title, Line 3, by deleting the words "**working animals**" and inserting in lieu thereof the words "**political subdivisions**"; and

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

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

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

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"88.770. 1. The board of aldermen may provide for and regulate the lighting of streets and the erection of lamp posts, poles and lights therefor, and may make contracts with any person, association or corporation, either private or municipal, for the lighting of the streets and other public places of the city with gas, electricity or otherwise, except that each initial contract shall be ratified by a majority of the voters of the city voting on the question and any renewal contract or extension shall be subject to voter approval of the majority of the voters voting on the question, pursuant to the provisions of section 88.251. The board of aldermen may erect, maintain and operate gas works, electric light works, or light works of any other kind or name, and to erect lamp posts, electric light poles, or any other apparatus or appliances necessary to light the streets, avenues, alleys or other public places, and to supply private lights for the use of the inhabitants of the city and its suburbs, and may regulate the same, and may prescribe and regulate the rates to be paid by the consumers thereof, and may acquire by purchase, donation or condemnation suitable grounds within or without the city upon which to erect such works and the right-of-way to and from such works, and also the right-of-way for laying gas pipes, electric wires under or above the grounds, and erecting posts and poles and such other apparatus and appliances as may be necessary for the efficient operation of such works. The board of aldermen may, in its discretion, grant the right to any person, persons or corporation, to erect such works and lay the pipe, wires, and erect the posts, poles and other necessary apparatus and appliances therefor, upon such terms as may be prescribed by ordinance. Such rights shall not extend for a longer time than

twenty years, but may be renewed for another period or periods not to exceed twenty years per period. Every initial grant shall be approved by a majority of the voters of the municipality voting on the question, and each renewal or extension of such rights shall be subject to voter approval of the majority of the voters voting on the question, pursuant to the provisions of section 88.251. Nothing herein contained shall be so construed as to prevent the board of aldermen from contracting with any person, persons or corporation for furnishing the city with gas or electric lights in cities where franchises have already been granted, and where gas or electric light plants already exist, without a vote of the people, except that the board of aldermen may sell, convey, encumber, lease, abolish or otherwise dispose of any public utilities owned by the city including electric light systems, electric distribution systems or transmission lines, or any part of the electric light systems, electric or other heat systems, electric or other power systems, electric or other railways, gas plants, telephone systems, telegraph systems, transportation systems of any kind, waterworks, equipments and all public utilities not herein enumerated and everything acquired therefor, after first having passed an ordinance setting forth the terms of the sale, conveyance or encumbrance and when ratified by two-thirds of the voters voting on the question, **except for the sale of a water or wastewater system, or the sale of a gas plant, which shall be authorized by a simple majority vote of the voters voting on the question. In the event the board of aldermen determines the proposed sale of a water or wastewater system shall be placed before voters, a public informational meeting shall be held at least thirty days prior to any vote on the matter. The municipality in question shall notify its customers of the informational meeting via radio, television, newspaper, regular mail, electronic mail, or any combination of notification methods to most effectively notify customers at least fifteen days prior to the informational meeting.**

2. The ballots shall be substantially in the following form and shall indicate the property, or portion thereof, and whether the same is to be sold, leased or encumbered:

Shall \_\_\_\_\_ (Indicate the property by stating whether electric distribution system, electric transmission lines or waterworks, etc.) be \_\_\_\_\_ (Indicate whether sold, leased or encumbered.)?"; 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. 2.**

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 2, Line 13, by inserting after all of said line the following:

"Further amend said bill, Page 4, Section 209.204, Line 57, by inserting after all of said section and line the following:

"247.200. **1.** The district shall have the right to lay its mains in public highways, roads, streets and alleys included in the district, but the same shall be done under reasonable rules and regulations of governmental bodies having jurisdiction of such public places. This shall apply to maintenance and repair jobs. In the construction of ditches, laying of mains, filling of ditches after mains are laid, connection of service pipes and repairing of lines, due regard must be taken of the rights of the public in its use of thoroughfares and the equal rights of other utilities thereto.

**2. No district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.**

**3. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges may be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the district.**

**247.285. 1. No metropolitan water supply district shall require a secondary deposit from commercial property owners. For the purposes of this subsection, a commercial property is a property that is zoned for commercial use by the zoning authority that has jurisdiction over the property.**

**3. If a water meter has been removed from a property or if services to a property have been discontinued, no future charges shall be made to the customer for service to that property. Any charges made after service is discontinued or the water meter is removed shall be credited to the customer and applied toward any future charges to such customer by the metropolitan water supply district.";** and"; and

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

Representative Taylor resumed the Chair.

Speaker Richardson resumed the Chair.

Representative Taylor resumed the Chair.

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

Which motion was defeated.

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

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

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 2, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"transmission lines or waterworks, etc.) be \_\_\_\_\_ (Indicate whether sold, leased or encumbered.)?"

89.080. Such local legislative body shall provide for the appointment of a board of adjustment, and in the regulations and restrictions adopted pursuant to the authority of sections 89.010 to 89.140 may provide that the board of adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained. The board of adjustment shall consist of five members, who shall be residents of the municipality except as provided in section 305.410. The membership of the first board appointed shall serve respectively, one for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter members shall be appointed for terms of five years each. Three alternate members may be appointed to serve in the absence of or the disqualification of the regular members. All members and alternates shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The board shall elect its own chairman who shall serve for one year. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to sections 89.010 to 89.140. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. **A record of all testimony, objections thereto and rulings thereon, shall be:**

**(1) Taken down by a reporter employed by the board for that purpose; or**

**(2) Made by a competent person utilizing any form of audiotape, videotape, or digital recording.";** and"; and

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

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

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

Representative Shaul (113) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 4, Section 209.204, Line 57, by inserting immediately after said line the following:

~~"260.283. [1. All merchants, itinerant vendors, and peddlers doing business in this state shall have the option to provide customers either a paper or a plastic bag for the packaging of any item or good purchased, provided such purchase is of a size and manner commensurate with the use of paper and plastic bags.~~

~~2. Notwithstanding any other provision of law, no political subdivision shall impose any ban, fee, or tax upon the use of either paper or plastic bags for packaging of any item or good purchased from a merchant, itinerant vendor, or peddler. No political subdivision shall prohibit a consumer from using a reusable bag for the packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.]~~

**1. As used in this section, "auxiliary container" means any bag, cup, package, container, bottle, or other packaging that is:**

**(1) Made of cloth, paper, plastic, foamed plastic, expanded plastic, cardboard, corrugated material, aluminum, glass, post-consumer recycled material, or similar material including, but not limited to, coated or laminated materials; and**

**(2) Designed for, but not limited to, consuming, transporting, or protecting merchandise, food, or beverages from, or at, a food service facility or retail facility.**

**2. Except for subsection 4 of this section, notwithstanding any law, ordinance, or rule to the contrary, no political subdivision shall restrict, tax, prohibit, or issue any ordinance regulating the use, disposition, or sale of auxiliary containers.**

**3. Nothing in this section shall prohibit or limit any county or municipal ordinance or agreement regarding a recycling program or the disposal of solid waste.**

**4. Subsection 2 of this section shall not apply to the use of auxiliary containers on property owned by a county or municipality."; and**

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

On motion of Representative Shaul (113), **House Amendment No. 3** was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 5, Section 262.760, Line 19, by inserting after all of said section and line the following:

"575.353. 1. A person commits the offense of assault on a police animal if he or she knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2. The offense of assault on a police animal is a class [€] A misdemeanor~~[-unless the assault results in the death of such animal or disables such animal to the extent it is unable to be utilized as a police animal, in which case it is a class E felony].~~ **No person shall be charged with the offense of assault of a police animal if he or she is acting in self defense.**"; and

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

Representative Franks Jr. raised a point of order that **House Amendment No. 4** is not germane to the bill.

Speaker Richardson resumed the Chair.

The Chair ruled the point of order not well taken.

Representative Taylor resumed the Chair.

Representative Dogan offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Line 11, by deleting words "class [€] A" and inserting in lieu thereof the words "class [€] B"; 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. 4** was adopted.

On motion of Representative Brattin, **House Amendment No. 4, as amended**, was adopted.

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

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Pages 4-5, Section 262.760, Lines 1-11, by deleting said lines and inserting in lieu thereof the following:

**"262.760. 1. No village, town, city, or county, including any home rule city, shall impose any order, ordinance, policy, or regulation prohibiting the use of a working animal unless such use poses a reasonable threat to public health, safety, or welfare, or to the health and welfare of the working animal, but each village, town, city, or county, including any home rule city, may adopt reasonable rules and regulations governing such animals so long as such rules and regulations are not intended to ban the use of such working animals for entertainment, transportation, educational exhibits, or exhibition.**

**2. No village, town, city, or county, including any home rule city, shall impose any order, ordinance, policy, or regulation prohibiting working animals on public streets unless such street, or time of day for a particular street, poses a reasonable threat to public health, safety, or welfare, or to the health and welfare of the working animal, but each village, town, city, or county, including any home rule city, may adopt orders, ordinances, policies, and regulations that further the public health, safety, and welfare.";** and

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

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

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

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 5, Section 262.760, Line 19, by inserting immediately after said section and line the following:

**"304.935. No political subdivision of this state shall impose a tax or other requirement, including performance standards, where such tax or other requirement relates specifically to the operation of vehicles, or capability of vehicles to operate, without real-time input by a conventional human driver, including with regard to the transportation of persons or goods for compensation.";** and

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

Representative Eggleston 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 Committee Substitute for Senate Bill No. 918, Page 1, Line 5, by deleting all of said line and inserting in lieu thereof the following:

- ""263.245. 1. **Subject to voter approval under section 263.247**, all owners of land in:
- (1) Any county with a township form of government, located north of the Missouri River and having no portion of the county located east of U.S. Highway 63 ~~[and located in]~~;
  - (2) Any county of the third classification without a township form of government and with more than four thousand one hundred but fewer than four thousand two hundred inhabitants~~;~~; or ~~[in]~~
  - (3) Any county of the third classification without a township form of government and with more than two thousand three hundred but fewer than two thousand four hundred inhabitants

shall control all brush growing on such owner's property that is designated as the county right-of-way or county maintenance easement part of such owner's property and which is adjacent to any county road. Such brush shall be cut, burned, or otherwise destroyed as often as necessary in order to keep such lands accessible for purposes of maintenance and safety of the county road **and to prevent brush from interfering with any vehicle that may travel the road.**

2. The county commission, either upon its own motion or upon receipt of a written notice requesting the action from any residents of the county in which the county road bordering the lands in question is located or upon written request of any person regularly using the county road, may control such brush so as to allow easy access to the land described in subsection 1 of this section, and for that purpose the county commission, or its agents, servants, or employees shall have authority to enter on such lands without being liable to an action of trespass therefor, and shall keep an accurate account of the expenses incurred in eradicating the brush, and shall verify such statement under seal of the county commission, and transmit the same to the officer whose duty it is or may be to extend state and county taxes on tax books or bills against real estate. Such officer shall extend the aggregate expenses so charged against each tract of land as a special tax, which shall then become ~~[a lien on such lands,]~~ **due on such landowner's real and personal property tax assessment** and be collected as state and county taxes are collected by law and paid to the county commission and credited to the county control fund.

3. Before proceeding to control brush as provided in this section, the county commission of the county in which the land is located shall notify the owner of the land of the requirements of this law ~~[by certified mail, return receipt requested, from a list]~~ **in writing using any mail service with delivery tracking and an address** supplied by the officer who prepares the tax list[-] and shall allow the owner of the land thirty days from ~~[acknowledgment date of return receipt, or]~~ the date of ~~[refusal of acceptance of]~~ delivery ~~[as the case may be,]~~ to eradicate all such brush growing on land designated as the county right-of-way or county maintenance easement part of such owner's land and which is adjacent to the county road. In the event that the property owner cannot be located by ~~[certified]~~ mail, notice shall be placed in a newspaper of general circulation in the county in which the land is located at least thirty days before the county commission removes the brush pursuant to subsection 2 of this section. Such property owner shall be granted an automatic thirty-day extension due to hardship by notifying the county commission that such owner cannot comply with the requirements of this section, due to hardship, within the first thirty-day period. The property owner may be granted a second extension by a majority vote of the county commission. There shall be no further extensions. For the purposes of this subsection, "hardship" may be financial, physical or any other condition that the county commission deems to be a valid reason to allow an extension of time to comply with the requirements of this section.

4. County commissions shall not withhold rock, which is provided from funds from the county aid road trust fund, for maintaining county roads due to the abutting property owner's refusal to remove brush located on land designated as the county right-of-way or county maintenance easement part of such owner's land. County commissions shall use such rock on the county roads, even though the brush is not removed, or county commissions may resort to the procedures in this section to remove the brush.

**5. The county right-of-way or county maintenance easement shall extend fifteen feet from the center of the county road or the distance set forth in the original conveyance, whichever is greater. For purposes of this subsection, the "center of the county road" shall be the point equidistant from both edges of the drivable ground of the road in its current condition.**

**6. In the event a county is required to obtain a land survey to enforce this section, the costs of such survey shall be divided equally between the county and the landowner.**

**305.935. No political subdivision of this state shall impose a tax or other requirement,"**; and

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

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Section A, Line 3, by inserting after all of said line the following:

"115.646. **1.** No contribution or expenditure of public funds shall be made directly by any officer, **board member, director, administrator**, employee, or agent of any political subdivision **or special district** to advocate, support, or oppose any ballot measure or any candidate for public office. **No officer, board member, director, administrator, employee, or agent of any political subdivision or special district shall directly use public resources or property paid for with public funds to advocate, support, or oppose any ballot measure or any candidate for public office.** This section shall not be construed to prohibit any ~~[public official]~~ **officer, board member, director, administrator, employee, or agent** of a political subdivision **or special district** from making public appearances ~~[or from]~~, issuing press releases, **or testifying before the general assembly** concerning any such ballot measure **as long as such officer, board member, director, administrator, employee, or agent does not do so in his or her official capacity while receiving compensation by the political subdivision or special district for time worked.**

2. This section shall not be construed to prohibit a political subdivision or special district from employing a legislative liaison to communicate with members of the general assembly regarding policies or procedures, including ballot measures, of the political subdivision or special district.

3. Any resident of a political subdivision or special district who wishes to challenge any contribution or expenditure of public funds or any use of public resources or property paid for with public funds may bring an action in any circuit court of the political subdivision or special district in which the alleged violation occurred. The political subdivision or special district and the officer, board member, director, administrator, employee, or agent who allegedly violated this section shall be named as party defendants. The petition shall set forth a description of any use of public resources or property paid for with public funds at issue, any contribution at issue, and any expenditure at issue and the facts that gave rise to a violation and shall pray leave to produce such proof. The court shall consider the petition and evidence, hear arguments, and in its decision determine whether a violation of this section occurred.

4. If the court decides a violation of this section occurred, the court shall order payment by the political subdivision or special district of all the plaintiff's costs and attorney's fees.

5. (1) If the court decides a contribution or expenditure of public funds was made by an officer, board member, director, or administrator of the political subdivision or special district in violation of this section, the political subdivision or special district shall be subject to a civil penalty in an amount equal to ten times the amount of the contribution or expenditure or one thousand dollars, whichever is greater.

(2) If the court decides public resources or property paid for with public funds were used by an officer, board member, director, or administrator of the political subdivision or special district in violation of this section, the political subdivision or special district shall be subject to a civil penalty in the amount of one thousand dollars.

(3) If an officer, board member, director, or administrator of the political subdivision or special district knew or should have known of a violation under subsection 6 of this section, the political subdivision or special district shall be subject to a civil penalty in an amount described in subdivision (1) or (2) of this subsection, corresponding to the type of violation that occurred.

6. If the court decides a contribution or expenditure of public funds was made or public resources or property paid for with public funds were used by an employee or agent of the political subdivision or special district who is not an officer, board member, director, or administrator of the political subdivision or special district in violation of this section and it was the first such violation by such employee or agent, the court shall not impose a civil penalty. A second or subsequent violation of this section by such employee or agent shall subject the political subdivision or special district to the penalties under subsection 5 of this section."; and

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

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

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

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"34.040. 1. All purchases in excess of [~~three~~] **ten** thousand dollars shall be based on competitive bids, except as otherwise provided in this chapter.

2. On any purchase where the estimated expenditure shall be [~~twenty-five~~] **one hundred** thousand dollars or over, except as provided in subsection 6 of this section, the commissioner of administration shall:

(1) Advertise for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before bids for such purchases are to be opened. Other methods of advertisement, which may include minority business purchase councils, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post a notice of the proposed purchase in his or her office; and

(3) Solicit bids by mail or other reasonable method generally available to the public from prospective suppliers. All bids for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening bids.

3. The contract shall be let to the lowest and best bidder. The commissioner of administration shall have the right to reject any or all bids and advertise for new bids, or purchase the required supplies on the open market if they can be so purchased at a better price. When bids received pursuant to this section are unreasonable or unacceptable as to terms and conditions, noncompetitive, or the low bid exceeds available funds and it is determined in writing by the commissioner of administration that time or other circumstances will not permit the delay required to resolicit competitive bids, a contract may be negotiated pursuant to this section, provided that each responsible bidder who submitted such bid under the original solicitation is notified of the determination and is given a reasonable opportunity to modify their bid and submit a best and final bid to the state. In cases where the bids received are noncompetitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible bidder under the original solicitation.

4. The director of the department of revenue shall follow bidding procedures as contained in this chapter and may promulgate rules necessary to establish such procedures. No points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.

5. All bids shall be based on standard specifications wherever such specifications have been approved by the commissioner of administration. The commissioner of administration shall make rules governing the delivery, inspection, storage and distribution of all supplies so purchased and governing the manner in which all claims for supplies delivered shall be submitted, examined, approved and paid. The commissioner shall determine the amount of bond or deposit and the character thereof which shall accompany bids or contracts.

6. The department of natural resources may, without the approval of the commissioner of administration required pursuant to this section, enter into contracts of up to five hundred thousand dollars to abate illegal waste tire sites pursuant to section 260.276 when the director of the department determines that urgent action is needed to protect public health, safety, natural resources or the environment. The department shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. 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, 1999, shall be invalid and void.

7. The commissioner of administration and other agencies to which the state purchasing law applies shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in this state but fails to collect and properly pay the tax as provided in chapter 144. For the purposes of this section, "affiliate of the vendor" shall mean any person or entity that is controlled by or is under common control with the vendor, whether through stock ownership or otherwise.

**8. The commissioner of administration shall be authorized to hold a reverse auction to procure merchandise, supplies, raw materials, or finished goods if price is the primary factor in evaluating bids. The office of administration shall promulgate rules regarding the handling of the reverse auction process. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.**

34.042. 1. When the commissioner of administration determines that the use of competitive bidding is either not practicable or not advantageous to the state, supplies may be procured by competitive proposals. The commissioner shall state the reasons for such determination, and a report containing those reasons shall be maintained with the vouchers or files pertaining to such purchases. All purchases in excess of ~~five~~ **ten** thousand dollars to be made under this section shall be based on competitive proposals.

2. On any purchase where the estimated expenditure shall be ~~twenty-five~~ **one hundred** thousand dollars or over, the commissioner of administration shall:

(1) Advertise for proposals in at least two daily newspapers of general circulation in such places as are most likely to reach prospective offerors and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before proposals for such purchases are to be opened. Other methods of advertisement, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post notice of the proposed purchase; and

(3) Solicit proposals by mail or other reasonable method generally available to the public from prospective offerors.

All proposals for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening proposals. Proposals shall be opened in a manner to avoid disclosure of contents to competing offerors during the process of negotiation.

3. The contract shall be let to the lowest and best offeror as determined by the evaluation criteria established in the request for proposal and any subsequent negotiations conducted pursuant to this subsection. In determining the lowest and best offeror, as provided in the request for proposals and under rules promulgated by the commissioner of administration, negotiations may be conducted with responsible offerors who submit proposals selected by the commissioner of administration on the basis of reasonable criteria for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and subsequent revision of proposals; **however, a request for a proposal may set forth the manner for determining which offerors are eligible for negotiation including, but not limited to, the use of shortlisting.** Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting negotiations there shall be no disclosure of any information derived from proposals submitted by competing offerors. The commissioner of administration shall have the right to reject any or all proposals and advertise for new proposals or purchase the required supplies on the open market if they can be so purchased at a better price.

4. The commissioner shall make available, upon request, to any members of the general assembly, information pertaining to competitive proposals, including the names of bidders and the amount of each bidder's offering for each contract.

34.044. 1. The commissioner of administration may waive the requirement of competitive bids or proposals for supplies when the commissioner has determined in writing that there is only a single feasible source for the supplies. Immediately upon discovering that other feasible sources exist, the commissioner shall rescind the waiver and proceed to procure the supplies through the competitive processes as described in this chapter. A single feasible source exists when:

(1) Supplies are proprietary and only available from the manufacturer or a single distributor; or

(2) Based on past procurement experience, it is determined that only one distributor services the region in which the supplies are needed; or

(3) Supplies are available at a discount from a single distributor for a limited period of time.

2. On any single feasible source purchase where the estimated expenditure shall be ~~five~~ **ten** thousand dollars or over, the commissioner of administration shall post notice of the proposed purchase. Where the estimated expenditure is ~~twenty-five~~ **one hundred** thousand dollars or over, the commissioner of administration shall also advertise the commissioner's intent to make such purchase in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders or offerors and may provide such information through an electronic medium available to the general public at least five days before the contract is to be let. Other methods of advertisement, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased. The requirement for advertising may be waived, if not feasible, due to the supplies being available at a discount for only a limited period of time.

34.047. Notwithstanding any provision in section 34.040, section 34.100, or any other law to the contrary, departments shall have the authority to purchase products and services related to information technology when the estimated expenditure of such purchase shall not exceed ~~seventy-five~~ **one hundred fifty** thousand dollars, the length of any contract or agreement does not exceed twelve months, the department complies with the informal methods of procurement established in section 34.040, and 1 CSR 40-1.050(1) for expenditures of less than ~~twenty-five~~ **one hundred** thousand dollars, and the department posts notice of such proposed purchase on the online bidding/vendor registration system maintained by the office of administration. For the purposes of this section,

"information technology" shall mean any computer or electronic information equipment or interconnected system that is used in the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of information, including audio, graphic, and text.

34.353. 1. Each contract for the purchase or lease of manufactured goods or commodities by any public agency, and each contract made by a public agency for construction, alteration, repair, or maintenance of any public works shall contain a provision that any manufactured goods or commodities used or supplied in the performance of that contract or any subcontract thereto shall be manufactured or produced in the United States.

2. This section shall not apply where the purchase, lease, or contract involves an expenditure of less than ~~twenty-five~~ **one hundred** thousand dollars. This section shall not apply when only one line of a particular good or product is manufactured or produced in the United States.

3. This section shall not apply where the executive head of the public agency certifies in writing that:

(1) The specified products are not manufactured or produced in the United States in sufficient quantities to meet the agency's requirements or cannot be manufactured or produced in the United States within the necessary time in sufficient quantities to meet the agency's requirements;

(2) Obtaining the specified products manufactured or produced in the United States would increase the cost of the contract by more than ten percent;

(3) The specified products are to be purchased or leased by a state-supported four-year institute of higher education and such certification as required by subdivision (1) or (2) of this subsection has been made within the last three years;

(4) The specified products are to be purchased or leased by a publicly supported institution and such certification as required by subdivision (1) or (2) of this subsection has been made within the last three years; or

(5) The political subdivision has adopted a formal written policy to encourage the purchase of products manufactured or produced in the United States.

4. The certificate required by this section shall specify the nature of the contract, the product being purchased or leased, the names and addresses of the United States manufacturers and producers contacted by the public agency or the project architect or engineer, and an indication that such manufacturers or producers could not supply sufficient quantities or that the price of the products would increase the cost of the contract by more than ten percent.

5. Certificates required by this section shall be maintained by the public agency for a period of three years."; and

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

Representative Berry offered **House Amendment No. 1 to House Amendment No. 8.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 4, Line 12, by inserting after all of said line the following:

"34.048. In any contract for purchasing supplies as defined in section 34.010 ~~[not exceeding the threshold for competitive bids set forth under section 34.040]~~, the office of administration ~~[shall not prevent]~~ **may, for** any department, office, board, commission, bureau, institution, political subdivision, or any other agency of the state ~~[from purchasing supplies from an authorized]~~, **participate in a cooperative purchasing agreement whereby supplies are procured pursuant to a contract that is open to state entities and established by the** General Services Administration ~~[vendor]~~ including "GSA Advantage", "GSA e-Buy", or successor sources. **The office of administration may utilize such cooperative purchasing when such participation is determined to be advantageous to the state.**"; and

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

On motion of Representative Berry, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Curtman, **House Amendment No. 8, as amended**, was adopted.

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

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 5, Section 262.760, Line 19, 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.**

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 by amending the title, enacting clause, and intersectional references accordingly.

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

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

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

**"67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:**

- (1) "Facility", a location composed of real estate, buildings, fixtures, machinery, and equipment;**
- (2) "Municipality", any county, city, incorporated town, or village of the state;**
- (3) "NAICS", the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**
- (4) "Technology business facility", a facility purchased, constructed, extended, or improved under this section, provided that such business facility is engaged in:**
  - (a) Wired telecommunications carriers (NAICS 517110);**
  - (b) Data processing, hosting, and related services (NAICS 518210); or**

(c) Internet publishing and broadcasting and web search portals (NAICS 519130) at the business facility;

(5) "Technology business facility project" or "project", the purchase, construction, extension, or improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility's components of real estate, buildings, fixtures, machinery, or equipment.

2. The governing body of any municipality may:

(1) Carry out technology business facility projects for economic development under this section;

(2) Accept grants from the federal and state governments for technology business facility project purposes and may enter into such agreements as are not contrary to the laws of this state, which may be required as a condition of grants by the federal government or its agencies; and

(3) Receive gifts and donations from private sources to be used for technology business facility project purposes.

3. The governing body of the municipality may enter into loan agreements and may sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. If, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.

4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined under sections 32.085, 144.010 to 144.525, 144.600 to 144.761, and 238.235 and exempted from the computation of the tax levied, assessed, or payable under the local sales tax law as defined under sections 32.085, 144.010 to 144.525, 144.600 to 144.746, and 238.235.

5. Leasehold interests granted and held under this section shall not be subject to property taxes.

6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on local government under article VI, section 26(b) of the Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and that does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so under section 392.410."; and

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

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

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

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

**"67.115. 1. This section shall be known as the "Fairness to Homeowners Act". This section shall only apply to all counties of the first classification and all political subdivisions of counties of the first classification of this state, as defined in section 70.120, without exception, inclusive of the governing body, commissions, board, contractors, and employees of such political subdivisions.**

**2. The political subdivision, governing body, or department responsible for reviewing and approving building plans of single family residential buildings in accordance with a residential building code observed by the political subdivision, including, but not limited to, the international residential code and its successors, replacements, updates, supplements, or building codes governing the construction of a residential structure for the issuance of a building permit, shall approve or deny such building plans within eight business days following submission of such plans. Any denied plans shall be accompanied by a documented list of specific code violations which shall be addressed in order to obtain a building permit. If denied plans are resubmitted and properly address such written reasons for denial, the revised building plans shall be reconsidered and approved within seven business days of resubmission without any new or additional recommendations made on such plans, unless the resubmission contains a defect not contained in the original submission. In the event any resubmitted plans are not approved or denied within seven business days, such plans shall be deemed approved as resubmitted and a permit for the work described in the building plans shall be issued within three business days.**

**3. The recipient of a building permit may retain an engineer or architect licensed in the state of Missouri to conduct structural inspections of the concrete, footing, and foundation work being undertaken pursuant to a building permit in lieu of the political subdivision, governing body, or department of such political subdivision conducting building permit inspections. Such licensed engineer or architect shall have a business license in the political subdivision in which the inspection is held if required to do so by said political subdivision. The political subdivision may create an approval process for licensed engineers and architects to be authorized to certify the building inspections. An engineer or architect may be removed from the approved third-party inspection list if the engineer or architect fails to maintain his or her professional certification or fails to follow required procedures outlined in the political subdivision's policy. To avoid a conflict of interest, inspections may not be performed for a contractor if the inspector or certifying person is employed by, or affiliated with, the contractor through a partnership, corporation, or other business entity. The licensed engineer or architect shall submit reports to the political subdivision of the work being undertaken under the building permit on the uniform inspection forms in use by the political subdivision. Structural inspections shall include concrete footings and foundation walls. Should the recipient of a building permit choose to use a licensed engineer or architect to conduct the structural inspections on the dwelling, this shall not prohibit the political subdivision from conducting framing, mechanical, plumbing, electrical, or other required inspections before the drywall cover up."; and**

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

On motion of Representative Houghton, **House Amendment No. 11** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 073

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Berry	Bondon	Brattin	Brown 57
Chipman	Christofanelli	Corlew	Cornejo	Cross
Curtman	Davis	DeGroot	Dinkins	Dogan
Dohrman	Eggleston	Evans	Franklin	Frederick
Gannon	Gregory	Grier	Haefner	Hansen

Helms	Houghton	Houx	Hurst	Kelley 127
Kelly 141	Knight	Kolkmeier	Lant	Lauer
Lichtenegger	Lynch	Marshall	Mathews	Messenger
Morris 140	Morse 151	Muntzel	Neely	Pfautsch
Plocher	Redmon	Rehder	Reiboldt	Reisch
Remole	Rhoads	Roeber	Ross	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Stacy	Tate	Taylor	Trent	Walker 3
Walsh	White	Wilson		

NOES: 052

Adams	Anders	Arthur	Bangert	Baringer
Beck	Burns	Butler	Curtis	Ellington
Francis	Gray	Green	Harris	Henderson
Hill	Justus	Kendrick	Korman	Lavender
Love	May	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Newman	Nichols	Pierson Jr	Pike	Quade
Razer	Revis	Roberts	Roden	Rowland 155
Rowland 29	Runions	Spencer	Stephens 128	Stevens 46
Swan	Unsicker	Walker 74	Washington	Wessels
Wiemann	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 036

Barnes 60	Barnes 28	Beard	Bernskoetter	Black
Brown 27	Burnett	Carpenter	Conway 10	Conway 104
Cookson	Ellebracht	Engler	Fitzpatrick	Fitzwater
Fraker	Franks Jr	Haahr	Hannegan	Higdon
Johnson	Kidd	Matthiesen	McDaniel	Miller
Moon	Mosley	Peters	Phillips	Pietzman
Pogue	Rone	Ruth	Smith 85	Vescovo
Mr. Speaker				

VACANCIES: 002

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

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 918, Page 5, Section 262.760, Line 19, by inserting after all of said section and line the following:

**"266.600. 1. No political subdivision shall adopt or enforce any ordinance, rule, or regulation relating to the labeling, cultivation, or other use of seeds or fertilizers as such terms are defined or used in sections 266.021 and 266.291, respectively. The provisions of this section shall not apply to any ordinance, rule, or regulation enacted prior to August 28, 2018.**

**2. This section shall not apply to rice seed.";** and

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

On motion of Representative Reiboldt, **House Amendment No. 12** was adopted.

**HCS SS SCS SB 918, as amended**, was laid over.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1364** entitled:

An act to repeal sections 292.606, 319.129, and 414.032, RSMo, and to enact in lieu thereof four new sections relating to petroleum products.

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 **HB 2330**.

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SS SB 597**, relating to fees for insurance services, was taken up by Representative Wiemann.

On motion of Representative Wiemann, the title of **HCS SS SB 597**, relating to insurance services, was agreed to.

Speaker Richardson resumed the Chair.

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

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 597, Page 1, In the Title, Line 6, by deleting the words "fees for"; and

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

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

**HCS SS SB 597, as amended**, was laid over.

**HCS SB 800**, relating to juvenile court proceedings, was taken up by Representative Corlew.

On motion of Representative Corlew, the title of **HCS SB 800** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 800, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

"211.021. [4-] As used in this chapter, unless the context clearly requires otherwise:

(1) "Adult" means a person ~~[seventeen]~~ **eighteen** years of age or older ~~[except for seventeen year old children as defined in this section];~~

(2) "Child" means any person under ~~[seventeen]~~ **eighteen** years of age ~~[and shall mean, in addition, any person over seventeen but not yet eighteen years of age alleged to have committed a status offense];~~

(3) "Juvenile court" means the juvenile division or divisions of the circuit court of the county, or judges while hearing juvenile cases assigned to them;

(4) "Legal custody" means the right to the care, custody and control of a child and the duty to provide food, clothing, shelter, ordinary medical care, education, treatment and discipline of a child. Legal custody may be taken from a parent only by court action and if the legal custody is taken from a parent without termination of parental rights, the parent's duty to provide support continues even though the person having legal custody may provide the necessities of daily living;

(5) "Parent" means either a natural parent or a parent by adoption and if the child is illegitimate, "parent" means the mother;

(6) "Shelter care" means the temporary care of juveniles in physically unrestricting facilities pending final court disposition. These facilities may include:

(a) "Foster home", the private home of foster parents providing twenty-four-hour care to one to three children unrelated to the foster parents by blood, marriage or adoption;

(b) "Group foster home", the private home of foster parents providing twenty-four-hour care to no more than six children unrelated to the foster parents by blood, marriage or adoption;

(c) "Group home", a child care facility which approximates a family setting, provides access to community activities and resources, and provides care to no more than twelve children;

(7) "Status offense", any offense as described in subdivision (2) of subsection 1 of section 211.031.

~~[2- The amendments to subsection 1 of this section, as provided for in this act, shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full time equivalents and deputy juvenile officer full time equivalents shall exceed by one million nine hundred thousand dollars the amount spent by the state for such officers in fiscal year 2007 and appropriations by the general assembly to single first class counties for juvenile court personnel costs shall exceed by one million nine hundred thousand dollars the amount spent by the state for such juvenile court personnel costs in fiscal year 2007 and notice of such appropriations has been given to the revisor of statutes.]~~

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child ~~[or person seventeen years of age]~~ who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child ~~[or person seventeen years of age]~~, neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child ~~[or person seventeen years of age]~~ shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child ~~[or person seventeen years of age]~~ is otherwise without proper care, custody or support; or

(c) The child ~~[or person seventeen years of age]~~ was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child ~~[or person seventeen years of age is a child]~~ **is** in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of ~~[seventeen]~~ **eighteen** years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child ~~[or person seventeen years of age]~~ to the guardianship of the department of social services as provided by law; and

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than ~~[seventeen]~~ **eighteen** years of age.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child ~~[or person seventeen years of age]~~ who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child ~~[or person seventeen years of age]~~ may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person ~~[seventeen]~~ **eighteen** years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child ~~[or person seventeen years of age]~~ to the court located in the county of the child's residence ~~[or the residence of the person seventeen years of age]~~, or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child ~~[or person seventeen years of age]~~ to the court located in the county of the child's residence ~~[or the residence of the person seventeen years of age]~~ for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child ~~[or person seventeen years of age]~~ under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child ~~[or person seventeen years of age]~~ or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri supreme court rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child ~~[or person seventeen years of age]~~, certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child ~~[or person seventeen years of age]~~ taken into custody in a county other than the county of the child's residence ~~[or the residence of a person seventeen years of age]~~, the juvenile court of the county of the child's residence ~~[or the residence of a person seventeen years of age]~~ shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in

violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

211.032. 1. Except as otherwise provided in a circuit participating in a pilot project established by the Missouri supreme court, when a child ~~[or person seventeen years of age]~~, alleged to be in need of care and treatment pursuant to subdivision (1) of subsection 1 of section 211.031, is taken into custody, the juvenile or family court shall notify the parties of the right to have a protective custody hearing. Such notification shall be in writing.

2. Upon request from any party, the court shall hold a protective custody hearing. Such hearing shall be held within three days of the request for a hearing, excluding Saturdays, Sundays and legal holidays. For circuits participating in a pilot project established by the Missouri supreme court, the parties shall be notified at the status conference of their right to request a protective custody hearing.

3. No later than February 1, 2005, the Missouri supreme court shall require a mandatory court proceeding to be held within three days, excluding Saturdays, Sundays, and legal holidays, in all cases under subdivision (1) of subsection 1 of section 211.031. The Missouri supreme court shall promulgate rules for the implementation of such mandatory court proceedings and may consider recommendations from any pilot projects established by the Missouri supreme court regarding such proceedings. Nothing in this subsection shall prevent the Missouri supreme court from expanding pilot projects prior to the implementation of this subsection.

4. The court shall hold an adjudication hearing no later than sixty days after the child has been taken into custody. The court shall notify the parties in writing of the specific date, time, and place of such hearing. If at such hearing the court determines that sufficient cause exists for the child to remain in the custody of the state, the court shall conduct a dispositional hearing no later than ninety days after the child has been taken into custody and shall conduct review hearings regarding the reunification efforts made by the division every ninety to one hundred twenty days for the first year the child is in the custody of the division. After the first year, review hearings shall be held as necessary, but in no event less than once every six months for as long as the child is in the custody of the division.

5. At all hearings held pursuant to this section the court may receive testimony and other evidence relevant to the necessity of detaining the child out of the custody of the parents, guardian or custodian.

6. By January 1, 2005, the supreme court shall develop rules regarding the effect of untimely hearings.

7. If the placement of any child in the custody of the children's division will result in the child attending a school other than the school the child was attending when taken into custody:

(1) The child's records from such school shall automatically be forwarded to the school that the child is transferring to upon notification within two business days by the division; or

(2) Upon request of the foster family, the guardian ad litem, or the volunteer advocate and whenever possible, the child shall be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the division. The division, in consultation with the department of elementary and secondary education, shall establish the necessary procedures to implement the provisions of this subsection.

211.033. 1. No person under the age of ~~[seventeen]~~ **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071 shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of ~~[seventeen]~~ **eighteen** to a juvenile detention facility.

2. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.

~~[3. The amendments to subsection 2 of this section, as provided for in this act, shall not take effect until such time as the provisions of section 211.021 shall take effect in accordance with subsection 2 of section 211.021.]~~

211.041. When jurisdiction over the person of a child has been acquired by the juvenile court under the provisions of this chapter in proceedings coming within the applicable provisions of section 211.031, the jurisdiction of the child may be retained for the purpose of this chapter until he or she has attained the age of twenty-one years, except in cases where he or she is committed to and received by the division of youth services, unless jurisdiction has been returned to the committing court by provisions of chapter 219 through requests of the court to the division of youth services and except in any case where he or she has not paid an assessment imposed in accordance with

section 211.181 or in cases where the judgment for restitution entered in accordance with section 211.185 has not been satisfied. Every child over whose person the juvenile court retains jurisdiction shall be prosecuted under the general law for any violation of a state law or of a municipal ordinance which he or she commits after he or she becomes ~~seventeen~~ **eighteen** years of age. The juvenile court shall have no jurisdiction with respect to any such violation and, so long as it retains jurisdiction of the child, shall not exercise its jurisdiction in such a manner as to conflict with any other court's jurisdiction as to any such violation.

211.061. 1. When a child is taken into custody with or without warrant for an offense, the child, together with any information concerning the child and the personal property found in the child's possession, shall be taken immediately and directly before the juvenile court or delivered to the juvenile officer or person acting for ~~him~~ **the child**.

2. If any person is taken before a circuit or associate circuit judge not assigned to juvenile court or a municipal judge, and it is then, or at any time thereafter, ascertained that he or she was under the age of ~~seventeen~~ **eighteen** years at the time he or she is alleged to have committed the offense, or that he or she is subject to the jurisdiction of the juvenile court as provided by this chapter, it is the duty of the judge forthwith to transfer the case or refer the matter to the juvenile court, and direct the delivery of such person, together with information concerning him or her and the personal property found in his or her possession, to the juvenile officer or person acting as such.

3. When the juvenile court is informed that a child is in detention it shall examine the reasons therefor and shall immediately:

(1) Order the child released; or

(2) Order the child continued in detention until a detention hearing is held. An order to continue the child in detention shall only be entered upon the filing of a petition or motion to modify and a determination by the court that probable cause exists to believe that the child has committed acts specified in the petition or motion that bring the child within the jurisdiction of the court under subdivision (2) or (3) of subsection 1 of section 211.031.

4. A juvenile shall not remain in detention for a period greater than twenty-four hours unless the court orders a detention hearing. If such hearing is not held within three days, excluding Saturdays, Sundays and legal holidays, the juvenile shall be released from detention unless the court for good cause orders the hearing continued. The detention hearing shall be held within the judicial circuit at a date, time and place convenient to the court. Notice of the date, time and place of a detention hearing, and of the right to counsel, shall be given to the juvenile and his or her custodian in person, by telephone, or by such other expeditious method as is available.

211.071. 1. If a petition alleges that a child between the ages of twelve and ~~seventeen~~ **eighteen** has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 as it existed prior to August 28, 2013, rape in the first degree under section 566.030, forcible sodomy under section 566.060 as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060, first degree robbery under section 569.020 **as it existed prior to January 1, 2017, or first degree robbery under section 570.023**, ~~or~~ distribution of drugs under section 195.211 **as it existed prior to January 1, 2017, or the manufacturing of a controlled substance under section 579.055**, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between ~~seventeen~~ **eighteen** and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject

to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;
- (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;
- (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;
- (6) The sophistication and maturity of the child as determined by consideration of his **or her** home and environmental situation, emotional condition and pattern of living;
- (7) The age of the child;
- (8) The program and facilities available to the juvenile court in considering disposition;
- (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and
- (10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his **or her** counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the prosecution of the child results in a conviction, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court shall, in a case when the offender is under ~~[seventeen]~~ **eighteen** years ~~[and six months]~~ of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, consider dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section:

- (1) Upon agreement of the division of youth services; and
  - (2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section. If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.
    2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.
    3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:
      - (1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or
      - (2) Direct that the offender be placed on probation.
    4. When an offender who has received a suspended sentence reaches the age of ~~seventeen~~ **eighteen**, the court shall hold a hearing. The court shall:
      - (1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;
      - (2) Direct that the offender be placed on probation; or
      - (3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.
    5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:
      - (1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or
      - (2) Direct that the offender be placed on probation.
    6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed.
- 211.081. 1. Whenever any person informs the juvenile officer in writing that a child appears to be within the purview of applicable provisions of section 211.031 ~~[or that a person seventeen years of age appears to be within the purview of the provisions of subdivision (1) of subsection 1 of section 211.031]~~, the juvenile officer shall make or cause to be made a preliminary inquiry to determine the facts and to determine whether or not the interests of the public or of the child ~~[or person seventeen years of age]~~ require that further action be taken. On the basis of this inquiry, the juvenile officer may make such informal adjustment as is practicable without a petition or file a petition. Any other provision of this chapter to the contrary notwithstanding, the juvenile court shall not make any order for disposition of a child ~~[or person seventeen years of age]~~ which would place or commit the child ~~[or person seventeen years of age]~~ to any location outside the state of Missouri without first receiving the approval of the children's division.
2. Placement in any institutional setting shall represent the least restrictive appropriate placement for the child ~~[or person seventeen years of age]~~ and shall be recommended based upon a psychological or psychiatric evaluation or both. Prior to entering any order for disposition of a child ~~[or person seventeen years of age]~~ which would order residential treatment or other services inside the state of Missouri, the juvenile court shall enter findings which include the recommendation of the psychological or psychiatric evaluation or both; and certification from the division director or designee as to whether a provider or funds or both are available, including a projection of their future availability. If the children's division indicates that funding is not available, the division shall recommend and make available for placement by the court an alternative placement for the child ~~[or person seventeen years of age]~~. The division shall have the burden of demonstrating that they have exercised due diligence in utilizing all available services to carry out the recommendation of the evaluation team and serve the best interest of the child ~~[or person seventeen years of age]~~. The judge shall not order placement or an alternative placement with a specific provider but may reasonably designate the scope and type of the services which shall be provided by the department to the child ~~[or person seventeen years of age]~~.
  3. Obligations of the state incurred under the provisions of section 211.181 shall not exceed, in any fiscal year, the amount appropriated for this purpose.

211.091. 1. The petition shall be entitled "In the interest of ....., a child under ~~[seventeen]~~ **eighteen** years of age" ~~or "In the interest of ....., a child seventeen years of age" or "In the interest of ....., a person seventeen years of age"~~ as appropriate to the subsection of section 211.031 that provides the basis for the filing of the petition].

2. The petition shall set forth plainly:

- (1) The facts which bring the child ~~[or person seventeen years of age]~~ within the jurisdiction of the court;
- (2) The full name, birth date, and residence of the child ~~[or person seventeen years of age]~~;
- (3) The names and residence of his or her parents, if living;
- (4) The name and residence of his or her legal guardian if there be one, of the person having custody of the child ~~[or person seventeen years of age]~~ or of the nearest known relative if no parent or guardian can be found; and
- (5) Any other pertinent data or information.

3. If any facts required in subsection 2 of this section are not known by the petitioner, the petition shall so state.

4. Prior to the voluntary dismissal of a petition filed under this section, the juvenile officer shall assess the impact of such dismissal on the best interests of the child, and shall take all actions practicable to minimize any negative impact."; and

Further amend said bill, Page 2, Section 211.093, Line 46, by inserting after said section and line the following:

"211.101. 1. After a petition has been filed, unless the parties appear voluntarily, the juvenile court shall issue a summons in the name of the state of Missouri requiring the person who has custody of the child ~~[or person seventeen years of age]~~ to appear personally and, unless the court orders otherwise, to bring the child ~~[or person seventeen years of age]~~ before the court, at the time and place stated.

2. If the person so summoned is other than a parent or guardian of the child ~~[or person seventeen years of age]~~, then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed.

3. If it appears that the child ~~[or person seventeen years of age]~~ is in such condition or surroundings that his or her welfare requires that his or her custody be immediately assumed by the court, the judge may order, by endorsement upon the summons, the officer serving it to take the child ~~[or person seventeen years of age]~~ into custody at once.

4. Subpoena may be issued requiring the appearance of any other person whose presence, in the opinion of the judge, is necessary.

211.161. 1. The court may cause any child ~~[or person seventeen years of age]~~ within its jurisdiction to be examined by a physician, psychiatrist or psychologist appointed by the court in order that the condition of the child ~~[or person seventeen years of age]~~ may be given consideration in the disposition of his **or her** case. The expenses of the examination when approved by the court shall be paid by the county, except that the county shall not be liable for the costs of examinations conducted by the department of mental health either directly or through contract.

2. The services of a state, county or municipally maintained hospital, institution, or psychiatric or health clinic may be used for the purpose of this examination and treatment.

3. A county may establish medical, psychiatric and other facilities, upon request of the juvenile court, to provide proper services for the court in the diagnosis and treatment of children ~~[or persons seventeen years of age]~~ coming before it and these facilities shall be under the administration and control of the juvenile court. The juvenile court may appoint and fix the compensation of such professional and other personnel as it deems necessary to provide the court proper diagnostic, clinical and treatment services for children ~~[or persons seventeen years of age]~~ under its jurisdiction.

211.181. 1. When a child ~~[or person seventeen years of age]~~ is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child ~~[or person seventeen years of age]~~, and the court may, by order duly entered, proceed as follows:

(1) Place the child ~~[or person seventeen years of age]~~ under supervision in his **or her** own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child ~~[or person seventeen years of age]~~ to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child [~~or person seventeen years of age~~] may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child [~~or person seventeen years of age~~] in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child [~~or person seventeen years of age~~] in a family home;

(4) Cause the child [~~or person seventeen years of age~~] to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child [~~or person seventeen years of age~~] requires it, cause the child [~~or person seventeen years of age~~] to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child [~~or person seventeen years of age~~] whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child [~~or person seventeen years of age~~];

(6) The department of social services, in conjunction with the department of mental health, shall apply to the United States Department of Health and Human Services for such federal waivers as required to provide services for such children, including the acquisition of community-based services waivers.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he **or she** is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court. Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his or her own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require; provided that, no child who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566, RSMo, including but not limited to rape, forcible sodomy, child molestation, and sexual abuse, and in which the victim was a child, shall be placed in any residence within one thousand feet of the residence of the abused child of that offense until the abused child reaches the age of eighteen, and provided further that the provisions of this subdivision regarding placement within one thousand feet of the abused child shall not apply when the abusing child and the abused child are siblings or children living in the same home;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;

(4) Place the child in a family home;

(5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;

(7) Order the child to make restitution or reparation for the damage or loss caused by his **or her** offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his **or her** attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021,

RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185.

211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required under section 557.026, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnapping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings under subdivision (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings under subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons ~~seventeen~~ **eighteen** years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted under the provisions of sections 578.421 to 578.437. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140.

4. Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or his **or her** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached his ~~seventeenth~~ **or her eighteenth** birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's ~~seventeenth~~ **eighteenth** birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192 unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child.

211.421. 1. After any child has come under the care or control of the juvenile court as provided in this chapter, any person who thereafter encourages, aids, or causes the child to commit any act or engage in any conduct which would be injurious to the child's morals or health or who knowingly or negligently disobeys, violates or interferes with a lawful order of the court with relation to the child, is guilty of contempt of court, and shall be proceeded against as now provided by law and punished by imprisonment in the county jail for a term not exceeding six months or by a fine not exceeding five hundred dollars or by both such fine and imprisonment.

2. If it appears at a juvenile court hearing that any person ~~seventeen~~ **eighteen** years of age or over has violated section 568.045 or 568.050, RSMo, by endangering the welfare of a child, the judge of the juvenile court shall refer the information to the prosecuting or circuit attorney, as the case may be, for appropriate proceedings.

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566 including, but not limited to, rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex offender and shall be required to register as a juvenile sex offender by complying with the registration requirements provided for in this section, unless such juvenile adjudicated as a delinquent is fourteen years of age or older at the time of the offense and the offense adjudicated would be considered a felony under chapter 566 if committed by an adult, which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, including any attempt or conspiracy to commit such offense, in which case, the juvenile shall be required to register as an adult sexual offender under sections 589.400 to 589.425. This requirement shall also apply to any person who is or has been adjudicated a juvenile delinquent in any other state or federal jurisdiction for committing, attempting to commit, or conspiring to commit offenses which would be proscribed herein.

2. Any state agency having supervision over a juvenile required to register as a juvenile sex offender or any court having jurisdiction over a juvenile required to register as a juvenile sex offender, or any person required to register as a juvenile sex offender, shall, within ten days of the juvenile offender moving into any county of this state, register with the juvenile office of the county. If such juvenile offender changes residence or address, the state agency, court or person shall inform the juvenile office within ten days of the new residence or address and shall also be required to register with the juvenile office of any new county of residence. Registration shall be accomplished by completing a registration form similar to the form provided for in section 589.407. Such form shall include, but is not limited to, the following:

(1) A statement in writing signed by the juvenile, giving the juvenile's name, address, Social Security number, phone number, school in which enrolled, place of employment, offense which requires registration, including the date, place, and a brief description of such offense, date and place of adjudication regarding such offense, and age and gender of the victim at the time of the offense; and

(2) The fingerprints and a photograph of the juvenile.

3. Juvenile offices shall maintain the registration forms of those juvenile offenders in their jurisdictions who register as required by this section. Information contained on the registration forms shall be kept confidential and may be released by juvenile offices to only those persons and agencies who are authorized to receive information from juvenile court records as provided by law, including, but not limited to, those specified in section 211.321. State agencies having custody of juveniles who fall within the registration requirements of this section

shall notify the appropriate juvenile offices when such juvenile offenders are being transferred to a location falling within the jurisdiction of such juvenile offices.

4. Any juvenile who is required to register pursuant to this section but fails to do so or who provides false information on the registration form is subject to disposition pursuant to this chapter. Any person [~~seventeen~~] **eighteen** years of age or over who commits such violation is guilty of a class A misdemeanor as provided for in section 211.431.

5. Any juvenile to whom the registration requirement of this section applies shall be informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or release from such custody, of the requirement to register pursuant to this section. Such official shall obtain the address where such juvenile expects to register upon being discharged or released and shall report the juvenile's name and address to the juvenile office where the juvenile [~~will~~] **shall** be required to register. This requirement to register upon discharge or release from custody does not apply in situations where the juvenile is temporarily released under guard or direct supervision from a detention facility or similar custodial facility.

6. The requirement to register as a juvenile sex offender shall terminate upon the juvenile offender reaching age twenty-one, unless such juvenile offender is required to register as an adult offender pursuant to section 589.400.

211.431. Any person [~~seventeen~~] **eighteen** years of age or over who willfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this chapter is guilty of a class A misdemeanor.

**211.435. 1. There is hereby created in the state treasury the "Juvenile Justice Preservation Fund", which shall consist of moneys collected under subsection 2 of this section and sections 488.315 and 558.003, any gifts, bequests, and donations, and any other moneys appropriated by the general assembly. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be distributed to the judicial circuits of the state based upon the increased workload created by sections 211.021 to 211.425 solely for the administration of the juvenile justice system. 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. The provisions of this subsection shall expire on August 28, 2024.**

**2. For all traffic violations of any county ordinance or any violation of traffic laws of this state, including an infraction, in which a person has pled guilty, there shall be assessed as costs a surcharge in the amount of two dollars. No such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. The surcharge collected under this section shall be paid into the state treasury to the credit of the juvenile justice preservation fund created in this section. The provisions of this subsection shall expire if the provisions of subsection 1 of this section expire.";** and

Further amend said bill, Page 9, Section 211.447, Line 218, by inserting after said section and line the following:

"221.044. No person under the age of [~~seventeen~~] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071, shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [~~seventeen~~] **eighteen** to a juvenile detention facility.

**488.315. 1. In addition to all other costs associated with civil actions, there shall be assessed and collected a surcharge of three dollars and fifty cents in all civil actions filed in the state. The clerk responsible for collecting court costs in civil cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the juvenile justice preservation fund under subsection 1 of section 211.435.**

**2. The provisions of this section shall expire if the provisions of subsection 1 of section 211.435 expire.**

**558.003. The prosecuting attorney shall have discretion to charge an offender convicted of an offense in which the victim was a child a fine of up to five hundred dollars for each offense. Such fine shall be deposited in the juvenile justice preservation fund, created under section 211.435. The provisions of this section shall expire if the provisions of subsection 1 of section 211.435 expire.**

**Section 1. Expanding services from seventeen years of age to eighteen years of age is a new service and shall not be effective until an appropriation sufficient to fund the expanded service is provided therefor.**

Section B. The repeal and reenactment of sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, 211.431, and 221.044 of this act shall become effective on January 1, 2021."; and

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

Representative Burnett 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 Bill No. 800, Page 13, Line 15, by inserting after all of said line the following:

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

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

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

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

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

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

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

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

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

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

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

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

- (1) At a detention hearing under Missouri supreme court rule 127.08;**
- (2) At a certification hearing under section 211.071 or a dismissal hearing under Missouri supreme court rule 129.04;**
- (3) At an adjudication hearing under Missouri supreme court rule 128.02 for any misdemeanor or felony offense, including the acceptance of an admission;**
- (4) At a dispositional hearing under Missouri supreme court rule 128.03; or**
- (5) A hearing on a motion to modify or revoke supervision under subdivision (2) or (3) of subsection 1 of section 211.031.**

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

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

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Alferman	Anderson	Andrews	Austin	Barnes 60
Basye	Beard	Bernskoetter	Berry	Brattin
Brown 57	Chipman	Corlew	Cornejo	Cross
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Evans	Fitzwater	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Haefner
Hannegan	Hansen	Helms	Henderson	Hill
Hurst	Justus	Kelley 127	Kelly 141	Knight
Kolkmeier	Korman	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	Mathews	Matthiesen
McGaugh	Messenger	Moon	Morris 140	Morse 151
Muntzel	Neely	Pfautsch	Pike	Redmon
Rehder	Reiboldt	Reisch	Remole	Rhoads
Roden	Roeber	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shumake	Smith 163	Sommer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walsh	White
Wiemann	Wilson	Mr. Speaker		

NOES: 034

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burnett	Burns	Carpenter
Gray	Green	Harris	Lavender	May
McCann Beatty	McCreery	Meredith 71	Merideth 80	Mitten
Morgan	Mosley	Newman	Nichols	Pierson Jr
Quade	Razer	Revis	Roberts	Runions
Stevens 46	Unsicker	Walker 74	Washington	

PRESENT: 000

ABSENT WITH LEAVE: 039

Bahr	Black	Bondon	Brown 27	Butler
Christofanelli	Conway 10	Conway 104	Cookson	Curtis

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Curtman	Ellebracht	Ellington	Engler	Fitzpatrick
Fraker	Franks Jr	Haahr	Higdon	Houghton
Houx	Johnson	Kendrick	Kidd	McDaniel
McGee	Miller	Peters	Phillips	Pietzman
Plocher	Pogue	Rone	Rowland 29	Shull 16
Smith 85	Spencer	Wessels	Wood	

VACANCIES: 002

Representative Burnett 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 Burnett:

AYES: 048

Adams	Anders	Arthur	Bangert	Baringer
Barnes 60	Barnes 28	Beck	Bernskoetter	Brattin
Burnett	Burns	Carpenter	Conway 10	Dogan
Ellington	Engler	Gray	Green	Grier
Harris	Lavender	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGee	Meredith 71	Merideth 80
Mitten	Morgan	Mosley	Neely	Newman
Nichols	Pierson Jr	Quade	Razer	Revis
Roberts	Rowland 29	Runions	Stevens 46	Unsicker
Walker 74	Washington	Wessels		

NOES: 082

Alferman	Anderson	Andrews	Austin	Basye
Beard	Berry	Brown 57	Chipman	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dohrman	Eggleston	Evans	Fitzwater
Francis	Franklin	Frederick	Gannon	Gregory
Haefner	Hannegan	Hansen	Helms	Henderson
Hill	Hurst	Justus	Kelley 127	Kelly 141
Knight	Kolkmeier	Korman	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Moon	Morris 140	Morse 151
Muntzel	Pfautsch	Pike	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roden
Roeber	Ross	Rowland 155	Ruth	Schroer
Shaul 113	Shumake	Smith 163	Sommer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Vescovo	Walker 3	Walsh	White	Wiemann
Wilson	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 031

Bahr	Black	Bondon	Brown 27	Butler
Christofanelli	Conway 104	Cookson	Curtis	Ellebracht
Fitzpatrick	Fraker	Franks Jr	Haahr	Higdon
Houghton	Houx	Johnson	Kendrick	Kidd

McDaniel	Peters	Phillips	Pietzman	Plocher
Pogue	Rone	Shull 16	Smith 85	Spencer
Wood				

VACANCIES: 002

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Alferman	Anderson	Andrews	Austin	Barnes 60
Basye	Beard	Bernskoetter	Brattin	Brown 57
Chipman	Corlew	Cornejo	Cross	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzwater	Francis	Franklin
Frederick	Gannon	Gregory	Grier	Haefner
Hannegan	Hansen	Henderson	Hill	Houx
Hurst	Justus	Kelley 127	Kelly 141	Knight
Kolkmeier	Korman	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	Mathews	Matthiesen
McGaugh	Messenger	Miller	Moon	Morris 140
Muntzel	Neely	Pfautsch	Pike	Plocher
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roden	Roeber	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shumake	Smith 163
Sommer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
Wessels	White	Wiemann	Wilson	Mr. Speaker

NOES: 035

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Burns	Carpenter	Conway 10
Ellington	Gray	Green	Harris	Lavender
May	McCann Beatty	McCreery	Meredith 71	Merideth 80
Mitten	Morgan	Mosley	Newman	Nichols
Pierson Jr	Quade	Razer	Revis	Roberts
Rowland 29	Runions	Stevens 46	Unsicker	Washington

PRESENT: 000

ABSENT WITH LEAVE: 036

Bahr	Berry	Black	Bondon	Brown 27
Burnett	Butler	Christofanelli	Conway 104	Cookson
Curtis	Curtman	Ellebracht	Fitzpatrick	Fraker
Franks Jr	Haahr	Helms	Higdon	Houghton
Johnson	Kendrick	Kidd	McDaniel	McGee
Morse 151	Peters	Phillips	Pietzman	Pogue
Rone	Shull 16	Smith 85	Spencer	Walker 74
Wood				

VACANCIES: 002

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 800, Page 9, Section 211.447, Line 218, by inserting immediately after said line the following:

"565.030. 1. Where murder in the first degree is charged but not submitted or where the state waives the death penalty, the submission to the trier and all subsequent proceedings in the case shall proceed as in all other criminal cases.

2. Where murder in the first degree is submitted to the trier without a waiver of the death penalty, the trial shall proceed in two stages before the same trier. At the first stage the trier shall decide only whether the defendant is guilty or not guilty of any submitted offense. The issue of punishment shall not be submitted to the trier at the first stage. If an offense is charged other than murder in the first degree in a count together with a count of murder in the first degree, the trial judge shall assess punishment on any such offense according to law, after the defendant is found guilty of such offense and after he finds the defendant to be a prior offender pursuant to chapter 558.

3. If murder in the first degree is submitted and the death penalty was not waived but the trier finds the defendant guilty of a lesser homicide, a second stage of the trial shall proceed as in all other criminal cases. The attorneys may then argue as in other criminal cases the issue of punishment, after which the trier shall assess and declare the punishment as in all other criminal cases.

4. If the trier at the first stage of a trial where the death penalty was not waived finds the defendant guilty of murder in the first degree, a second stage of the trial shall proceed at which the only issue shall be the punishment to be assessed and declared. Evidence in aggravation and mitigation of punishment, including but not limited to evidence supporting any of the aggravating or mitigating circumstances listed in subsection 2 or 3 of section 565.032, may be presented subject to the rules of evidence at criminal trials. Such evidence may include, within the discretion of the court, evidence concerning the murder victim and the impact of the offense upon the family of the victim and others. Rebuttal and surrebuttal evidence may be presented. The state shall be the first to proceed. If the trier is a jury it shall be instructed on the law. The attorneys may then argue the issue of punishment to the jury, and the state shall have the right to open and close the argument. The trier shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release except by act of the governor:

(1) If the trier finds by a preponderance of the evidence that the defendant is intellectually disabled; or  
(2) If the trier does not find beyond a reasonable doubt at least one of the statutory aggravating circumstances set out in subsection 2 of section 565.032; or

(3) If the trier concludes that there is evidence in mitigation of punishment, including but not limited to evidence supporting the statutory mitigating circumstances listed in subsection 3 of section 565.032, which is sufficient to outweigh the evidence in aggravation of punishment found by the trier; or

(4) If the trier decides under all of the circumstances not to assess and declare the punishment at death. If the trier is a jury it shall be so instructed.

If the trier assesses and declares the punishment at death it shall, in its findings or verdict, set out in writing the aggravating circumstance or circumstances listed in subsection 2 of section 565.032 which it found beyond a reasonable doubt. If the trier is a jury, it shall be instructed before the case is submitted that if it is unable to decide or agree upon the punishment, the court shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release except by act of the governor [~~or death~~]. The court shall follow the same procedure as set out in this section whenever it is required to determine punishment for murder in the first degree.

5. Upon written agreement of the parties and with leave of the court, the issue of the defendant's intellectual disability may be taken up by the court and decided prior to trial without prejudicing the defendant's right to have the issue submitted to the trier of fact as provided in subsection 4 of this section.

6. As used in this section, the terms "intellectual disability" or "intellectually disabled" refer to a condition involving substantial limitations in general functioning characterized by significantly subaverage intellectual functioning with continual extensive related deficits and limitations in two or more adaptive behaviors such as communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work, which conditions are manifested and documented before eighteen years of age.

7. The provisions of this section shall only govern offenses committed on or after August 28, 2001."; and  
 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cornejo assumed the Chair.

**House Amendment No. 2** was withdrawn.

On motion of Representative Corlew, **HCS SB 800, as amended**, was adopted.

Speaker Richardson resumed the Chair.

On motion of Representative Corlew, **HCS SB 800, as amended**, was read the third time and passed by the following vote:

AYES: 129

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Burnett
Burns	Carpenter	Chipman	Christofanelli	Conway 10
Corlew	Cornejo	Cross	Curtis	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Engler	Evans	Fitzwater	Francis
Franklin	Frederick	Gannon	Gray	Green
Gregory	Grier	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Hill	Houghton
Houx	Justus	Kelley 127	Kelly 141	Kendrick
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	May	McCann Beatty	McCreery	McGaugh
Merideth 80	Messenger	Miller	Mitten	Morris 140
Morse 151	Mosley	Muntzel	Neely	Newman
Nichols	Pfautsch	Pierson Jr	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roeber	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Stacy	Stephens 128	Stevens 46
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wilson	Mr. Speaker	

NOES: 006

Butler	Ellington	Hurst	Marshall	Meredith 71
Moon				

PRESENT: 000

ABSENT WITH LEAVE: 026

Barnes 60	Black	Brown 27	Conway 104	Cookson
Ellebracht	Fitzpatrick	Fraker	Franks Jr	Haahr

Higdon	Johnson	Kidd	McDaniel	McGee
Morgan	Peters	Phillips	Pietzman	Pogue
Roden	Rone	Smith 85	Spencer	Swan
Wood				

VACANCIES: 002

Speaker Richardson declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1635** entitled:

An act to repeal section 198.070, RSMo, and to enact in lieu thereof one new section relating to abuse or neglect reporting in long-term care facilities, with existing penalty provisions.

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 **HB 1887**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate hereby returns **SCS** for **SB 718** to the House of Representatives for adoption of **HCS** for **SCS** for **SB 718, as amended**.

### MOTION

Representative Rhoads, having voted on the prevailing side, moved that the vote by which the emergency clause was adopted on **HCS SCS SB 718, as amended**, be reconsidered.

Which motion was adopted by the following vote:

AYES: 121

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Bondon	Brattin	Brown 57	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzwater	Francis	Franklin	Frederick	Gannon
Gray	Gregory	Grier	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Kelley 127	Kelly 141	Knight
Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Mathews	Matthiesen
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Messenger	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Neely	Newman	Nichols	Pfautsch
Pike	Plocher	Quade	Razer	Redmon

Rehder	Reiboldt	Reisch	Revis	Rhoads
Roberts	Roden	Roeber	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	Walker 74
Walsh	Wessels	White	Wiemann	Wilson
Mr. Speaker				

NOES: 009

Adams	Ellington	Green	Hurst	May
Merideth 80	Moon	Remole	Spencer	

PRESENT: 000

ABSENT WITH LEAVE: 031

Berry	Black	Brown 27	Burnett	Conway 104
Cookson	Corlew	Curtis	Ellebracht	Fitzpatrick
Fraker	Franks Jr	Haahr	Higdon	Johnson
Justus	Kendrick	Kidd	Marshall	McDaniel
Miller	Mitten	Peters	Phillips	Pierson Jr
Pietzman	Pogue	Rone	Smith 85	Washington
Wood				

VACANCIES: 002

Representative Rhoads, having voted on the prevailing side, moved that the vote by which **HCS SCS SB 718, as amended**, was third read and passed be reconsidered.

Which motion was adopted by the following vote:

AYES: 125

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Burnett
Burns	Carpenter	Chipman	Christofanelli	Conway 10
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzwater	Francis	Franklin
Frederick	Gannon	Gray	Gregory	Grier
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Justus
Kelley 127	Kelly 141	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	Mathews	Matthiesen	McCann Beatty
McCreery	McGaugh	McGee	Messenger	Miller
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Newman	Nichols	Pfautsch	Pierson Jr
Pike	Plocher	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roberts	Roden	Roeber	Ross	Rowland 155

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Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Mr. Speaker

NOES: 013

Adams	Butler	Ellington	Green	Hurst
May	Meredith 71	Merideth 80	Moon	Quade
Stevens 46	Unsicker	Washington		

PRESENT: 000

ABSENT WITH LEAVE: 023

Black	Brown 27	Conway 104	Cookson	Curtis
Ellebracht	Fitzpatrick	Fraker	Franks Jr	Haahr
Higdon	Johnson	Kendrick	Kidd	McDaniel
Mitten	Peters	Phillips	Pietzman	Pogue
Rone	Smith 85	Wood		

VACANCIES: 002

On motion of Representative Rhoads, **HCS SCS SB 718, as amended**, was adopted.

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

AYES: 111

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Berry	Bondon	Brown 57
Burnett	Burns	Carpenter	Chipman	Christofanelli
Conway 10	Corlew	Cornejo	Cross	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Engler	Evans	Fitzwater	Franklin	Frederick
Gannon	Gray	Green	Gregory	Grier
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Justus
Kelley 127	Kelly 141	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Matthiesen	McCann Beatty	McGaugh	McGee
Messenger	Morgan	Morris 140	Mosley	Muntzel
Neely	Nichols	Pfautsch	Pierson Jr	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Revis	Rhoads	Roberts
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Smith 163	Sommer
Stephens 128	Stevens 46	Swan	Tate	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Washington	Wessels	White	Wiemann	Wilson
Mr. Speaker				

NOES: 026

Andrews	Beard	Beck	Bernskoetter	Brattin
Butler	Eggleston	Ellington	Francis	Hurst
Marshall	Mathews	May	McCreery	Meredith 71
Merideth 80	Miller	Moon	Morse 151	Newman
Remole	Roeber	Shumake	Spencer	Stacy
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 024

Black	Brown 27	Conway 104	Cookson	Curtis
Ellebracht	Fitzpatrick	Fraker	Franks Jr	Haahr
Higdon	Johnson	Kendrick	Kidd	McDaniel
Mitten	Peters	Phillips	Pietzman	Pogue
Roden	Rone	Smith 85	Wood	

VACANCIES: 002

Speaker Richardson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Adams	Alferman	Anderson	Arthur	Austin
Bangert	Baringer	Barnes 60	Barnes 28	Basye
Beard	Beck	Bondon	Brattin	Brown 57
Burnett	Carpenter	Chipman	Christofanelli	Corlew
Cross	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Engler	Evans	Fitzwater
Francis	Franklin	Frederick	Gannon	Gray
Green	Gregory	Grier	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Houx	Justus	Kelley 127	Kelly 141
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Mathews
Matthiesen	McCann Beatty	McGaugh	Meredith 71	Merideth 80
Messenger	Miller	Morgan	Morris 140	Morse 151
Muntzel	Neely	Nichols	Pfausch	Pierson Jr
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roeber	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Sommer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	Washington	White	Wiemann
Wilson	Mr. Speaker			

NOES: 024

Anders	Andrews	Bahr	Bernskoetter	Berry
Burns	Butler	Conway 10	Cornejo	Eggleston
Ellington	Hurst	Marshall	May	McCreery

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McGee	Moon	Mosley	Newman	Rowland 29
Runions	Spencer	Taylor	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 025

Black	Brown 27	Conway 104	Cookson	Curtis
Ellebracht	Fitzpatrick	Fraker	Franks Jr	Haahr
Higdon	Johnson	Kendrick	Kidd	McDaniel
Mitten	Peters	Phillips	Pietzman	Pogue
Roden	Rone	Smith 85	Smith 163	Wood

VACANCIES: 002

## COMMITTEE REPORTS

### **Committee on Ways and Means**, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SBs 632 & 675**, 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): Christofanelli, Cross, Curtman, Eggleston, Gray, Kelley (127), Roden and Schroer

Noes (1): Brown (27)

Absent (4): Ellington, Mosley, Rhoads and Shull (16)

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS#2 SB 674**, 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 (6): Christofanelli, Curtman, Eggleston, Kelley (127), Roden and Shull (16)

Noes (4): Brown (27), Ellington, Gray and Mosley

Absent (3): Cross, Rhoads and Schroer

### **Committee on Rules - Administrative Oversight**, Chairman Barnes (60) reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HB 2670**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS HB 2673**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Austin, Barnes (60), Berry, Evans, Johnson, Mathews, Roeber, Sommer and Wiemann

Noes (4): Carpenter, Franks Jr., Runions and Unsicker

Absent (1): Engler

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Austin, Berry, Carpenter, Evans, Johnson, Mathews, Roeber, Sommer and Wiemann

Noes (4): Barnes (60), Franks Jr., Runions and Unsicker

Absent (1): Engler

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SCS SRBs 975 & 1024**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 582**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SCS SB 672**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SB 704**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as SS SB 704** by the following vote:

Ayes (13): Austin, Barnes (60), Berry, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (1): Carpenter

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 706**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 891**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (13): Austin, Barnes (60), Berry, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (1): Carpenter

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS#2 SCS SB 1050**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as SS#2 SCS SB 1050** by the following vote:

Ayes (14): Austin, Barnes (60), Berry, Carpenter, Engler, Evans, Franks Jr., Johnson, Mathews, Roeber, Runions, Sommer, Unsicker and Wiemann

Noes (0)

Absent (0)

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

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SCR 36**, 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 SB 575**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 581**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Bondon, Eggleston, Fitzwater, Gregory, Haahr, Houx, Rhoads, Shull (16) and Shumake

Noes (3): Butler, Curtis and Lavender

Absent (2): Rone and Wessels

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 780**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS#2 SCS SB 802**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (1): Curtis

Absent (1): Butler

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 951**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Butler, Eggleston, Gregory, Haahr, Houx, Lavender, Rhoads, Rone, Shull (16), Shumake and Wessels

Noes (0)

Absent (3): Bondon, Curtis and Fitzwater

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SS SCS SB 966**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (1): Butler

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**SS SCS HCS HB 1364** - Fiscal Review

**SCS HCS HB 1635** - Fiscal Review

**HCS HB 2125** - Fiscal Review

### **REFERRAL OF SENATE BILLS**

The following Senate Bill was referred to the Committee indicated:

**HCS SS SCS SB 966** - Fiscal Review

### **COMMITTEE CHANGES**

May 8, 2018

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

Dear Mr. Crumbliss:

I hereby remove Representative Jay Barnes from the Committee on Crime Prevention and Public Safety and appoint Representative Chuck Basye.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Todd Richardson  
Speaker  
Missouri House of Representatives

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1879**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1879, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1879, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1879;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1879 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Representative Lyndall Fraker  
/s/ Representative Dan Houx  
/s/ Representative Dan Shaul  
/s/ Representative Mary Nichols  
/s/ Representative Rory Rowland

FOR THE SENATE:

/s/ Senator Mike Cunningham  
/s/ Senator Sandy Crawford  
/s/ Senator Paul Wieland  
/s/ Senator Scott Sifton  
/s/ Senator Gina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2002**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Lyle Rowland  
/s/ Rep. Kip Kendrick  
/s/ Rep. DaRon McGee

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2003**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Lyle Rowland  
/s/ Rep. Kip Kendrick  
/s/ Rep. DaRon McGee

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. David Sater  
/s/ Sen. S. Kiki Curls  
Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2004**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Kathie Conway  
/s/ Rep. Michael Butler  
/s/ Rep. Greg Razer

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2005**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Kurt Bahr  
/s/ Rep. Kip Kendrick  
/s/ Rep. Peter Merideth

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2006**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Craig Redmon  
/s/ Rep. Kip Kendrick  
/s/ Rep. Tommie Pierson Jr

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2007**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Craig Redmon  
/s/ Rep. Ingrid Burnett  
/s/ Rep. Kip Kendrick

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2008**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Kathie Conway  
/s/ Rep. Michael Butler  
/s/ Rep. Karla May

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jason Holsman

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2009**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Kathie Conway  
/s/ Rep. Kip Kendrick  
/s/ Rep. Karla May

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. David Sater  
/s/ Sen. Mike Cunningham  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2010**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. David Wood  
Rep. Deb Lavender  
Rep. Crystal Quade

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. David Sater  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2011**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. David Wood  
/s/ Rep. Deb Lavender  
/s/ Rep. Crystal Quade

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. David Sater  
/s/ Sen. S. Kiki Curls  
Sen. Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2012**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Rep. Scott Fitzpatrick  
/s/ Rep. Justin Alferman  
/s/ Rep. Kurt Bahr  
/s/ Rep. Deb Lavender  
/s/ Rep. Peter Merideth

FOR THE SENATE:

/s/ Sen. Dan Brown  
/s/ Sen. Dan Hegeman  
/s/ Sen. David Sater  
/s/ Sen. S. Kiki Curls  
/s/ Sen. Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 707**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 707, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 707, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 707;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 707, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz  
/s/ Doug Libla  
/s/ Brian Munzlinger  
/s/ Jacob Hummel  
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Kevin Engler  
/s/ Bart Korman  
/s/ Becky Ruth  
/s/ Bruce Franks Jr.  
/s/ Jon Carpenter

**REFERRAL OF CONFERENCE COMMITTEE REPORTS**

The following Conference Committee Reports were referred to the Committee indicated:

**CCR SS SCS HCS HB 1879, as amended** - Fiscal Review  
**CCR HCS SS SCS SB 707, as amended** - Fiscal Review

**ADJOURNMENT**

Representative Austin moved that the House stand adjourned until 9:45 a.m., Wednesday, May 9, 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

### ADMINISTRATION AND ACCOUNTS

Wednesday, May 9, 2018, 8:30 AM, House Hearing Room 3.

Public hearing will be held: HR 5589

Executive session will be held: HR 5589

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

Also to be discussed:

House employee salary range resolution;

Review of sponsored internships;

Discussion regarding proposed policy changes;

Discussion regarding upcoming IT project.

### CONSENT AND HOUSE PROCEDURE

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

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

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

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

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

AMENDED

### CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, May 9, 2018, 5:00 PM or upon conclusion of afternoon session, House Hearing Room 1.

Executive session will be held: SCS SB 953

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

This will be an executive session for reconsideration on SCS SB 953.

### ECONOMIC DEVELOPMENT

Wednesday, May 9, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later), House Hearing Room 5.

Public hearing will be held: HJR 79, SCR 37

Executive session will be held: HJR 79, SCR 37

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

### FISCAL REVIEW

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

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

### FISCAL REVIEW

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

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

### FISCAL REVIEW

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

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

**GENERAL LAWS**

Wednesday, May 9, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 1360, HB 2100

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

**GOVERNMENT EFFICIENCY**

Tuesday, May 15, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 6.

Public hearing will be held: HCR 108

Executive session will be held: HCR 108

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

**HEALTH AND MENTAL HEALTH POLICY**

Wednesday, May 9, 2018, 12:00 PM or upon conclusion of morning session (whichever is later),  
House Hearing Room 7.

Public hearing will be held: HB 1560, HB 2674, HB 2675

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

**LOCAL GOVERNMENT**

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

Public hearing will be held: HB 1513, HCR 97

Executive session will be held: SS SB 704

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

SS SB 704 added to hearing.

AMENDED

**PROFESSIONAL REGISTRATION AND LICENSING**

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

Public hearing will be held: SCS SB 846

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

**RULES - ADMINISTRATIVE OVERSIGHT**

Wednesday, May 9, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),  
House Hearing Room 7.

Executive session will be held: HCS HB 2091, HCS SCS SBs 632 & 675, HCS SS#2 SB 674

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

Adding HCS SS#2 SB 674.

AMENDED

**RULES - ADMINISTRATIVE OVERSIGHT**

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

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

**RULES - ADMINISTRATIVE OVERSIGHT**

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

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

**RULES - ADMINISTRATIVE OVERSIGHT**

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

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

**RULES - ADMINISTRATIVE OVERSIGHT**

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

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

**RULES - ADMINISTRATIVE OVERSIGHT**

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

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

**RULES - LEGISLATIVE OVERSIGHT**

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

Executive session will be held: HCS SB 655, HCS SB 773, SB 786, HCS SB 808, HCS SB 884, SS SCS SB 907, SB 981, HCS SCS SBs 946 & 947, HB 1993

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

**AMENDED**

**SPECIAL COMMITTEE ON INNOVATION AND TECHNOLOGY**

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

Executive session will be held: HB 2634

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

**SUBCOMMITTEE ON CORRECTIONS WORKFORCE ENVIRONMENT AND CONDUCT**

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

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

Testimony from Missouri Department of Corrections Director Anne Precythe.

**TRANSPORTATION**

Thursday, May 10, 2018, 8:00 AM, House Hearing Room 4.

Executive session will be held: SS#2 SCS SB 1050

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

**UTILITIES**

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

Public hearing will be held: HB 2596

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

**HOUSE CALENDAR**

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2018

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 61 - Shumake  
HCS HJR 100 - Plocher

**HOUSE BILLS FOR PERFECTION - REVISION**

HRB 2 - Shaul (113)

**HOUSE BILLS FOR PERFECTION**

HCS HB 2257 - Redmon  
HCS HB 2324 - Korman  
HCS HB 2393 - Cookson  
HB 2403 - Muntzel  
HB 2425 - Alferman  
HCS HB 2410 - Bernskoetter  
HB 2480 - Rhoads  
HCS HB 2580 - Bondon  
HB 2681 - Corlew  
HCS HB 2247 - Roeber  
HB 2384 - Barnes (60)  
HB 1662 - Swan  
HCS HB 1857 - Shaul (113)  
HCS HB 1803 - Matthiesen  
HB 1397 - Shaul (113)  
HCS HB 2210 - Christofanelli  
HB 2460 - Vescovo  
HB 1590 - Smith (163)  
HB 2381 - Sommer  
HB 2352 - Fraker  
HB 1728 - Lant  
HB 1378 - Trent  
HCS HB 1424 - Roeber  
HB 1569 - Christofanelli  
HCS HB 1549 - Alferman  
HB 1626 - Morris (140)  
HCS HB 1363 - Kidd  
HB 1290 - Henderson  
HCS HB 1248 - Pike  
HCS HB 2364 - Bondon  
HCS HB 2356 - Haefner

HB 1906 - Higdon  
HCS HB 2038 - Fraker  
HCS HB 1273 - Kendrick  
HCS HB 1870 - Barnes (60)  
HB 1901 - Cross  
HB 1972 - Wiemann  
HB 1431 - Barnes (28)  
HB 1454 - May  
HB 1795 - Bernskoetter  
HCS HB 2157 - Bahr  
HB 2632 - Dinkins  
HB 2607 - Knight  
HCS HB 2259 - Lichtenegger

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 2234 - Rehder  
HCS HB 1444 - Eggleston  
HCS HB 1722 - Moon  
HB 2211 - Kidd  
HB 2421 - Pfautsch  
HB 2159 - Hurst  
HB 1977 - Redmon  
HB 2232 - Ross  
HCS HB 2233 - Ross  
HB 2409 - Fraker  
HCS HB 2295 - Helms  
HB 2334 - Shaul (113)  
HCS HB 2335 - Black  
HCS HB 2180 - Kolkmeier  
HB 2184 - Bondon  
HCS HB 1929 - Corlew  
HB 1837 - Rhoads  
HCS HB 2411 - Pike  
HB 2453 - Austin  
HB 2590 - Gregory  
HB 1811 - Smith (085)  
HCS HB 2397 - Dogan  
HCS HB 1457 - Lauer  
HB 1715 - Phillips  
HB 1470 - Kelley (127)  
HCS HB 1491 - Kelley (127)  
HB 1767 - Arthur  
HB 1966 - Cornejo  
HB 2139 - Morris (140)  
HB 1846 - Cornejo  
HB 1485 - Brown (57)

HB 2549 - Morse (151)  
HCS HBs 2061 & 2219 - Kidd  
HCS HB 1260 - Schroer  
HB 1742 - Davis

**HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

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

**HOUSE COMMITTEE BILLS FOR THIRD READING**

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

**HOUSE BILLS FOR THIRD READING**

HCS HB 2125, (Fiscal Review 5/8/18) - Helms

**HOUSE BILLS FOR THIRD READING - INFORMAL**

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

**SENATE BILLS FOR THIRD READING - REVISION**

SCS SRBs 975 & 1024 - Shaul (113)

**SENATE BILLS FOR THIRD READING**

SCS SB 787 - Morris (140)  
SS SB 666 - Schroer  
SB 919 - Reiboldt  
SS SCS SB 752 - Ross  
HCS SB 871 - Trent  
SS SCS SB 652 - Engler  
HCS SB 575 - Trent  
SB 891 - Andrews  
HCS SB 951 - Bondon  
HCS SS SCS SB 966, (Fiscal Review 5/8/18) - Gregory  
SB 706 - Korman  
HCS SCS SB 672 - Bahr  
HCS SB 581 - Cross  
SB 582 - Wood

HCS SB 780 - Hill  
SS#2 SCS SB 802 - Evans

**SENATE BILLS FOR THIRD READING - INFORMAL**

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

**SENATE CONCURRENT RESOLUTIONS FOR THIRD READING**

SCR 43 - Black  
SCR 36 - Kidd  
SCR 40 - Basye

**HOUSE BILLS WITH SENATE AMENDMENTS**

SCS HB 1797, as amended - Fitzwater  
SS HB 1953 - Neely  
SS SCS HCS HB 1364, (Fiscal Review 5/8/18) - Kidd  
SCS HCS HB 1635, (Fiscal Review 5/8/18) - Bernskoetter

**BILLS IN CONFERENCE**

HCS SB 569, as amended - Fraker  
CCR SCS HCS HB 2002 - Fitzpatrick

CCR SCS HCS HB 2003 - Fitzpatrick  
CCR SCS HCS HB 2004 - Fitzpatrick  
CCR SCS HCS HB 2005 - Fitzpatrick  
CCR SCS HCS HB 2006, as amended - Fitzpatrick  
CCR SCS HCS HB 2007, as amended - Fitzpatrick  
CCR SCS HCS HB 2008 - Fitzpatrick  
CCR SCS HCS HB 2009 - Fitzpatrick  
CCR SS SCS HCS HB 2010 - Fitzpatrick  
CCR SCS HCS HB 2011 - Fitzpatrick  
CCR SCS HCS HB 2012 - Fitzpatrick  
SCS HCS HB 2013 - Fitzpatrick  
HCS SS SB 608 - Rhoads  
HCS SS SCS SB 826, as amended, E.C. - Ross  
CCR SS SCS HCS HB 1879, as amended (Fiscal Review 5/8/18) - Fraker  
HCS SS SB 870, as amended - Alferman  
CCR HCS SS SCS SB 707, as amended (Fiscal Review 5/8/18) - Engler  
HCS SS SCS SB 775, as amended - Fitzpatrick  
SCS SB 892, with HA 1, HA 2, HA 3, HA 4 & HA 5 - Walker (3)  
HCS SB 660, as amended - Fitzwater

## **HOUSE RESOLUTIONS**

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

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

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

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