

JOURNAL OF THE HOUSE

Second Regular Session, 99th GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, WEDNESDAY, MAY 16, 2018

The House met pursuant to adjournment.

Representative Gregory in the Chair.

Speaker Richardson assumed the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

He who would love life and see good days, let him turn away from evil and do right; let him seek peace and pursue it.
(I Peter 3:10, 11)

O Peaceful God, creator and sustainer of the universe and of this planet we call the Earth, we Your children, created in Your own image, turn to You seeking strength for these hours, guidance for our undertakings, and good will for our relationships with other people.

We pray for our state. Cleanse our hearts and minds of all misunderstandings and revenge, which are the seeds of conflict. Make us quick to welcome every true adventure, in political cooperation, and every effort to strengthen our relationships with each other. Open the door of opportunity and give us courage to walk through it to a greater life together in the Show-Me State.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the seventy-fourth day was approved as printed by the following vote:

AYES: 131

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Baringer	Barnes 60	Barnes 28
Basye	Beard	Beck	Bernskoetter	Black
Bondon	Brattin	Brown 57	Burns	Butler
Christofanelli	Conway 10	Conway 104	Cookson	Cornejo
Cross	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Evans
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Frederick	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hurst	Johnson	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Matthiesen	McCann Beatty	McCreery	McGaugh	McGee
Meredith 71	Merideth 80	Miller	Morgan	Morris 140

Morse 151	Mosley	Muntzel	Neely	Newman
Nichols	Pfautsch	Phillips	Pierson Jr	Pike
Plocher	Quade	Razer	Redmon	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Stacy
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 001

Engler

PRESENT: 001

Burnett

ABSENT WITH LEAVE: 028

Arthur	Bangert	Berry	Brown 27	Carpenter
Chipman	Corlew	Curtis	Ellington	Gannon
Gray	Green	Justus	Kelley 127	Mathews
May	McDaniel	Messenger	Mitten	Moon
Peters	Pietzman	Pogue	Rehder	Smith 85
Spencer	Stephens 128	Washington		

VACANCIES: 002

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were read the second time:

SCR 50, relating to the replacement of a statue in the Statuary Hall of the Capitol of the United States.

SCR 53, relating to the establishment of the Joint Committee on the Review of the Plant Industries Division.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HB 2347**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (3): Alferman, Morris (140) and Rowland (29)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 2540, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Anderson, Conway (104), Fraker, Haefner, Smith (163), Swan, Wiemann and Wood

Noes (3): Morgan, Unsicker and Wessels

Absent (3): Alferman, Morris (140) and Rowland (29)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 2562, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Conway (104), Fraker, Haefner, Morgan, Smith (163), Swan and Wood

Noes (3): Unsicker, Wessels and Wiemann

Absent (4): Alferman, Anderson, Morris (140) and Rowland (29)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SJR 27**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (3): Alferman, Morris (140) and Rowland (29)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **CCR HCS SS SB 608**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (5): Alferman, Morris (140), Rowland (29), Unsicker and Wessels

THIRD READING OF SENATE BILLS - INFORMAL

HCS SB 773, as amended, with House Amendment No. 2, as amended, pending, relating to taxation, was taken up by Representative Swan.

On motion of Representative Anderson, **House Amendment No. 2, as amended**, was adopted by the following vote, the ayes and noes having been demanded by Representative Frederick:

AYES: 085

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Beck	Bondon	Burnett	Burns

Carpenter	Christofanelli	Conway 10	Corlew	Cornejo
Ellebracht	Evans	Fitzwater	Fraker	Francis
Franks Jr	Gannon	Green	Gregory	Haahr
Hannegan	Harris	Helms	Henderson	Houghton
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Kolkmeier	Lant	Lavender	Lichtenegger	Lynch
Matthiesen	May	McCann Beatty	McCreery	McDaniel
McGaugh	McGee	Meredith 71	Merideth 80	Mitten
Morgan	Morse 151	Mosley	Neely	Nichols
Pierson Jr	Plocher	Quade	Razer	Redmon
Reiboldt	Remole	Revis	Roeber	Rone
Runions	Shaul 113	Spencer	Stephens 128	Swan
Taylor	Trent	Unsicker	Vescovo	Walker 74
Washington	Wessels	Wiemann	Wilson	Mr. Speaker

NOES: 063

Andrews	Basye	Bernskoetter	Berry	Black
Brattin	Brown 57	Butler	Chipman	Conway 104
Cookson	Curtman	Davis	Dinkins	Dogan
Dohrman	Eggleston	Engler	Fitzpatrick	Franklin
Frederick	Gray	Grier	Haefner	Hansen
Higdon	Hill	Houx	Hurst	Johnson
Knight	Korman	Lauer	Love	Marshall
Mathews	Miller	Moon	Morris 140	Muntzel
Pfautsch	Phillips	Pietzman	Pike	Reisch
Rhoads	Roberts	Roden	Ross	Rowland 155
Rowland 29	Ruth	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Stacy	Tate	Walker 3
Walsh	White	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 013

Beard	Brown 27	Cross	Curtis	DeGroot
Ellington	Messenger	Newman	Peters	Pogue
Rehder	Schroer	Stevens 46		

VACANCIES: 002

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 773, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, and shall be imposed on all transactions on which the Missouri state sales tax is imposed.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price,

and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all transactions upon which the Missouri state sales tax is imposed to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November ~~[2018]~~ 2022, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

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

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November ~~[2018]~~ 2022, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November ~~[2018]~~ 2022, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, and calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, ~~2019~~ **2023**.

(8) Notwithstanding any provision of law to the contrary, if any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed after the general election in November 2014, or if the taxing jurisdiction failed to present the ballot to the voters at a general election on or before November ~~2018~~ **2022**, then the governing body of such taxing jurisdiction may, at any election subsequent to the repeal or after the general election in November ~~2018~~ **2022**, if the jurisdiction failed to present the ballot to the voters, place before the voters the issue of imposing a sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 that were purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) apply and collect the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in an increase of local revenue to provide for vital services for (local jurisdiction's name), and it will remove a competitive advantage that non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers have over Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

YES NO

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

(9) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is adopted, such tax shall take effect and be imposed on the first day of the second calendar quarter after the election.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors required to be titled under the laws of the state of Missouri, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, the sales tax upon the titling of all motor vehicles, trailers, boats, and outboard motors shall be imposed at the rate in effect at the location of the residence of the purchaser, and remitted to that local taxing entity, and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes shall not be imposed on the seller of motor vehicles, trailers, boats, and outboard motors required to be titled under the laws of the state of Missouri, but shall be collected from the purchaser by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty

days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax."; and

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

Representative Christofanelli offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 773, Page 5, Line 17, by deleting all of said line and inserting in lieu thereof the following:

**"first day of the calendar quarter after a minimum of one hundred twenty days' notice to sellers.
32.315. 1. The department of revenue shall issue an annual report on or before January 1, 2019, and every January 1 thereafter, listing all sales and use levies that are:**

- (1) Authorized pursuant to state law;**
- (2) Collected by the department of revenue; and**
- (3) Approved by voters at an election.**

2. The report required under subsection 1 of this section shall indicate the provision of law authorizing such tax levy."; and"; and

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

On motion of Representative Christofanelli, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Rhoads, **House Amendment No. 3, as amended**, was adopted.

Representative Rhoads assumed the Chair.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting immediately after said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems [~~not held for resale~~], **including any and all equipment, inverters, transformers, wiring, panels, foundations, or other devices and appurtenances used for the creation of solar energy; except any such system held in inventory by manufacturers or manufacturer's distributors for resale to producers and developers of solar energy systems where solar energy is created, stored, transmitted, and generated. For the purposes of this section "solar energy systems" shall be considered personal property.**"; and

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

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

Representative Kelley (127) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting after all of said section and line the following:

"135.760. 1. This section shall be known and may be cited as the "Missouri Earned Income Tax Credit Act".

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

(1) "Department", the department of revenue;

(2) "Eligible taxpayer", a resident individual with a filing status of single, head of household, widowed, or married filing combined who is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, and who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all tax years beginning on or after January 1, 2019, an eligible taxpayer shall be allowed a tax credit in an amount equal to twenty percent of the amount such taxpayer would receive under the federal earned income tax credit. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. If the amount of the credit exceeds the tax liability, the difference shall not be refunded to the taxpayer and shall not be carried forward to any subsequent tax year.

4. Notwithstanding the provision of subsection 4 of section 32.057 to the contrary, the department shall determine whether any taxpayer filing a report or return with the department who did not apply for the credit authorized under this section may qualify for the credit and, if so determines a taxpayer may qualify for the credit, shall notify such taxpayer of his or her potential eligibility. In making a determination of eligibility under this section, the department shall use any appropriate and available data including, but not limited to, data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.

5. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended on the earned income tax credit, the number of credits claimed, and the average value of the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

6. The department shall contract with one or more nonprofit group to provide notice of the earned income tax credit to eligible taxpayers. The department shall require evidence of the effectiveness of the nonprofit group, the connection with the community in which the group operates, and the ability to contact taxpayers that are unlikely to claim the federal earned income tax credit including, but not limited to, non-English speakers, the elderly, tenants, and very low-income taxpayers who do not file tax returns annually. The department shall give preference to nonprofit groups with members in low- and moderate-income areas, to nonprofit groups with at least fifty-one percent of its board of directors having low to moderate incomes and residing in target communities, and to nonprofit groups that have a record of effective door-to-door outreach for similar community projects.

7. The director of the department shall promulgate rules and regulations to administer 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, Page 16, Section 143.451, Line 244, by inserting after all of said section and line the following:

"Section B. The enactment of section 135.760 of this act shall become effective upon a growth in net general revenue sufficient to trigger the first reduction of the individual income tax top rate under subsection 2 of section 143.011 and continued net general revenue growth of at least an amount equal to the annual revenue reduction of the earned income tax credit in this act."; and

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

Representative Carpenter offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 773, Page 2, Line 16, by deleting said line and inserting in lieu thereof the following:

"adopted after August 28, 2018, shall be invalid and void.

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

(1) "Deduction", an amount subtracted from an eligible taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Eligible taxpayer", an individual subject to the state income tax under chapter 143 who is a veteran with a total service-connected disability;

(3) "Loan forgiveness program", the Total and Permanent Disability loan discharge administered by the United States Department of Education.

2. In addition to all deductions listed under this chapter, for all tax years beginning on or after January 1, 2019, an eligible taxpayer shall be allowed a deduction equal to the amount of any income from a loan forgiveness program included in the taxpayer's federal adjusted gross income.

3. The department of revenue 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"; and

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

On motion of Representative Carpenter, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Kelley (127), **House Amendment No. 5, as amended**, was adopted.

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting immediately after all of said section and line the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code (**26 U.S.C. Section 103, as amended**). The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code (**26 U.S.C. Section 265, as amended**). The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code (**26 U.S.C. Section 168**) as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 (**26 U.S.C. Section 168**) as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986 (**26 U.S.C. Section 172**), as amended, other than the deduction allowed by Section [~~172(b)(1)(G)~~] **172(b)(1)(F)** and Section [~~172(i)~~] **172(h)** of the Internal Revenue Code of 1986 (**26 U.S.C. Section 172**), as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code (**26 U.S.C. Section 168**) as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code (**26 U.S.C. Section 168**) as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone;

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection; and

(10) For all tax years beginning on or after January 1, 2014, the amount of any income received as payment from any program which provides compensation to agricultural producers who have suffered a loss as the result of a disaster or emergency, including the:

- (a) Livestock Forage Disaster Program;
- (b) Livestock Indemnity Program;
- (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;
- (d) Emergency Conservation Program;
- (e) Noninsured Crop Disaster Assistance Program;
- (f) Pasture, Rangeland, Forage Pilot Insurance Program;
- (g) Annual Forage Pilot Program;

(h) Livestock Risk Protection Insurance Plan; and

(i) Livestock Gross Margin insurance plan.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986 (**26 U.S.C. Section 1033**), as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020.

10. Gross income shall not include the value of any prize or award won by a taxpayer in athletic competition in the Olympic, Paralympic, or Special Olympic Games. This subsection shall be known and may be cited as the "Olympic Dream Freedom Act"; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting after all of said line the following:

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

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, [~~improper subdivision or obsolete platting,~~] or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, [~~morals,~~] or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997. **For all redevelopment plans and projects approved on or after January 1, 2020, in retail areas, a conservation area shall meet the dilapidation standard as one of the three factors required under this subdivision;**

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

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

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Demolition of buildings; and

c. The clearing and grading of land;

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

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

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

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

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

(j) Payments in lieu of taxes;

(16) "**Retail area**", a proposed redevelopment area for which most of the projected tax increment financing revenue will be generated from retail businesses, which shall be businesses that primarily sell or offer to sell goods to a buyer primarily for the buyer's personal, family, or household use and not primarily for business, commercial, or agricultural use;

(17) "**Retail infrastructure projects**", highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, and any other similar public improvements, but in no case shall retail infrastructure projects include buildings;

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

~~[(47)]~~ (19) "Taxing districts", any political subdivision of this state having the power to levy taxes;

~~[(48)]~~ (20) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

~~[(49)]~~ (21) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

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

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a **study conducted by a party other than the proponent of a redeveloped plan, which includes a** detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

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

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

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

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

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

2. Tax increment allocation financing shall not be adopted under sections 99.800 to 99.866 in a retail area unless such financing is exclusively utilized to fund retail infrastructure projects or unless such area is a blighted area or conservation area. The provisions of this subsection shall not apply to any tax increment allocation financing project or plan approved before August 28, 2018, nor any amendment to tax increment allocation financing projects and plans approved before August 28, 2018, provided that such an amendment does not add buildings of new construction in excess of twenty-five percent of the scope of the original redevelopment agreement.

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

99.825. 1. (1) Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public

hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project.

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

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

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

(5) Within ten days of the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, the commission created under section 99.820 shall notify each board or body that oversees a taxing district that is partially or wholly located within the redevelopment area of the approval of the ordinance.

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

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

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

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

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

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

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

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

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. For plans, projects, designations, or amendments approved by a municipality over the recommendation in opposition by the commission formed under ~~subsection 3 of~~ section 99.820, the economic activity taxes and payments in lieu of

taxes generated by such plan, project, designation, or amendment shall be restricted to paying only those redevelopment project costs contained in subparagraphs b. and c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

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

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

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

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

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

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

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

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

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

(5) A school board of a school district may elect to have fifty percent of the portion of property tax revenue allocated to the school district by a county or municipality excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority no later than sixty days after the project or plan is adopted or approved by ordinance. The vote may occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue, the county collector, and every other taxing district in the redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the percentage of property tax revenue equal to the average percentage of property tax revenue allocated to the school district over the preceding five years, and such percentage of revenue attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property within the redevelopment project area shall be allocated to the school district and shall not be allocated to redevelopment costs and obligations.

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

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public

transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

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

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

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

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

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

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

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax

withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

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

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

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

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

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

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

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

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

- (o) The anticipated type and terms of the obligations to be issued;
 - (p) The most recent equalized assessed valuation of the property within the development project area;
 - (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
 - (r) The general land uses to apply in the development area;
 - (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
 - (t) The total number of full-time equivalent positions in the development area;
 - (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
 - (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
 - (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
 - (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
 - (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
 - (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
 - (aa) A list of other community and economic benefits to result from the project;
 - (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
 - (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
 - (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
 - (gg) A market study for the development area;
 - (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

- (a) A former automobile manufacturing plant; or
- (b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

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

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

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

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

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

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

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

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

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

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 773, Page 16, Section 143.451, Line 244, by inserting immediately after said line the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

- (1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;
- (2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;
- (3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;
- (4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;
- (5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;
- (6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;
- (7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;
- (8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;
- (9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;
- (10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;
- (11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;
- (12) The transfer of a manufactured home other than:
 - (a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;
 - (b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;
 - (c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or
- (13) Charges for initiation fees or dues to:
 - (a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; ~~or~~
 - (b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; **or**

(c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax."; and

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

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

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting after all of said section and line the following:

"137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation or storage of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, propane or LP gas equipment, water, and sewage;

(5) **"Reliever airport", any land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System that may receive federal airport improvement project funds through the Federal Aviation Administration;**

(6) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in Section 4(b) of Article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, bed and breakfast inns in which the owner resides and uses as a primary residence with

six or fewer rooms for rent, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, “transient housing” means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include ~~land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration]~~ **any reliever airport**. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) “Utility, industrial, commercial, railroad and other real property”, all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term “utility, industrial, commercial, railroad and other real property”.

2. Pursuant to Article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to Article X, Subsection 2 of Section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section. **This subsection shall not apply to any reliever airport.**

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in Section 4(b) of Article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution.

137.017. 1. For general property assessment purposes, the true value in money of land which is in use as agricultural and horticultural property, as defined in section 137.016, shall be that value which such land has for agricultural or horticultural use. The true value of buildings or other structures customarily associated with farming, agricultural, and horticultural uses, excluding residential dwellings and related land, shall be added to the use value of the agricultural and horticultural land to determine the value of the agricultural and horticultural property under sections 137.017 to 137.021.

2. After it has been established that the land is actually agricultural and horticultural property, as defined in section 137.016, and is being valued and assessed accordingly, the land shall remain in this category as long as the owner of the land complies with the provisions of sections 137.017 to 137.021.

3. Continuance of valuation and assessment for general property taxation under the provisions of sections 137.017 to 137.021 shall depend upon continuance of the land being used as agricultural and horticultural property, as defined in section 137.016, and compliance with the other requirements of sections 137.017 to 137.021 and not upon continuance in the same owner of title to the land.

4. For general property assessment purposes, the true value in money of vacant and unused land which is classified as agricultural and horticultural property under subsection 3 of section 137.016 shall be its fair market value. **This subsection shall not apply to any reliever airport.**

5. For general property assessment purposes, the true value in money of a reliever airport shall be that value which such land has for agricultural or horticultural use."; and

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

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

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

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 773, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"33.543. 1. There is hereby created in the state treasury the "General Revenue Fund". All moneys received by this state shall be deposited in the state treasury to the credit of the general revenue fund, unless required by statute or constitutional provision to be deposited in some other specifically named fund.

2. Notwithstanding any other provisions of law to the contrary, no moneys held in the general revenue fund shall be expended or appropriated for the construction, maintenance, promotion, or operation of a professional sports stadium or facility including, but not limited to, a professional auto racing, baseball, basketball, football, hockey, or soccer facility. Any statute authorizing the use of the general revenue fund for bond financing or other appropriations contrary to this subsection and passed prior to the effective date of this section is null and void. However, this section shall not be interpreted to prohibit bond funding authorized under the Constitution of Missouri, including bond funds that were established by vote of the people as amendments to the Constitution of Missouri.

3. After the effective date of this statute, no political subdivision of this state shall expend or appropriate public funds for the construction, maintenance, promotion, or operation of a professional sports stadium or facility including, but not limited to, a professional auto racing, baseball, basketball, football, hockey, or soccer facility unless the voters of such political subdivision authorize the funding or bond issuance by popular vote. The ballot language approving such funding or bond issuance shall specifically describe the proposed sports stadium or facility in such a way that the funding or bond issuance could not be used for any other facility.

4. The provisions of subsections 2 and 3 of this section shall become effective immediately upon the adoption of a substantially similar measure by twenty-nine of the following thirty-two states and district: Alabama, Arizona, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.

5. The satisfaction of the provisions of subsection 4 shall be determined by the attorney general. The attorney general shall notify the revisor of statutes when, in the attorney general's opinion, the requisite number of states have adopted substantially similar measures.

6. The ultimate question of whether the requirements of subsection 4 of this section are satisfied, thereby triggering the effectiveness of subsections 2 and 3 of this section, shall be subject to de novo judicial review, and any citizen of this state may bring an action in court to challenge the use of public moneys in violation of this section. If a violation is found, then the court shall immediately enjoin all spending in violation of this section and may order such restitution or other remedies as the court deems just and proper.

7. (1) It shall be against public policy for this state or any political subdivision thereof to pass any subsidy, tax abatement, tax credit, tax deduction, or tax exemption that incentivizes the construction, maintenance, promotion, or operation of a professional sports stadium or facility.

(2) Any enabling statute authorizing a political subdivision to issue a subsidy, tax abatement, tax credit, tax deduction, or tax exemption in violation of this section is superceded so that no such tax credits shall issue after the effective date of this section.

(3) Any statute authorizing a subsidy, tax abatement, tax credit, tax deduction, or tax exemption in violation of this section shall specifically cite or repeal this section of law and shall otherwise be interpreted as not superceding this section even if it is later in time or more specific in content.

(4) Nothing in this section shall be interpreted to breach any existing contract or inhibit bond financing and payment for any project approved prior to the effective date of this act."; and

Further amend said bill, Page 16, Section 143.451, Line 244, by inserting after all of said section and line the following:

"Section B. The enactment of section 33.543 shall be effective immediately following the notice to the revisor of statutes by the attorney general that the requisite number of states and districts have adopted substantially similar measures as provided under section 33.543."; and

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

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

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

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting immediately after all of said section and line the following:

"135.820. Any taxpayer that is found to have knowingly provided misleading or false information resulting in the award of any tax credit provided for under law shall have such tax credit subject to recapture, and shall be ineligible to receive any further tax credits under such tax credit program for a period of ten years."; and

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

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

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

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 773, Page 6, Section 67.3005, Line 45, by inserting after all of said section and line the following:

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

(1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Firearm training", any firearm education and training course, firearm certification course, or firearm safety course that teaches proper and safe firearm handling. Firearm training shall not include cartridge reloading courses;

(3) "Taxpayer", an individual subject to the state income tax under chapter 143.

2. In addition to all deductions listed in this chapter, for all tax years beginning on or after January 1, 2019, a taxpayer shall be allowed a deduction up to one hundred fifty dollars for the costs of up to eight hours of firearm training the taxpayer completed during the tax year.

3. The department of revenue 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.

4. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly;

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

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

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

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

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

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 773, Page 16, Section 143.451, Line 244, by inserting immediately after said line the following:

"144.900. 1. Notwithstanding any other provision of law, any seller who does not have a physical presence in this state who sells tangible personal property or products transferred electronically shall be subject to this chapter, shall remit sales tax, and shall follow all applicable procedures and requirements as if the seller had a physical presence in the state, provided that in either the previous or current calendar year the seller has:

- (1) At least one hundred thousand dollars in gross revenue from sales in this state; or
- (2) At least two hundred or more separate transactions in this state.

2. A taxpayer complying with this section and section 144.901, voluntarily or otherwise, may only seek a recovery of taxes, penalties, or interest by following the recovery procedures under section 136.035. However, no claim shall be granted on the basis that the taxpayer lacked a physical presence in the state and complied with this section voluntarily while complying with the injunction of section 144.901. Nothing in this section limits the ability of any taxpayer to obtain a refund for any other reason, including overpayment or erroneous payment.

3. No seller who remits sales tax voluntarily or otherwise under this section shall be liable to a purchaser who claims that the sales tax was over-collected because a provision of this section is later deemed unlawful.

4. Nothing in this section shall affect the obligation of any purchaser from this state to remit use tax as to any applicable transaction in which the seller does not collect and remit or remit an offsetting sales tax.

144.901. 1. Notwithstanding any other provision of law and regardless if the state initiates an audit or other tax collection procedure, the state may bring a declaratory judgment action in any circuit court to establish that the obligation to remit sales tax is applicable and valid under state and federal law against any person who the state believes meets the criteria of section 144.900. The circuit court shall act on this declaratory judgment action as expeditiously as possible. The court shall presume that the matter shall be fully resolved through a motion to dismiss or a motion for summary judgment. Attorney's fees shall not be awarded in any action brought under section 144.900.

2. The filing of the declaratory judgment action by the state shall operate as an injunction during the pendency of the action, prohibiting any state entity from enforcing the obligation in section 144.900 against any taxpayer who does not affirmatively consent or otherwise remit the sales tax on a voluntary basis. The injunction shall not apply if there is a previous judgment against a taxpayer that establishes the validity of the taxpayer's obligation under section 144.900.

3. Any appeal from the decision with respect to the cause of action under section 144.900 shall only be made to the state supreme court. The appeal shall be heard as expeditiously as possible.

4. If an injunction under this section is lifted or dissolved, in general or with respect to a specific taxpayer, the state shall assess and apply the obligation established under section 144.900 from that date forward to any taxpayer affected by the injunction."; and

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

On motion of Representative Lavender, **House Amendment No. 13** was adopted.

On motion of Representative Swan, **HCS SB 773, as amended**, was adopted.

On motion of Representative Swan, **HCS SB 773, as amended**, was read the third time and passed by the following vote:

AYES: 115

Anders	Anderson	Andrews	Arthur	Austin
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Beck	Berry	Black	Bondon
Brown 57	Burnett	Burns	Butler	Carpenter
Christofanelli	Conway 10	Corlew	Cornejo	Cross
Davis	DeGroot	Dinkins	Dogan	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franks Jr	Gannon	Green
Gregory	Haahr	Haefner	Hannegan	Hansen
Harris	Henderson	Hill	Houghton	Houx
Justus	Kelley 127	Kelly 141	Kendrick	Knight
Kolkmeyer	Lant	Lauer	Lavender	Lichtenegger
Love	Lynch	Mathews	Matthiesen	May

McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Mitten	Morgan	Morse 151	Mosley
Muntzel	Nichols	Pfautsch	Phillips	Pierson Jr
Pike	Quade	Razer	Redmon	Reiboldt
Reisch	Revis	Rhoads	Roberts	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Trent	Unsicker	Vescovo	Walker 3
Walsh	Washington	Wessels	Wiemann	Mr. Speaker

NOES: 032

Adams	Alferman	Bernskoetter	Brattin	Chipman
Conway 104	Curtman	Dohrman	Ellington	Franklin
Frederick	Helms	Higdon	Hurst	Johnson
Kidd	Korman	Marshall	McDaniel	Miller
Moon	Morris 140	Neely	Pietzman	Roden
Schroer	Smith 85	Spencer	Taylor	White
Wilson	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes 60	Brown 27	Cookson	Curtis	Gray
Grier	Messenger	Newman	Peters	Plocher
Pogue	Rehder	Remole	Walker 74	

VACANCIES: 002

Representative Rhoads declared the bill passed.

SS SCS HB 1769; SS SCS HB 1355, as amended; HCS HB 2171, with Senate Amendment No. 1; SCS HCS#2 HB 1503; SS SCS HCS HB 1991, as amended; SS HB 1428, as amended; SS#2 HCS HB 2129; SS SCS HB 2562, as amended; SS HB 1415, as amended; SS#2 SCS HCS HBs 1288, 1377 & 2050; SCS HB 2347 and SCS HCS HB 2540, as amended, were placed on the Informal Calendar.

HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL

SS SCS HB 2562, as amended, relating to courts, was taken up by Representative Austin.

On motion of Representative Austin, **SS SCS HB 2562, as amended,** was adopted by the following vote:

AYES: 138

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Berry	Black
Bondon	Brattin	Brown 57	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Conway 104

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

NOES: 007

Alferman	Bernskoetter	Hurst	Marshall	McDaniel
Moon	Walker 3			

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 015

Barnes 60	Brown 27	Conway 10	Cookson	Curtman
Grier	Higdon	Matthiesen	Messenger	Peters
Pogue	Razer	Walker 74	Wessels	Wilson

VACANCIES: 002

On motion of Representative Austin, **SS SCS HB 2562, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 133

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 28
Beard	Beck	Berry	Black	Bondon
Brattin	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Corlew
Cornejo	Cross	Curtman	Davis	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Fraker	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Haahr	Hannegan	Hansen	Harris
Helms	Hill	Houghton	Houx	Johnson

Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Lynch	Mathews	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Miller	Mitten	Morris 140	Morse 151
Mosley	Muntzel	Neely	Nichols	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roerber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 74	Walsh	Washington	Wessels	White
Wiemann	Wood	Mr. Speaker		

NOES: 006

Alferman	Bernskoetter	Hurst	McDaniel	Moon
Walker 3				

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 021

Barnes 60	Basye	Brown 27	Conway 104	Cookson
Curtis	DeGroot	Francis	Grier	Haefner
Henderson	Higdon	Love	Marshall	Matthiesen
Messenger	Morgan	Newman	Peters	Pogue
Wilson				

VACANCIES: 002

Representative Rhoads declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 1633, as amended**.

Senators: Dixon, Emery, Koenig, Sifton, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SBs 807 & 577, as amended**.

Senators: Wasson, Cunningham, Eigel, Sifton, Holsman

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 951, as amended**.

Senators: Crawford, Sater, Wieland, Holsman, Schupp

HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL

SS SCS HB 1355, as amended, relating to public safety, was taken up by Representative Phillips.

On motion of Representative Phillips, **SS SCS HB 1355, as amended**, was adopted by the following vote:

AYES: 133

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Burnett
Burns	Butler	Carpenter	Christofanelli	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Curtman
Davis	DeGroot	Dogan	Dohrman	Eggleston
Ellebracht	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Houghton	Houx	Johnson	Justus
Kelly 141	Kendrick	Knight	Kolkmeyer	Lant
Lauer	Lavender	Love	Lynch	Mathews
Matthiesen	May	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Neely	Newman	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Remole
Revis	Rhoads	Roberts	Roeber	Rone
Ross	Rowland 155	Rowland 29	Runions	Ruth
Schroer	Shaul 113	Shull 16	Shumake	Smith 163
Sommer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Walsh	Washington	Wessels
White	Wiemann	Wilson		

NOES: 015

Bahr	Dinkins	Ellington	Franks Jr	Gray
Hill	Hurst	Kidd	Korman	Marshall
McDaniel	Moon	Smith 85	Spencer	Wood

PRESENT: 001

Roden

ABSENT WITH LEAVE: 012

Barnes 60	Brown 27	Chipman	Cross	Curtis
Kelley 127	Lichtenegger	Messenger	Peters	Pogue
Reisch	Mr. Speaker			

VACANCIES: 002

On motion of Representative Phillips, **SS SCS HB 1355, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Black	Bondon	Brattin	Brown 57
Burnett	Burns	Butler	Christofanelli	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Cross
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Ellebracht	Engler	Evans	Fitzpatrick
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Green	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Johnson	Justus	Kelley 127	Kendrick
Knight	Kolkmeier	Lant	Lauer	Lavender
Lichtenegger	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Miller	Mitten	Morgan	Morris 140
Morse 151	Mosley	Muntzel	Neely	Newman
Nichols	Pfausch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Revis
Rhoads	Roberts	Roeber	Rone	Ross
Rowland 155	Rowland 29	Runions	Ruth	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Walker 74	Walsh	Washington	Wessels	White
Wiemann	Wilson	Mr. Speaker		

NOES: 011

Curtman	Ellington	Gray	Hurst	Kidd
Korman	Marshall	McDaniel	Moon	Smith 85
Wood				

PRESENT: 001

Roden

ABSENT WITH LEAVE: 011

Barnes 60	Brown 27	Carpenter	Chipman	Curtis
Kelly 141	Love	Messenger	Peters	Pogue
Schroer				

VACANCIES: 002

Representative Rhoads declared the bill passed.

THIRD READING OF SENATE BILLS - INFORMAL

SB 891, relating to buy Missouri week, was taken up by Representative Shaul (113).

On motion of Representative Shaul (113), the title of **SB 891** was agreed to.

On motion of Representative Shaul (113), **SB 891** was truly agreed to and finally passed by the following vote:

AYES: 137

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Burnett	Burns
Butler	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Fitzwater	Fraker	Francis	Franklin	Franks Jr
Frederick	Gannon	Gray	Green	Gregory
Haefner	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McGaugh
McGee	Meredith 71	Merideth 80	Miller	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Newman	Nichols	Pfautsch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch
Remole	Revis	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16
Shumake	Smith 85	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Arthur	Barnes 60	Brown 27	Brown 57	Carpenter
Chipman	Cookson	Curtis	DeGroot	Ellington
Evans	Fitzpatrick	Grier	Haahr	Hannegan
Higdon	McCreery	McDaniel	Messenger	Neely
Peters	Pogue	Smith 163	Mr. Speaker	

VACANCIES: 002

Representative Rhoads declared the bill passed.

SS SCS SB 907, to authorize the conveyance of certain state properties, was taken up by Representative Roden.

On motion of Representative Roden, the title of **SS SCS SB 907** was agreed to.

On motion of Representative Roden, **SS SCS SB 907** was truly agreed to and finally passed by the following vote by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Burnett	Burns
Butler	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Cross	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzwater	Fraker	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Grier	Haefner	Hannegan	Hansen
Harris	Helms	Henderson	Houghton	Houx
Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Knight	Kolkmeyer	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Marshall	Mathews	Matthiesen	McCann Beatty
McGaugh	McGee	Merideth 80	Miller	Mitten
Moon	Morgan	Morris 140	Morse 151	Mosley
Muntzel	Newman	Nichols	Pfausch	Phillips
Pierson Jr	Pietzman	Pike	Plocher	Quade
Razer	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Walsh	Wessels	White	Wiemann	Wood

NOES: 001

McCreery

PRESENT: 000

ABSENT WITH LEAVE: 025

Arthur	Barnes 60	Brown 27	Brown 57	Carpenter
Chipman	Cookson	Curtis	Ellebracht	Ellington
Fitzpatrick	Haahr	Higdon	Hill	May
McDaniel	Meredith 71	Messenger	Neely	Peters
Pogue	Redmon	Washington	Wilson	Mr. Speaker

VACANCIES: 002

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 HB 1719** entitled:

An act to repeal sections 324.001, 324.200, 324.205, 324.210, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.920, 324.925, 324.1108, 327.221, 327.312, 327.313, 327.321, 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 330.030, 331.030, 332.131, 334.530, 334.655, 335.036, 335.046, 335.066, 335.067, 336.030, 337.020, 337.025, 337.029, 337.033, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, 337.718, 344.030, 374.715, 374.784, and 632.005, RSMo, and to enact in lieu thereof eighty-six new sections relating to professional registration, with existing penalty provisions and a contingent effective date for certain sections.

With Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 2 to Senate Amendment No. 3, Senate Amendment No. 3 as amended, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Pages 100-103, Section 335.046, by striking all of said section from the bill; and

Further amend said bill, Page 124, Section 337.020, Line 1, by striking the opening bracket “[”]; and

Further amend Line 2 of said page, by striking the closing bracket “]”; and

Further amend said bill, Page 202, Section 632.005, Lines 1-3 of said page, by striking all of said lines and inserting in lieu thereof the following:

“for physician assistants in psychiatry;”.

Senate Amendment No. 1

to

Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 6, Section 324.850, Lines 20-29, by striking all of said lines; and

Further amend said amendment and section, Page 7, Line 1, by striking all of said line; and

Further renumber the remaining subsection accordingly.

Senate Amendment No. 2
to
Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 4, Section 324.825, Lines 22-25, by striking all of said section from the amendment.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 56, Section 324.436, Line 9 of said page, by inserting after all of said line the following:

“324.800. As used in sections 324.800 to 324.860, the following terms shall mean:

- (1) “Department”, the department of insurance, financial institutions and professional registration;**
- (2) “Out-of-state applicant”, any applicant who has not established and maintained a place of business as a registered roofing contractor in this state within the preceding year or has not submitted an income tax return as a resident of this state within the preceding year;**
- (3) “Person”, any individual, firm, partnership, association, corporation, limited liability company, or other group or combination thereof acting as a unit;**
- (4) “Roofing contractor”, one who has the knowledge and skill to construct, reconstruct, alter, maintain, and repair roofs and use materials and items used in the construction, reconstruction, alteration, maintenance, and repair of all kinds of roofing and waterproofing as related to roofing, all in such manner to comply with all plans, specifications, codes, laws, and regulations applicable thereto, persons subcontracted by a registered roofing contractor, or the owner of property acting as a home improvement contractor.**

324.805. Beginning January 1, 2020, a person who practices or offers services as a roofing contractor in this state for compensation or uses any title, sign, abbreviation, card, or device to indicate that such person is a roofing contractor may register with the department according to the provisions of sections 324.800 to 324.860.

324.810. 1. There is hereby created in the state treasury the “Roofing Contractor Fund”, which shall consist of moneys collected under sections 324.800 to 324.860. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer shall approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 324.800 to 324.860.

2. 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.

3. 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.

324.815. The department is authorized to promulgate rules and regulations necessary for the administration of sections 324.800 to 324.860, including regulations regarding:

- (1) The content of registration applications and the procedures for filing an application for an initial or renewal registration in this state;**
- (2) All applicable fees set at a level to produce revenue, which shall not exceed the cost and expense of administering the provisions of sections 324.800 to 324.860; and**

(3) The hiring of employees, who administer and oversee the requirements of sections 324.800 to 324.860, and who may investigate any alleged misconduct under sections 324.800 to 324.860. Persons hired under this subdivision shall be paid out of the roofing contractor fund established under section 324.810.

324.820. 1. An applicant for registration as a roofing contractor shall submit to the department a completed application furnished by the department accompanied by the required nonrefundable fee of no more than thirty five dollars or a renewal fee to be determined by the department. Such application shall include the applicant's name, business name, evidence of insurance as required under subsection 3 of this section, a telephone number, a street address.

2. An applicant shall have ninety days from the day the application is submitted to complete the application process or else the application shall be automatically denied and any fees paid by the applicant forfeited. Such applicant shall then reapply in order to obtain a certificate of registration.

3. No certificate of registration shall be issued or renewed unless the applicant files with the department proof of motor vehicle insurance for all business vehicles, a current worker's compensation insurance policy, and liability insurance with a minimum level of coverage of not less than one million dollars and unless an applicant or out-of-state applicant has a no tax due statement from the department of revenue.

4. No certificate of registration shall be issued if an out-of-state applicant has had a license revoked or suspended in another state.

5. No political subdivision of this state shall require a roofing contractor to be registered under sections 324.800 to 324.860 in order to operate as a roofing contractor within the boundaries of such political subdivision.

6. No political subdivision of this state shall require the inspection of a roof more than one time if the cost to construct or repair such roof is less than ten thousand dollars. No political subdivision shall require the inspection of a roof more than two times if the cost to construct or repair such roof is ten thousand dollars or more.

(1) The cost for an inspection permit for roofs that cost less than ten thousand dollars shall not be more than one hundred dollars.

(2) The cost for an inspection permit for roofs that cost ten thousand dollars or more shall not cost more than one percent of the cost of the roof.

The provisions of this subsection shall not apply to construction that changes the roofline on a building.

324.825. An insurance company issuing a liability insurance policy to a roofing contractor pursuant to the provisions of section 324.820 shall notify the department in the event such liability insurance policy is canceled or lapses for any reason.

324.830. The department shall promulgate rules to implement the provisions of sections 324.800 to 324.860. 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.

324.835. A registered roofing contractor shall affix the roofing contractor certificate of registration number and the registrant's name, as it appears on the certificate of registration, to all of his or her contracts and bids.

324.840. Any complaint received by the department concerning a person who is the holder of a certificate of registration issued under sections 324.800 to 324.860 or any complaint regarding the offering of roofing contractor services shall be recorded as received and the date received. The department shall investigate all complaints concerning alleged violations of the provisions of sections 324.800 to 324.860 or if there are grounds for the suspension, revocation, or refusal to issue any certificate of registration.

324.845. 1. The department may refuse to issue or renew, or may suspend or revoke a roofing contractor certificate of registration for failing to meet the requirements of section 324.820 or for one or any combination of causes stated in subsection 2 of this section. The department shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621. Notification shall be deemed sufficient if mailed, first class, to the address listed on the application for registration or renewal by the applicant.

2. The department may file a complaint with the administrative hearing commission against any holder of a certificate of registration for any one or combination of the following causes:

(1) Impersonation of any person holding a roofing contractor certificate of registration or knowingly allowing any person to use his or her certificate of registration;

(2) Knowingly providing another person with a false registration number; or

(3) Abandoning a contract, without returning the deposit, by not completing the contracted scope of work.

324.850. 1. The department shall maintain a list of roofing contractors with current certificates of registration on its website. The inclusion of a roofing contractor on such list does not constitute an endorsement by the department.

2. The department shall provide notice after a storm event occurs to inform members of the public that roofing contractors may register with the state. The notice shall be limited to the parts of the state where the storm event occurred. Such notice shall be posted on the department's website. In addition, such notice

shall be given in a rapid response, cost effective manner, in a format to be determined at the discretion of the department, which may include the use of advertisements and public service announcements in print, radio, television, and online media. Expenses for the notice under this subsection shall be paid out of the roofing contractor fund established under section 324.810.

3. The department shall make available to the public on its website the requirements for obtaining a certificate of registration set forth in section 324.820.

324.855. Any person found in violation of sections 324.800 to 324.860 shall be found guilty of a class D misdemeanor. A second conviction for violating sections 324.800 to 324.860 within ten years after the first conviction shall be a class B misdemeanor.

324.860. The provisions of sections 324.800 to 324.860 shall expire on August 29, 2023.

324.865. No political subdivision shall charge more than one hundred dollars a year for a business license, contractor license, or equivalent license in order to work within the boundaries of the political subdivision as a roofing contractor.”; and

Further amend said bill, Page 197, Section 374.784, Line 15 of said page, by inserting after all of said line the following:

“621.045. 1. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in those cases when, under the law, a license **or certificate of registration** issued by any of the following agencies may be revoked or suspended or when the licensee **or registrant** may be placed on probation or when an agency refuses to permit an applicant to be examined upon his or her qualifications or refuses to issue or renew a license **or certificate of registration** of an applicant who has passed an examination for licensure or who possesses the qualifications for licensure **or registration** without examination:

Missouri State Board of Accountancy
Missouri State Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
Board of Barber Examiners
Board of Cosmetology
Board of Chiropractic and Podiatry
Board of Chiropractic Examiners
Missouri Dental Board
Board of Embalmers and Funeral Directors
Board of Registration for the Healing Arts
Board of Nursing
Board of Optometry
Board of Pharmacy
Missouri Real Estate Commission
Missouri Veterinary Medical Board
Supervisor of Liquor Control
Department of Health and Senior Services
Department of Insurance, Financial Institutions and Professional Registration
Department of Mental Health
Board of Private Investigator Examiners.

2. If in the future there are created by law any new or additional administrative agencies which have the power to issue, revoke, suspend, or place on probation any license, then those agencies are under the provisions of this law.

3. The administrative hearing commission is authorized to conduct hearings and make findings of fact and conclusions of law in those cases brought by the Missouri state board for architects, professional engineers, professional land surveyors and landscape architects against unlicensed persons under section 327.076.

4. Notwithstanding any other provision of this section to the contrary, after August 28, 1995, in order to encourage settlement of disputes between any agency described in subsection 1 or 2 of this section and its licensees **or registrants**, any such agency shall:

(1) Provide the licensee **or registrant** with a written description of the specific conduct for which discipline is sought and a citation to the law and rules allegedly violated, together with copies of any documents

which are the basis thereof and the agency's initial settlement offer, or file a contested case against the licensee **or registrant**;

(2) If no contested case has been filed against the licensee **or registrant**, allow the licensee **or registrant** at least sixty days, from the date of mailing, to consider the agency's initial settlement offer and to contact the agency to discuss the terms of such settlement offer;

(3) If no contested case has been filed against the licensee **or registrant**, advise the licensee **or registrant** that the licensee **or registrant** may, either at the time the settlement agreement is signed by all parties, or within fifteen days thereafter, submit the agreement to the administrative hearing commission for determination that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee **or the certificate of registration of the registrant**; and

(4) In any contact under this subsection by the agency or its counsel with a licensee **or registrant** who is not represented by counsel, advise the licensee **or registrant** that the licensee **or registrant** has the right to consult an attorney at the licensee's **or registrant's** own expense.

5. If the licensee **or registrant** desires review by the administrative hearing commission under subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming final, the licensee may rescind and withdraw from the settlement and any admissions of fact or law in the agreement shall be deemed withdrawn and not admissible for any purposes under the law against the licensee. Any settlement submitted to the administrative hearing commission shall not be effective and final unless and until findings of fact and conclusions of law are entered by the administrative hearing commission that the facts agreed to by the parties to the settlement constitute grounds for denying or disciplining the license of the licensee.

6. When a holder of a license, registration, permit, or certificate of authority issued by the division of professional registration or a board, commission, or committee of the division of professional registration against whom an affirmative decision is sought has failed to plead or otherwise respond in the contested case and adequate notice has been given under sections 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under this chapter or chapter 536, a default decision shall be entered against the licensee without further proceedings. The default decision shall grant such relief as requested by the division of professional registration, board, committee, commission, or office in the writing initiating the contested case as allowed by law. Upon motion stating facts constituting a meritorious defense and for good cause shown, a default decision may be set aside. The motion shall be made within a reasonable time, not to exceed thirty days after entry of the default decision. "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to impede the administrative process."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 95, Section 332.131, Line 1 of said page, by inserting after all of said line the following:

"332.321. 1. The board may refuse to issue or renew a permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section or the board may, as a condition to issuing or renewing any such permit or license, require a person to submit himself or herself for identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any permit or license required by this chapter or any person who has failed to renew or has surrendered his or her permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; or increasing charges when a patient utilizes a third-party payment program; or for repeated irregularities in billing a third party for services rendered to a patient. For the purposes of this subdivision, irregularities in billing shall include:

(a) Reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered;

(b) Reporting incorrect treatment dates for the purpose of obtaining payment;

(c) Reporting charges for services not rendered;

(d) Incorrectly reporting services rendered for the purpose of obtaining payment that is greater than that to which the person is entitled;

(e) Abrogating the co-payment or deductible provisions of a third-party payment contract. Provided, however, that this paragraph shall not prohibit a discount, credit or reduction of charges provided under an agreement between the licensee and an insurance company, health service corporation or health maintenance organization licensed pursuant to the laws of this state; or governmental third-party payment program; or self-insurance program organized, managed or funded by a business entity for its own employees or labor organization for its members;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of, or relating to one's ability to perform, the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or any lawful rule or regulation adopted pursuant to this chapter;

(7) Impersonation of any person holding a permit or license or allowing any person to use his or her permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by this chapter imposed by another state, province, territory, federal agency or country upon grounds for which discipline is authorized in this state;

(9) A person is finally adjudicated incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice, by lack of supervision or in any other manner, any profession licensed or regulated by this chapter who is not registered and currently eligible to practice pursuant to this chapter;

(11) Issuance of a permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate, permit or license if so required by this chapter or by any rule promulgated hereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation that is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed. **For purposes of this section, the term “advertisement” shall mean any announcement as described in subdivision (9) of section 332.071.** False, misleading or deceptive advertisements or solicitations shall include, but not be limited to:

(a) Promises of cure, relief from pain or other physical or mental condition, or improved physical or mental health;

(b) Any misleading or deceptive statement offering or promising a free service. Nothing herein shall be construed to make it unlawful to offer a service for no charge if the offer is announced as part of a full disclosure of routine fees including consultation fees;

(c) Any misleading or deceptive claims of patient cure, relief or improved **health** condition; superiority in service, treatment or materials; new or improved service, treatment or material; or reduced costs or greater savings. Nothing herein shall be construed to make it unlawful to use any such claim if it is readily verifiable by existing documentation, data or other substantial evidence. Any claim that exceeds or exaggerates the scope of its supporting documentation, data or evidence is misleading or deceptive;

(d) Any announced fee for a specified service where that fee does not include the charges for necessary related or incidental services, or where the actual fee charged for that specified service may exceed the announced fee, but it shall not be unlawful to announce only the maximum fee that can be charged for the specified service, including all related or incidental services, modified by the term “up to” if desired;

(e) Any announcement in any form including the term “specialist” or the phrase “limited to the specialty of” unless each person named in conjunction with the term or phrase, or responsible for the announcement, holds a valid Missouri certificate and license evidencing that the person is a specialist in that area;

(f) Any announcement containing any of the terms denoting recognized specialties, or other descriptive terms carrying the same meaning, unless the announcement clearly designates by list each dentist not licensed as a specialist in Missouri who is sponsoring or named in the announcement, or employed by the entity sponsoring the announcement, after the following clearly legible or audible statement: “Notice: the following dentist(s) in this practice is (are) not licensed in Missouri as specialists in the advertised dental specialty(s) of _____”. **For purposes of this paragraph, a statement that is “clearly legible” shall have print that is equal or larger in size than the announcement of services, and a statement that is “clearly audible” shall have speech volume and pace equal to the announcement of services;**

(g) Any announcement containing any terms denoting or implying specialty areas that are not recognized by the American Dental Association;

(h) Any advertisement that does not contain the name of one or more of the duly registered and currently licensed dentists regularly employed in and responsible for the management, supervision, and operation of each office location listed in the advertisement; or

(i) Any advertisement denoting the use of sedation services permitted by the board in accordance with section 332.362 using any term other than deep sedation, general anesthesia, or moderate sedation. Such terms shall only be used in the announcement or advertisement of sedation services with the possession of a deep sedation, general anesthesia, or moderate sedation permit or license;

(15) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(16) Failure or refusal to properly guard against contagious, infectious or communicable diseases or the spread thereof;

(17) Failing to maintain his or her office or offices, laboratory, equipment and instruments in a safe and sanitary condition;

(18) Accepting, tendering or paying “rebates” to or “splitting fees” with any other person; provided, however, that nothing herein shall be so construed as to make it unlawful for a dentist practicing in a partnership or as a corporation organized pursuant to the provisions of chapter 356 to distribute profits in accordance with his or her stated agreement;

(19) Administering, or causing or permitting to be administered, nitrous oxide gas in any amount to himself or herself, or to another unless as an adjunctive measure to patient management;

(20) Being unable to practice as a dentist, specialist or hygienist with reasonable skill and safety to patients by reasons of professional incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. In enforcing this subdivision the board shall, after a hearing before the board, upon a finding of probable cause, require the dentist or specialist or hygienist to submit to a reexamination for the purpose of establishing his or her competency to practice as a dentist, specialist or hygienist, which reexamination shall be conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the dentist's, specialist's or hygienist's professional competence by at least three dentists or fellow specialists, or to submit to a mental or physical examination or combination thereof by at least three physicians. One examiner shall be selected by the dentist, specialist or hygienist compelled to take examination, one selected by the board, and one shall be selected by the two examiners so selected. Notice of the physical or mental examination shall be given by personal service or registered mail. Failure of the dentist, specialist or hygienist to submit to the examination when directed shall constitute an admission of the allegations against him or her, unless the failure was due to circumstances beyond his or her control. A dentist, specialist or hygienist whose right to practice has been affected pursuant to this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that he or she can resume competent practice with reasonable skill and safety to patients.

(a) In any proceeding pursuant to this subdivision, neither the record of proceedings nor the orders entered by the board shall be used against a dentist, specialist or hygienist in any other proceeding. Proceedings pursuant to this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(b) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the following: denying his or her application for a license; permanently withholding issuance of a license; administering a public or private reprimand; placing on probation, suspending or limiting or restricting his or her license to practice as a dentist, specialist or hygienist for a period of not more than five years; revoking his or her license to practice as a dentist, specialist or hygienist;

requiring him or her to submit to the care, counseling or treatment of physicians designated by the dentist, specialist or hygienist compelled to be treated; or requiring such person to submit to identification, intervention, treatment or rehabilitation by the well-being committee as provided in section 332.327. For the purpose of this subdivision, "license" includes the certificate of registration, or license, or both, issued by the board.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the board may, singly or in combination:

(1) Censure or place the person or firm named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years; or

(2) Suspend the license, certificate or permit for a period not to exceed three years; or

(3) Revoke the license, certificate, or permit. In any order of revocation, the board may provide that the person shall not apply for licensure for a period of not less than one year following the date of the order of revocation; or

(4) Cause the person or firm named in the complaint to make restitution to any patient, or any insurer or third-party payer who shall have paid in whole or in part a claim or payment for which they should be reimbursed, where restitution would be an appropriate remedy, including the reasonable cost of follow-up care to correct or complete a procedure performed or one that was to be performed by the person or firm named in the complaint; or

(5) Request the attorney general to bring an action in the circuit court of competent jurisdiction to recover a civil penalty on behalf of the state in an amount to be assessed by the court.

4. If the board concludes that a dentist or dental hygienist has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action and constitutes a clear and present danger to the public health and safety, the board may file a complaint before the administrative hearing commission requesting an expedited hearing and specifying the conduct that gives rise to the danger and the nature of the proposed restriction or suspension of the dentist's or dental hygienist's license. Within fifteen days after service of the complaint on the dentist or dental hygienist, the administrative hearing commission shall conduct a preliminary hearing to determine whether the alleged conduct of the dentist or dental hygienist appears to constitute a clear and present danger to the public health and safety that justifies that the dentist's or dental hygienist's license be immediately restricted or suspended. The burden of proving that a dentist or dental hygienist is a clear and present danger to the public health and safety shall be upon the Missouri dental board. The administrative hearing commission shall issue its decision immediately after the hearing and shall either grant to the board the authority to suspend or restrict the license or dismiss the action.

5. If the administrative hearing commission grants temporary authority to the board to restrict or suspend a dentist's or dental hygienist's license, the dentist or dental hygienist named in the complaint may request a full hearing before the administrative hearing commission. A request for a full hearing shall be made within thirty days after the administrative hearing commission issues a decision. The administrative hearing commission shall, if requested by a dentist or dental hygienist named in the complaint, set a date to hold a full hearing under chapter 621 regarding the activities alleged in the initial complaint filed by the board. The administrative hearing commission shall set the date for full hearing within ninety days from the date its decision was issued. Either party may request continuances, which shall be granted by the administrative hearing commission upon a showing of good cause by either party or consent of both parties. If a request for a full hearing is not made within thirty days, the authority to impose discipline becomes final and the board shall set the matter for hearing in accordance with section 621.110.

6. If the administrative hearing commission dismisses without prejudice the complaint filed by the board under subsection 4 of this section or dismisses the action based on a finding that the board did not meet its burden of proof establishing a clear and present danger, such dismissal shall not bar the board from initiating a subsequent action on the same grounds in accordance with this chapter and chapters 536 and 621.

7. Notwithstanding any other provisions of section 332.071 or of this section, a currently licensed dentist in Missouri may enter into an agreement with individuals and organizations to provide dental health care, provided such agreement does not permit or compel practices that violate any provision of this chapter.

8. At all proceedings for the enforcement of these or any other provisions of this chapter the board shall, as it deems necessary, select, in its discretion, either the attorney general or one of the attorney general's assistants designated by the attorney general or other legal counsel to appear and represent the board at each stage of such proceeding or trial until its conclusion.

9. If at any time when any discipline has been imposed pursuant to this section or pursuant to any provision of this chapter, the licensee removes himself or herself from the state of Missouri, ceases to be currently licensed pursuant to the provisions of this chapter, or fails to keep the Missouri dental board advised of his or her

current place of business and residence, the time of his or her absence, or unlicensed status, or unknown whereabouts shall not be deemed or taken as any part of the time of discipline so imposed.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1719, Page 191, Section 337.718, Line 27, by inserting after all of said line the following:

“338.315. 1. Except as otherwise provided by the board by rule, it shall be unlawful for any pharmacist, pharmacy owner or person employed by a pharmacy to knowingly purchase or receive any legend drugs under 21 U.S.C. Section 353 from other than a licensed or registered drug distributor, **drug outsourcer, third-party logistics provider**, or licensed pharmacy. Any person who violates the provisions of this section shall, upon conviction, be adjudged guilty of a class A misdemeanor. Any subsequent conviction shall constitute a class E felony.

2. Notwithstanding any other provision of law to the contrary, the sale, purchase, or trade of a prescription drug by a pharmacy to other pharmacies is permissible if the total dollar volume of such sales, purchases, or trades are in compliance with the rules of the board and do not exceed five percent of the pharmacy’s total annual prescription drug sales.

3. Pharmacies shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of legend drugs. Such records shall be maintained for two years and be readily available upon request by the board or its representatives.

4. The board shall 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, 2012, shall be invalid and void.

338.330. As used in sections 338.300 to 338.370, the following terms mean:

(1) **“Drug outsourcer”, an outsourcing facility as defined by 21 U.S.C. Section 353b of the federal Drug Quality and Security Act;**

(2) “Legend drug”:

(a) Any drug or biological product:

a. Subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act, including finished dosage forms and active ingredients subject to such Section 503(b); or

b. Required under federal law to be labeled with one of the following statements prior to being dispensed or delivered:

(i) “Caution: Federal law prohibits dispensing without prescription”;

(ii) “Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian”; or

(iii) “Rx Only”; or

c. Required by any applicable federal or state law or regulation to be dispensed by prescription only or that is restricted to use or dispensed by practitioners only; and

(b) The term “drug”, “prescription drug”, or “legend drug” shall not include:

a. An investigational new drug, as defined by 21 CFR 312.3(b), that is being utilized for the purposes of conducting a clinical trial or investigation of such drug or product that is governed by, and being conducted under and pursuant to, 21 CFR 312, et. seq.;

b. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed by, and being conducted under and pursuant to, 21 CFR 312, et. seq.; or

c. Any drug product being utilized for the purposes of conducting a clinical trial or investigation that is governed or approved by an institutional review board subject to 21 CFR Part 56 or 45 CFR Part 46;

~~[(2)]~~ (3) “Out-of-state wholesale drug distributor”, a wholesale drug distributor with no physical facilities located in the state;

~~[(3)]~~ (4) “Pharmacy distributor”, any licensed pharmacy, as defined in section 338.210, engaged in the delivery or distribution of legend drugs to any other licensed pharmacy where such delivery or distribution constitutes at least five percent of the total gross sales of such pharmacy;

~~[(4)]~~ (5) **“Third-party logistics provider”, an entity that provides or coordinates warehousing or other logistics services of a product on behalf of a drug manufacturer, wholesale drug distributor, or dispenser of a legend drug, but does not take ownership of the product, nor has responsibility to direct the sale or disposition of the product;**

(6) “Wholesale drug distributor”, anyone engaged in the delivery or distribution of legend drugs from any location and who is involved in the actual, constructive or attempted transfer of a drug or drug-related device in this state, other than to the ultimate consumer. This shall include, but not be limited to, drug wholesalers, repackagers and manufacturers which are engaged in the delivery or distribution of drugs in this state, with facilities located in this state or in any other state or jurisdiction. A wholesale drug distributor shall not include any common carrier or individual hired solely to transport legend drugs. Any locations where drugs are delivered on a consignment basis, as defined by the board, shall be exempt from licensure as a drug distributor, and those standards of practice required of a drug distributor but shall be open for inspection by board of pharmacy representatives as provided for in section 338.360.

338.333. 1. Except as otherwise provided by the board of pharmacy by rule in the event of an emergency or to alleviate a supply shortage, no person or distribution outlet shall act as a wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider** without first obtaining license to do so from the Missouri board of pharmacy and paying the required fee. The board may grant temporary licenses when the wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider** first applies for a license to operate within the state. Temporary licenses shall remain valid until such time as the board shall find that the applicant meets or fails to meet the requirements for regular licensure. No license shall be issued or renewed for a wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider** to operate unless the same shall be operated in a manner prescribed by law and according to the rules and regulations promulgated by the board of pharmacy with respect thereto. Separate licenses shall be required for each distribution site owned or operated by a wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider**, unless such drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider** meets the requirements of section 338.335.

2. An agent or employee of any licensed or registered wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcer, or third-party logistics provider** need not seek licensure under this section and may lawfully possess pharmaceutical drugs, if ~~[\del]~~ **the agent or employee** is acting in the usual course of his or her business or employment.

3. The board may permit out-of-state wholesale drug distributors, **drug outsourcers, third-party logistics provider**, or out-of-state pharmacy distributors to be licensed as required by sections 338.210 to 338.370 on the basis of reciprocity to the extent that ~~[\del]~~ **the entity** both:

(1) Possesses a valid license granted by another state pursuant to legal standards comparable to those which must be met by a wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcers, or third-party logistics provider** of this state as prerequisites for obtaining a license under the laws of this state; and

(2) Distributes into Missouri from a state which would extend reciprocal treatment under its own laws to a wholesale drug distributor ~~[\del]~~, pharmacy distributor, **drug outsourcers, or third-party logistics provider** of this state.

338.337. It shall be unlawful for any out-of-state wholesale drug distributor ~~[\del]~~, out-of-state pharmacy acting as a distributor, **drug outsourcers, or third-party logistics provider** to do business in this state without first obtaining a license to do so from the board of pharmacy and paying the required fee, except as otherwise provided by section 338.335 and this section. Application for an out-of-state wholesale drug distributor's, **drug outsourcer's, or out-of-state third-party logistics provider's** license under this section shall be made on a form furnished by the board. The issuance of a license under sections 338.330 to 338.370 shall not change or affect tax liability imposed by the Missouri department of revenue on any ~~[\del]~~ **entity**. Any out-of-state wholesale drug distributor that is a drug manufacturer and which produces and distributes from a facility which has been inspected and approved by the Food and Drug Administration, maintains current approval by the federal Food and Drug Administration, and has provided a copy of the most recent Food and Drug Administration Establishment Inspection Report to the board, and which is licensed by the state in which the distribution facility is located, or, if located within a foreign jurisdiction, is authorized and in good standing to operate as a drug manufacturer within such jurisdiction, need not be licensed as provided in this section but such out-of-state distributor shall register its business name and address with the board of pharmacy and pay a filing fee in an amount established by the board.

338.340. No person acting as principal or agent for any out-of-state wholesale drug distributor ~~[or]~~, out-of-state pharmacy distributor, **drug outsourcer, or out-of-state third-party logistics provider** shall sell or distribute drugs in this state unless the ~~[wholesale drug distributor or pharmacy distributor]~~ **entity** has obtained a license pursuant to the provisions of sections 338.330 to 338.370.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

SS SCS HB 1719, as amended - Fiscal Review

THIRD READING OF SENATE BILLS - INFORMAL

SB 981, relating to workers' compensation, was taken up by Representative Engler.

On motion of Representative Engler, the title of **SB 981** was agreed to.

Speaker Richardson resumed the Chair.

On motion of Representative Engler, **SB 981** was truly agreed to and finally passed by the following vote:

AYES: 143

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Bondon	Brattin	Brown 57	Burnett
Burns	Butler	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Cross	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Hill	Houghton	Houx	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCann Beatty	McCreery
McGaugh	Meredith 71	Merideth 80	Miller	Mitten
Morgan	Morris 140	Morse 151	Mosley	Muntzel
Newman	Nichols	Pfausch	Phillips	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Rehder	Reiboldt	Reisch	Remole
Revis	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy

Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Walsh	Washington	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 001

Moon

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes 60	Black	Brown 27	Carpenter	Chipman
Cookson	Curtis	Curtman	Ellington	Henderson
Higdon	McDaniel	McGee	Messenger	Neely
Peters	Pogue			

VACANCIES: 002

Speaker Richardson declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 655, relating to statutes of limitation for certain offenses against a child, was taken up by Representative Bahr.

On motion of Representative Bahr, the title of **HCS SB 655**, relating to the protection of children, was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 655, Page 1, In the Title, Line 3, by deleting said line and inserting in lieu thereof the following:

"the protection of children."; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 655, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a web page on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 4 and 5 of this section**, the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425~~[, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].~~

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register, **including the tier level assigned to the offender under sections 589.400 to 589.425**;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. **Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 shall be exempt from public notification to include any adjudications from another state, territory, the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction.**"; and

Further amend said bill and page, Section 556.037, Line 9, by inserting immediately after said section and line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter ~~convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor,~~ **adjudicated for an offense referenced in section 589.414**, unless such person is ~~exempted]~~ **exempt** from registering under subsection ~~[8]~~ **9 or 10** of this section **or section 589.401**; ~~[or]~~

(2) ~~[Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping or kidnapping in the first degree when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint or kidnapping in the second degree when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home or sexual conduct with a nursing facility resident or vulnerable person in the first or second degree; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or~~

~~—————(3)]~~ Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; ~~[or]~~

~~[(4)]~~ (3) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense ~~[listed]~~ **referenced** in ~~[subdivision (1) or (2) of this subsection]~~ **section 589.414**; ~~[or]~~

~~[(5)]~~ (4) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been ~~[convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;]~~ **adjudicated for an offense listed under section 589.414**;

~~[(6)]~~ (5) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

~~[(7)]~~ (6) Any person who is a resident of this state who has, since July 1, 1979, **been** or is hereafter ~~[convicted of, been found guilty of, or pled guilty to or nolo contendere]~~ **adjudicated** in any other state, **territory, the District of Columbia**, or foreign country, or under federal, tribal, or military jurisdiction ~~[to committing, attempting to commit, or conspiring to commit]~~ **for** an offense which, if committed in this state, would ~~[be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection]~~ **constitute an offense listed under section 589.414**, or has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law; or

~~[(8)]~~ (7) Any person who has been or is required to register in another state, **territory, the District of Columbia, or foreign country**, or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three **business** days of ~~[conviction]~~ **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile under subdivision (5) of subsection 1 of this section, within three business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, such juvenile shall register with the chief law enforcement official of the county or city not within a county in which he or she resides unless he or she has already registered in such county or city not within a county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three **business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official; ~~if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.~~

3. The registration requirements of sections 589.400 through 589.425 ~~[are lifetime registration requirements]~~ **shall be as provided under subsection 4 of this section** unless:

- (1) All offenses requiring registration are reversed, vacated, or set aside;
- (2) ~~[The registrant is pardoned of the offenses requiring registration;~~
- ~~————~~ (3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of ~~[subsection 6 of this]~~ **section 589.414**; or

~~[(4)]~~ (3) The ~~[registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the]~~ court orders the removal or exemption of such person from the registry **under section 589.401.**

4. **The registration requirements shall be as follows:**

- (1) **Fifteen years if the offender is a tier I sex offender as provided under section 589.414;**
- (2) **Twenty-five years if the offender is a tier II sex offender as provided under section 589.414; or**
- (3) **The life of the offender if the offender is a tier III sex offender.**

5. (1) **The registration period shall be reduced as described in subdivision (3) of this subsection for a sex offender who maintains a clean record for the periods described under subdivision (2) of this subsection by:**

(a) Not being adjudicated of any offense for which imprisonment for more than one year may be imposed;

(b) Not being adjudicated of any sex offense;

(c) Successfully completing any periods of supervised release, probation, or parole; and

(d) Successfully completing an appropriate sex offender treatment program certified by the attorney general.

(2) In the case of a:

(a) Tier I sex offender, the period during which the clean record shall be maintained is ten years;

(b) Tier III sex offender adjudicated delinquent for the offense which required registration in a sex offender registry under sections 589.400 to 589.425, the period during which the clean record shall be maintained is twenty-five years.

(3) In the case of a:

(a) Tier I sex offender, the reduction is five years;

(b) Tier III sex offender adjudicated delinquent, the reduction is from life to that period for which the clean record under paragraph (b) of subdivision (2) is maintained.

6. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

~~[5-]~~ 7. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

~~[6-]~~ 8. Any person currently on the sexual offender registry ~~[for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit,]~~ or who otherwise would be required to register for being adjudicated for the offense of felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

~~[7-]~~ 9. The following persons shall be exempt from registering as a sexual offender upon petition to the court of jurisdiction under section 589.401; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:

(1) Any person currently on the sexual offender registry ~~[for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register]~~ or who otherwise would be required to register for a sexual offense involving:

(a) Sexual conduct where no force or threat of force was directed toward the victim or any other individual involved, if the victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) Sexual conduct where no force or threat of force was directed toward the victim, the victim was at least fourteen years of age, and the offender was not more than four years older than the victim at the time of the offense; or

(2) Any person currently required to register for the following sexual offenses:

(a) Promoting obscenity in the first degree under section 573.020;

(b) Promoting obscenity in the second degree under section 573.030;

(c) Furnishing pornographic materials to minors under section 573.040;

(d) Public display of explicit sexual material under section 573.060;

(e) Coercing acceptance of obscene material under section 573.065;

(f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor under section 566.206;

(g) Abusing an individual through forced labor under section 566.203;

(h) Contributing to human trafficking through the misuse of documentation under section 566.215; or

(i) **Acting as an international marriage broker and failing to provide the information and notice as required under section 578.475.**

[8. Effective August 28, 2009,] **10.** Any person **currently** on the sexual offender registry for having been [convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense] **adjudicated for a tier I or II offense or adjudicated delinquent for a tier III offense or other comparable offenses listed under section 589.414 may file a petition under section 589.401.**

[9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.—

——— (2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.]

[10.] **11.** Any nonresident worker, including work as a volunteer or intern, or nonresident student shall register for the duration of such person's employment, **including participation as a volunteer or intern**, or attendance at any school of higher education [and is not entitled to relief under the provisions of subsection 9 of this section] **whether public or private, including any secondary school, trade school, professional school, or institution of higher education on a full-time or part-time basis in this state unless granted relief under section 589.401. Any registered offender shall provide information regarding any place in which the offender is staying when away from his or her residence for seven or more days, including the period of time the offender is staying in such place.** Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency [and is not entitled to the provisions of subsection 9 of this section] **unless granted relief under section 589.401.**

[11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.]

589.401. 1. A person on the sexual offender registry may file a petition in the division of the circuit court in the county or city not within a county in which the offense requiring registration was committed to have his or her name removed from the sexual offender registry.

2. A person who is required to register in this state because of an offense that was adjudicated in another jurisdiction shall file his or her petition for removal according to the laws of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country in which his or her offense was adjudicated. Upon the grant of the petition for removal in the jurisdiction where the offense was adjudicated, such judgment may be registered in this state by sending the information required under subsection 5 of this section as well as one authenticated copy of the order granting removal from the sexual offender registry in the jurisdiction where the offense was adjudicated to the court in the county or city not within a county in which

the offender is required to register. On receipt of a request for registration removal, the registering court shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form. The petitioner shall be responsible for costs associated with filing the petition.

3. A person required to register as a tier III offender shall not file a petition under this section unless the requirement to register results from a juvenile adjudication.

4. The petition shall be dismissed without prejudice if the following time periods have not elapsed since the date the person was required to register for his or her most recent offense under sections 589.400 to 589.425:

- (1) For a tier I offense, ten years;
- (2) For a tier II offense, twenty-five years; or
- (3) For a tier III offense adjudicated delinquent, twenty-five years.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

- (1) The petitioner's:
 - (a) Full name, including any alias used by the individual;
 - (b) Sex;
 - (c) Race;
 - (d) Date of birth;
 - (e) Last four digits of the Social Security number;
 - (f) Address; and
 - (g) Place of employment, school, or volunteer status;
- (2) The offense and tier of the offense that required the petitioner to register;
- (3) The date the petitioner was adjudicated for the offense;
- (4) The date the petitioner was required to register;
- (5) The case number and court, including the county or city not within a county, that entered the original order for the adjudicated sex offense;
- (6) Petitioner's fingerprints on an applicant fingerprint card;
- (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and
- (8) If the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The person seeking removal or exemption from the registry shall provide the prosecuting attorney in the circuit court in which the petition is filed with notice of the petition. The prosecuting attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner including, but not limited to, criminal history records, mental health records, juvenile records, and records of the department of corrections or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. The court shall not enter an order directing the removal of the petitioner's name from the sexual offender registry unless it finds the petitioner:

(1) Has not been adjudicated or does not have charges pending for any additional nonsexual offense for which imprisonment for more than one year may be imposed since the date the offender was required to register for his or her current tier level;

(2) Has not been adjudicated or does not have charges pending for any additional sex offense that would require registration under sections 589.400 to 589.425 since the date the offender was required to register for his or her current tier level, even if the offense was punishable by less than one year imprisonment;

(3) Has successfully completed any required periods of supervised release, probation, or parole without revocation since the date the offender was required to register for his or her current tier level;

(4) Has successfully completed an appropriate sex offender treatment program as approved by a court of competent jurisdiction or the Missouri department of corrections; and

(5) Is not a current or potential threat to public safety.

12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol. The petitioner shall be responsible for all costs associated with the fingerprint-based criminal history check of both state and federal files under section 43.530.

13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition under this section until:

(1) Fifteen years have passed from the date of the adjudication resulting in the denial of relief if the petitioner is classified as a tier I offender;

(2) Twenty-five years have passed from the date of adjudication resulting in the denial of relief if the petitioner is classified as a tier II offender; or

(3) Twenty-five years have passed from the date of the adjudication resulting in the denial of relief if the petitioner is classified as a tier III offender on the basis of a juvenile adjudication.

14. If the petition is denied due to the petitioner having charges pending in violation of subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition under this section until:

(1) The pending charges resulting in the denial of relief have been finally disposed of in a manner other than adjudication; or

(2) If the pending charges result in an adjudication, the necessary time period has elapsed under subsection 13 of this section.

15. If the petition is denied for reasons other than those outlined in subsection 11 of this section, no successive petition requesting such relief shall be filed for at least five years from the date the judgment denying relief is entered.

16. If the court finds the petitioner is entitled to have his or her name removed from the sexual offender registry, the court shall enter judgment directing the removal of the name. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to the judgment requiring his or her name to be removed from the sexual offender registry is not required to register under sections 589.400 to 589.425 unless such person is required to register for an offense that was different from that listed on the judgment of removal.

18. The court shall not deny the petition unless the petition failed to comply with the provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence demonstrating the petition should be denied.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a web page on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 4 and 5 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425~~], except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website].~~

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register, **including the tier level assigned to the offender under sections 589.400 to 589.425;**

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the web page and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Juveniles required to register under subdivision (5) of subsection 1 of section 589.400 shall be exempt from public notification to include any adjudications from another state, territory, the District of Columbia, or foreign country or any federal, tribal, or military jurisdiction.

589.403. **1. Any person [to whom subsection 1 of section 589.400 applies] who is required to register under sections 589.400 to 589.425 and who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health where such person was confined shall:**

(1) If the person plans to reside in this state, be informed by the official in charge of such correctional facility, private jail, or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility, private jail, or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration, within three business days of release, to the Missouri state highway patrol and the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole, or release [~~When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.~~]; or

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility, private jail, or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility, private jail, or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration, within three business days of release, to the Missouri state highway patrol and the chief law enforcement official within the county or city not within a county where the correctional facility, private jail, or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within three business days as directed, the offender commits the offense of failure to register under section 589.425 within the jurisdiction where the correctional facility, private jail, or mental health institution is located.

589.404. As used in sections 589.400 to 589.425, the following terms mean:

(1) "Adjudicated" or "adjudication", adjudication of delinquency, a finding of guilt, plea of guilt, finding of not guilty due to mental disease or defect, or plea of nolo contendere to committing, attempting to commit, or conspiring to commit;

(2) "Adjudicated delinquent", a person found to have committed an offense that, if committed by an adult, would be a criminal offense;

(3) "Chief law enforcement official", the sheriff 's office of each county or the police department of a city not within a county;

(4) "Offender registration", the required minimum informational content of sex offender registries, which shall consist of, but not be limited to, a full set of fingerprints on a standard sex offender registration card upon initial registration in Missouri, as well as all other forms required by the Missouri state highway patrol upon each initial and subsequent registration;

(5) "Residence", any place where an offender sleeps for seven or more consecutive or nonconsecutive days or nights within a twelve-month period;

(6) "Sex offender", any person who meets the criteria to register under sections 589.400 to 589.425 or the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248;

(7) "Sex offense", any offense which is listed under section 589.414 or comparable to those listed under section 589.414 or otherwise comparable to offenses covered under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248;

- (8) "Sexual act", any type or degree of genital, oral, or anal penetration;
- (9) "Sexual contact", any sexual touching of or contact with a person's body, either directly or through the clothing;
- (10) "Sexual element", used for the purposes of distinguishing if sexual contact or a sexual act was committed. Authorities shall refer to information filed by the prosecutor, amended information filed by the prosecutor, indictment information filed by the prosecutor, or amended indictment information filed by the prosecutor, the plea agreement, or court documentation to determine if a sexual element exists;
- (11) "Signature", the name of the offender signed in writing or electronic form approved by the Missouri state highway patrol;
- (12) "Student", an individual who enrolls in or attends the physical location of an educational institution, including a public or private secondary school, trade or professional school, or an institution of higher education;
- (13) "Vehicle", any land vehicle, watercraft, or aircraft.

589.405. 1. Any person [~~to whom subsection 1 of section 589.400 applies~~] who is required to register under sections 589.400 to 589.425 and who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge **and at the time of adjudication**, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall [~~obtain the address where the person expects to reside upon discharge, parole or release and shall~~] **make it a condition of probation that the offender** report[~~;~~] within three business days[~~;~~ such address] to the chief law enforcement official of the county **of adjudication** or city not within a county [~~where the person expects to reside, upon discharge, parole or release~~] **of adjudication to complete initial registration. If such offender is not placed on probation, the court shall:**

- (1) **If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the offender resides; or**
- (2) **If the offender does not reside in Missouri:**
 - (a) **Order the offender to report directly to the chief law enforcement official in the county or city not within a county where the adjudication was heard to register as provided in sections 589.400 to 589.425; and**
 - (b) **Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county where the offender was adjudicated.**

2. If the offender resides in Missouri and refuses to complete and sign the registration information as provided in subdivision (1) of subsection 1 of this section, or if the offender resides outside of Missouri and refuses to directly report to the chief law enforcement official as provided in subdivision (2) of subsection 1 of this section, the offender commits the offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form shall **consist of a statement, including the signature of the offender, and shall** include, but is not limited to, the following:

- (1) A statement in writing signed by the person, giving the name, address, **date of birth**, Social Security number, and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 566.125, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;
- (2) The fingerprints[~~;~~] **and** palm prints[~~;~~ and a photograph] of the person; [~~and~~]
- (3) **Unless the offender's appearance has not changed significantly, a photograph of such offender as follows:**

(a) **Quarterly if a tier III sex offender under section 589.414. Such photograph shall be taken every ninety days beginning in the month of the person's birth;**

(b) **Semiannually if a tier II sex offender. Such photograph shall be taken in the month of the person's birth and six months thereafter; and**

(c) **Yearly if a tier I sex offender. Such photograph shall be taken in the month of the person's birth; and**

(4) **A DNA sample from the individual, if a sample has not already been obtained.**

2. **The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:**

(1) **A photocopy of a valid driver's license or nondriver's identification card;**

(2) **A document verifying proof of the offender's residency; and**

(3) **A photocopy of the vehicle registration for each of the offender's vehicles.**

3. **The Missouri state highway patrol shall maintain all required registration information in digitized form.**

4. **Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.**

5. **The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and, if any inaccuracies are found, provide proof of the information in question.**

6. **The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425 and a statement to this effect shall be included on the form that the individual is required to sign at each registration.**

589.414. 1. ~~Any person required by sections 589.400 to 589.425 to register shall, [not later than] within three business days [after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status], appear in person to the chief law enforcement officer of the county or city not within a county [and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days] if there is a change to any of the following information:~~

(1) **Name;**

(2) **Residence;**

(3) **Employment, including status as a volunteer or intern;**

(4) **Student status; or**

(5) **A termination to any of the items listed in this subsection.**

2. **Any person required to register under sections 589.400 to 589.425 shall, within three business days, notify the chief law enforcement official of the county or city not within a county of any changes to the following information:**

(1) **Vehicle information;**

(2) **Temporary lodging information;**

(3) **Temporary residence information;**

(4) **Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications; or**

(5) **Telephone or other cellular number, including any new forms of electronic communication.**

3. **The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described under subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.**

~~[2-]~~ 4. **If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state his or her state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state, territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction having jurisdiction over the new residence or address within three business**

days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state, **territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state, **territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

~~[3.]~~ **5. Tier I sexual offenders**, in addition to the requirements of subsections 1 ~~[and 2]~~ **to 4** of this section, ~~[the following offenders]~~ shall report in person to the chief law enforcement ~~[agency every ninety days]~~ **official annually in the month of their birth** to verify the information contained in their statement made pursuant to section 589.407. **Tier I sexual offenders include:**

(1) Any offender ~~[registered as a predatory or persistent sexual offender under the definitions found in section 566.125]~~ **who has been adjudicated for the offense of:**

(a) **Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of age or older;**
 (b) **Sexual misconduct involving a child under section 566.083 if it is a first offense and the punishment is less than one year;**

(c) **Sexual abuse in the second degree under section 566.101 if the punishment is less than a year;**

(d) **Kidnapping in the second degree under section 565.120 with sexual motivation;**

(e) **Kidnapping in the third degree under section 565.130;**

(f) **Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is less than one year;**

(g) **Sexual conduct under section 566.116 with a nursing facility resident or vulnerable person;**

(h) **Sexual contact with a prisoner or offender under section 566.145 if the victim is eighteen years of age or older;**

(i) **Sex with an animal under section 566.111;**

(j) **Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is eighteen years of age or older;**

(k) **Possession of child pornography under section 573.037;**

(l) **Sexual misconduct in the first degree under section 566.093;**

(m) **Sexual misconduct in the second degree under section 566.095;**

(n) **Child molestation in the second degree under section 566.068 as it existed prior to January 1, 2017, if the punishment is less than one year; or**

(o) **Invasion of privacy under section 565.252 if the victim is less than eighteen years of age;**

(2) ~~[Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and~~

~~— (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.—~~

~~— 4.] Any offender who is or has been adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of a sexual nature or with a sexual element that is comparable to the tier I sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.~~

6. Tier II sexual offenders, in addition to the requirements of subsections 1 ~~[and 2]~~ **to 4** of this section, ~~[all registrants]~~ shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement ~~[agency]~~ **official** to verify the information contained in their statement made pursuant to section 589.407. ~~[All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency.]~~ **Tier II sexual offenders include:**

(1) **Any offender who has been adjudicated for the offense of:**

(a) **Statutory sodomy in the second degree under section 566.064 if the victim is sixteen to seventeen years of age;**

(b) **Child molestation in the third degree under section 566.069 if the victim is between thirteen and fourteen years of age;**

(c) **Sexual contact with a student under section 566.086 if the victim is thirteen to seventeen years of age;**

- (d) Enticement of a child under section 566.151;
 - (e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim is thirteen to seventeen years of age;
 - (f) Sexual exploitation of a minor under section 573.023;
 - (g) Promoting child pornography in the first degree under section 573.025;
 - (h) Promoting child pornography in the second degree under section 573.035;
 - (i) Patronizing prostitution under section 567.030;
 - (j) Sexual contact with a prisoner or offender under section 566.145 if the victim is thirteen to seventeen years of age;
 - (k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen to seventeen years of age;
 - (l) Sexual misconduct involving a child under section 566.083 if it is a first offense and the penalty is a term of imprisonment of more than a year; or
 - (m) Age misrepresentation with intent to solicit a minor under section 566.153;
 - (2) Any person who is adjudicated of an offense comparable to a tier I offense listed in this section or failure to register offense under section 589.425 or comparable out-of-state failure to register offense and who is already required to register as a tier I offender due to having been adjudicated of a tier I offense on a previous occasion; or
 - (3) Any person who is or has been adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.
7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:
- (1) Any offender registered as a predatory sexual offender as defined in section 566.123 or a persistent sexual offender as defined in section 566.124;
 - (2) Any offender who has been adjudicated for the crime of:
 - (a) Rape in the first degree under section 566.030;
 - (b) Statutory rape in the first degree under section 566.032;
 - (c) Rape in the second degree under section 566.031;
 - (d) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;
 - (e) Sodomy in the first degree under section 566.060;
 - (f) Statutory sodomy under section 566.062;
 - (g) Statutory sodomy under section 566.064 if the victim is under sixteen years of age;
 - (h) Sodomy in the second degree under section 566.061;
 - (i) Sexual misconduct involving a child under section 566.083 if the offense is a second or subsequent offense;
 - (j) Sexual abuse in the first degree under section 566.100 if the victim is under thirteen years of age;
 - (k) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years of age, excluding kidnapping by a parent or guardian;
 - (l) Child kidnapping under section 565.115;
 - (m) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is greater than a year;
 - (n) Incest under section 568.020;
 - (o) Endangering the welfare of a child in the first degree under section 568.045 with sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;
 - (p) Child molestation in the first degree under section 566.067;
 - (q) Child molestation in the second degree under section 566.068;
 - (r) Child molestation in the third degree under section 566.069 if the victim is under thirteen years of age;
 - (s) Promoting prostitution in the first degree under section 567.050 if the victim is under eighteen years of age;

- (t) Promoting prostitution in the second degree under section 567.060 if the victim is under eighteen years of age;
- (u) Promoting prostitution in the third degree under section 567.070 if the victim is under eighteen years of age;
- (v) Promoting travel for prostitution under section 567.085 if the victim is under eighteen years of age;
- (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is under eighteen years of age;
- (x) Sexual trafficking of a child in the first degree under section 566.210;
- (y) Sexual trafficking of a child in the second degree under section 566.211;
- (z) Genital mutilation of a female child under section 568.065;
- (aa) Statutory rape in the second degree under section 566.034;
- (bb) Child molestation in the fourth degree under section 566.071 if the victim is under thirteen years of age;
- (cc) Sexual abuse in the second degree under section 566.101 if the penalty is a term of imprisonment of more than a year;
- (dd) Patronizing prostitution under section 567.030 if the offender is a persistent offender;
- (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the victim is under thirteen years of age;
- (ff) Sexual contact with a prisoner or offender under section 566.145 if the victim is under thirteen years of age;
- (gg) Sexual intercourse with a prisoner or offender under section 566.145;
- (hh) Sexual contact with a student under section 566.086 if the victim is under thirteen years of age;
- (ii) Use of a child in a sexual performance under section 573.200; or
- (jj) Promoting a sexual performance by a child under section 573.205;
- (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II offense listed in this section or failure to register offense under section 589.425, or other comparable out-of-state failure to register offense, who has been or is already required to register as a tier II offender because of having been adjudicated for a tier II offense, two tier I offenses, or combination of a tier I offense and failure to register offense, on a previous occasion;
- (4) Any offender who is adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual element that is comparable to a tier III offense listed in this section or a tier III offense under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or
- (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this section.

~~[5-]~~ 8. In addition to the requirements of subsections 1 ~~[and 2]~~ to 7 of this section, all Missouri registrants who work, **including as a volunteer or unpaid intern**, or attend any school ~~[or training]~~ **whether public or private, including any secondary school, trade school, professional school, or institution of higher education**, on a full-time or part-time basis ~~[in any other state]~~ **or have a temporary residence in this state** shall be required to report in person to the chief law enforcement officer in the area of the state where they work, **including as a volunteer or unpaid intern**, or attend any school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

~~[6-]~~ 9. If a person~~[-]~~ who is required to register as a sexual offender under sections 589.400 to 589.425~~[-]~~ changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier."; and

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

On motion of Representative Bahr, **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. 655, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"451.090. 1. No recorder shall~~[, in any event except as herein provided,]~~ issue a license authorizing the marriage of any person under ~~[fifteen]~~ **sixteen** years of age~~[; provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable]~~ **nor shall a license be issued authorizing the marriage of any person twenty-one years of age or older to a person under eighteen years of age.**

2. No recorder shall issue a license authorizing the marriage of any ~~[male]~~ **person** under the age of eighteen years~~[or of any female under the age of eighteen years]~~, except with the consent of his or her custodial parent or guardian, which consent shall be given at the time, in writing, stating the residence of the person giving such consent, signed and sworn to before an officer authorized to administer oaths.

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

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

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

On motion of Representative Bahr, **HCS SB 655, as amended**, was adopted.

On motion of Representative Bahr, **HCS SB 655, as amended**, was read the third time and passed by the following vote:

AYES: 126

Adams	Alferman	Anders	Anderson	Arthur
Austin	Bahr	Baringer	Barnes 60	Barnes 28
Basye	Beard	Beck	Bernskoetter	Black
Bondon	Brattin	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 104	Cookson
Corlew	Cornejo	Cross	Curtman	Davis
DeGroot	Dinkins	Dogan	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Hill	Houghton	Houx	Johnson	Justus
Kelley 127	Kelly 141	Kendrick	Kidd	Knight
Kolkmeier	Korman	Lant	Lauer	Lavender
Love	Lynch	Mathews	Matthiesen	May
McCann Beatty	McCreery	McGaugh	Meredith 71	Merideth 80
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Newman	Nichols	Pfautsch
Pierson Jr	Pietzman	Pike	Plocher	Quade
Redmon	Rehder	Reiboldt	Reisch	Revis
Rhoads	Roberts	Roeber	Rone	Ross
Rowland 29	Runions	Ruth	Schroer	Shaul 113

Shull 16	Shumake	Smith 163	Stacy	Stephens 128
Stevens 46	Tate	Trent	Unsicker	Vescovo
Walker 3	Washington	Wessels	White	Wiemann
Mr. Speaker				

NOES: 010

Brown 57	Hurst	Marshall	Moon	Remole
Sommer	Spencer	Taylor	Wilson	Wood

PRESENT: 001

Roden

ABSENT WITH LEAVE: 024

Andrews	Bangert	Berry	Brown 27	Conway 10
Curtis	Dohrman	Ellington	Fraker	Higdon
Lichtenegger	McDaniel	McGee	Messenger	Neely
Peters	Phillips	Pogue	Razer	Rowland 155
Smith 85	Swan	Walker 74	Walsh	

VACANCIES: 002

Speaker Richardson declared the bill passed.

Representative Taylor assumed the Chair.

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#3 SCS HCS HB 1617** entitled:

An act to repeal sections 191.1145, 208.670, 208.671, 208.673, 208.675, and 208.677, RSMo, and to enact in lieu thereof three new sections relating to telehealth.

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 adopted the Conference Committee Report on **HCS SS SB 608** and has taken up and passed **CCS HCS SS SB 608**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 2, and House Amendment No. 4 to SB 819** and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

SS#3 SCS HCS HB 1617 - Fiscal Review

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 Representative Johnson.

Representative Vescovo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 028

Alferman	Basye	Bernskoetter	Bondon	Christofanelli
Engler	Evans	Gannon	Hansen	Henderson
Hurst	Justus	Kelly 141	Lauer	Lynch
Meredith 71	Morris 140	Morse 151	Phillips	Redmon
Reiboldt	Reisch	Remole	Revis	Rowland 29
Taylor	Walsh	White		

NOES: 000

PRESENT: 058

Anderson	Austin	Bahr	Barnes 28	Beard
Berry	Black	Burnett	Conway 104	Cornejo
Dinkins	Dogan	Dohrman	Eggleston	Fitzpatrick
Fitzwater	Francis	Frederick	Gray	Haahr
Hannegan	Helms	Houghton	Houx	Johnson
Knight	Kolkmeier	Lant	Mathews	Matthiesen
McDaniel	McGaugh	Miller	Newman	Nichols
Pfautsch	Plocher	Rhoads	Roberts	Roden
Rone	Ross	Rowland 155	Runions	Ruth
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Stephens 128	Stevens 46	Tate	Vescovo	Walker 3
Wiemann	Wilson	Wood		

ABSENT WITH LEAVE: 075

Adams	Anders	Andrews	Arthur	Bangert
Baringer	Barnes 60	Beck	Brattin	Brown 27
Brown 57	Burns	Butler	Carpenter	Chipman
Conway 10	Cookson	Corlew	Cross	Curtis
Curtman	Davis	DeGroot	Ellebracht	Ellington
Fraker	Franklin	Franks Jr	Green	Gregory
Grier	Haefner	Harris	Higdon	Hill
Kelley 127	Kendrick	Kidd	Korman	Lavender
Lichtenegger	Love	Marshall	May	McCann Beatty

McCreery	McGee	Merideth 80	Messenger	Mitten
Moon	Morgan	Mosley	Muntzel	Neely
Peters	Pierson Jr	Pietzman	Pike	Pogue
Quade	Razer	Rehder	Roeber	Schroer
Smith 85	Spencer	Stacy	Swan	Trent
Unsicker	Walker 74	Washington	Wessels	Mr. Speaker

VACANCIES: 002

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HB 1719, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Alferman, Anderson, Conway (104), Haefner, Rowland (29), Smith (163) and Wood

Noes (0)

Present (1): Morgan

Absent (6): Fraker, Morris (140), Swan, Unsicker, Wessels and Wiemann

HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL

SS SCS HCS HB 1991, as amended, relating to the deployment of wireless facilities infrastructure, was taken up by Representative Rhoads.

On motion of Representative Rhoads, **SS SCS HCS HB 1991, as amended**, was adopted by the following vote:

AYES: 138

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Burnett
Burns	Butler	Carpenter	Chipman	Christofanelli
Conway 10	Conway 104	Corlew	Cornejo	Davis
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	Meredith 71
Merideth 80	Miller	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols

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

NOES: 006

Curtman	Hurst	Marshall	McDaniel	Moon
Roberts				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Barnes 60	Brown 27	Cookson	Cross
Curtis	DeGroot	Ellington	Higdon	Lichtenegger
McGee	Messenger	Mitten	Peters	Pogue
Smith 85	Spencer			

VACANCIES: 002

On motion of Representative Rhoads, **SS SCS HCS HB 1991, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 137

Adams	Alferman	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 28
Basye	Beard	Beck	Bernskoetter	Berry
Black	Bondon	Brown 57	Burnett	Burns
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Kidd
Knight	Kolkmeyer	Korman	Lant	Lauer
Lavender	Love	Lynch	Mathews	Matthiesen
May	McCann Beatty	McCreery	McGaugh	Meredith 71
Merideth 80	Miller	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Phillips	Pierson Jr	Pietzman	Pike
Plocher	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Revis	Rhoads
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor

Trent	Unsicker	Vescovo	Walker 3	Walsh
Washington	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker			

NOES: 005

Hurst	Marshall	McDaniel	Moon	Roberts
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PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Barnes 60	Brattin	Brown 27	Butler
Cookson	Cross	Curtis	Ellington	Higdon
Lichtenegger	McGee	Messenger	Mitten	Peters
Pogue	Smith 85	Spencer	Walker 74	

VACANCIES: 002

Representative Johnson declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

SB 819, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 2 and House Amendment No. 4, relating to foster care, was taken up by Representative Neely.

Representative Neely moved that the House refuse to recede from its position on **House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 2 and House Amendment No. 4 to SB 819** and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1719, as amended, relating to professional registration, was taken up by Representative Grier.

Representative Grier moved that the House refuse to adopt **SS SCS HB 1719, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SB 881, relating to transportation, was taken up by Representative Davis.

On motion of Representative Davis, the title of **HCS SS SB 881** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 32, Section 302.170, Line 163, by inserting after all of said section and line the following:

"304.044. 1. The following terms as used in this section shall mean:

(1) "Bus", any vehicle or motor car designed and used for the purpose of carrying more than seven persons;
(2) "Truck", any vehicle, machine, tractor, trailer or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed or used in the transportation of property upon the highways.

2. The driver of any truck or bus, when traveling upon a public highway of this state outside of a business or residential district, shall not follow within three hundred feet of another such vehicle; provided, the provisions of this section shall not be construed to prevent the overtaking and passing, by any such truck or bus, of another similar vehicle.

3. Any person who shall violate the provisions of this section shall be deemed guilty of a class C misdemeanor, and upon conviction thereof shall be punished accordingly.

4. This section and section 304.017 shall not apply to a connected vehicle technology program that uses networked wireless communication among vehicles, infrastructure, or communications devices. Any connected vehicle technology program shall be limited to the operation of trucks on the public highways of this state and shall be approved by the state highways and transportation commission before such technology shall be used in Missouri. Each commercial motor vehicle in a pair, convoy, or formation shall have an appropriately endorsed driver who holds a valid commercial driver's license present behind the wheel.

5. The highways and transportation commission is authorized to promulgate administrative rules that are reasonable and necessary to approve and implement a connected vehicle technology testing program including designated highways and hours of operation for vehicles in the testing program. 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 Davis, **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 11, Section 71.015, Line 148, by inserting immediately after all of said section and line the following:

"226.145. 1. The highways and transportation commission may issue bonds or other evidence of indebtedness in an amount not to exceed sixty-five million dollars from fiscal year 2019 to fiscal year 2022. Proceeds from the issuance of the bonds shall be provided to the department of transportation to pay for the cost of the engineering and construction of projects meeting the requirements of subsection 2 of this section. The proceeds from the bonds shall not be used to pay for administrative expenses.

2. Projects eligible for financing under this section shall:

(1) Be a major road improvement with an estimated construction cost of fifty million dollars or more;

(2) Be an improvement needed to eliminate a bottleneck, a twenty minute delay or more during peak hours, that impacts the distribution of goods and on-time delivery of freight;

(3) Be an improvement needed to reduce fatal and disabling motor vehicle crashes within an area designated as a safe travel zone by the department of transportation;

(4) Be an improvement on a Tier 1 freight corridor, as designated by the department of transportation; and

(5) Be slated to receive not less than thirty-five percent of the funds required for project completion from sources other than the state road fund or general revenue.

3. The highways and transportation commission shall offer such bonds at public sale or negotiated sale. The bonds shall be for a period of not less than ten years and not more than twenty years from their date of issue and shall bear interest at a rate or rates not exceeding the rate permitted by law.

4. The proceeds of the sale or sales of any bonds issued under this section shall be paid into the state road fund to be expended for the purpose specified in section 226.220."; and

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

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

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 1, Line 5, by deleting the phrase "**St. Charles is**" and inserting in lieu thereof the phrase "**St. Charles, and the interchange of interstate 70 and interstate 63 in Columbia, are**"; and

Further amend said amendment and page, Line 15, by inserting immediately after the word "**inhabitants**" the phrase "**or in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**"; and

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

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Black	Bondon
Brattin	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Engler	Evans
Fitzwater	Fraker	Frederick	Gregory	Grier
Hannegan	Hansen	Helms	Henderson	Hill
Houghton	Hurst	Johnson	Justus	Kelly 141
Knight	Kolkmeyer	Korman	Lant	Lauer
Love	Lynch	Marshall	Mathews	Matthiesen
McDaniel	McGaugh	Moon	Morris 140	Morse 151
Muntzel	Neely	Pfautsch	Phillips	Pietzman
Pike	Plocher	Redmon	Rehder	Reiboldt
Reisch	Remole	Roden	Roeber	Rone

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Ross	Rowland 155	Ruth	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Swan	Tate	Taylor	Trent
Walker 3	Walsh	White	Wiemann	Wilson
Wood				

NOES: 039

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Butler	Carpenter	Conway 10
Curtis	Ellebracht	Franks Jr	Gray	Green
Harris	Kendrick	Lavender	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Mitten	Morgan
Mosley	Newman	Nichols	Pierson Jr	Quade
Razer	Revis	Rowland 29	Runions	Stevens 46
Unsicker	Walker 74	Washington	Wessels	

PRESENT: 000

ABSENT WITH LEAVE: 031

Arthur	Barnes 60	Berry	Brown 27	Brown 57
Burns	Cookson	Cross	Ellington	Fitzpatrick
Francis	Franklin	Gannon	Haahr	Haefner
Higdon	Houx	Kelley 127	Kidd	Lichtenegger
May	Messenger	Miller	Peters	Pogue
Rhoads	Roberts	Schroer	Smith 85	Vescovo
Mr. Speaker				

VACANCIES: 002

Representative Wiemann moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 41, Section 307.350, Line 49, by inserting after all of said section and line the following:

"311.367. 1. The provisions of this section shall apply to all persons, firms, or corporations who own and operate more than one premises licensed to sell intoxicating liquor containing alcohol in excess of five percent by weight at retail.

2. Any person, firm, or corporation described in subsection 1 of this section, with the permission of the supervisor of liquor control, may designate one or more places in this state as a central warehouse to which intoxicating liquors, except beer and other intoxicating malt liquor, ordered and purchased by a person, firm, or corporation from licensed wholesalers in this state may be delivered by licensed wholesalers in this state and at which intoxicating liquors so owned by a person, firm, or corporation may be stored.

3. Any person, firm, or corporation described in subsection 1 of this section who owns and stores intoxicating liquors in a central warehouse may transfer all or any part of the intoxicating liquors, except beer and other intoxicating malt liquor due to the perishability and limited life span of beer and intoxicating malt liquor, so stored from the central warehouse in this state to any premises licensed to sell intoxicating liquors at retail which is owned and operated by the same person, firm, or corporation and which is located in the state.

311.190. 1. For the privilege of manufacturing wine or brandy, which manufacturing shall be in accordance with all provisions of federal law applicable thereto except as may otherwise be specified in this section, in quantities not to exceed five hundred thousand gallons, not in excess of eighteen percent of alcohol by weight for wine, or not in excess of thirty-four percent of alcohol by weight for brandy, from grapes, berries, other fruits, fruit products, honey, and vegetables produced or grown in the state of Missouri, exclusive of sugar, water and spirits, there shall be paid to and collected by the director of revenue, in lieu of the charges provided in section 311.180, a license fee of five dollars for each five hundred gallons or fraction thereof of wine or brandy produced up to a maximum license fee of three hundred dollars.

2. Notwithstanding the provisions of subsection 1 of this section, a manufacturer licensed under this section may use in any calendar year such wine- and brandy-making material produced or grown outside the state of Missouri in a quantity not exceeding fifteen percent of the manufacturer's wine entered into fermentation in the prior calendar year.

3. In any year when a natural disaster causes substantial loss to the Missouri crop of grapes, berries, other fruits, fruit products, honey or vegetables from which wines are made, the director of the department of agriculture shall determine the percent of loss and allow a certain additional percent, based on the prior calendar year's production of such products, to be purchased outside the state of Missouri to be used and offered for sale by Missouri wineries.

4. **Notwithstanding any other provision of section 311.373 to the contrary**, a manufacturer licensed under this section may purchase and sell bulk or packaged wines or brandies received from other manufacturers licensed under this section and may also purchase in bulk, bottle and sell to duly licensed wineries, wholesalers and retail dealers on any day except Sunday, and a manufacturer licensed under this section may offer samples of wine, may sell wine and brandy in its original package directly to consumers at the winery, and may open wine so purchased by customers so that it may be consumed on the winery premises on Monday through Saturday between 6:00 a.m. and midnight and on Sunday between 9:00 a.m. and 10:00 p.m.

311.373. All ~~[malt beverages]~~ **intoxicating liquor** purchased for resale in this state prior to being resold at retail shall physically come into the possession of a licensed wholesaler and be unloaded in and distributed from the licensed wholesaler's warehouse in this state."; and

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

Representative McCreery raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Johnson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 5, Section 71.012, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

"existing corporate limits of the city, town, or village but for an intervening state highway or interstate highway as defined in section 304.001, or railroad right-of-way, regardless of whether any other city, town, or village has annexed such state or interstate highway or railroad right-of-way or otherwise has an easement in such state or interstate highway or"; and

Further amend said bill, Page 7, Section 71.015, Line 12, by deleting the word "roadway" and inserting in lieu thereof "state highway or interstate highway as defined in section 304.001,"; and

Further amend said bill, section, and page, Line 17, by deleting the word "roadway" and inserting in lieu thereof "state highway or interstate highway"; and

Further amend said bill, Page 13, Section 227.240, Lines 13-19, by deleting all of said lines and inserting in lieu thereof the following:

"3. The department of transportation utility corridor established for the placement of utility facilities on the right-of-way of highways in the state highway system shall be up to twelve feet in width when space is reasonably available, with the location of the utility corridor to be determined by the state highways and transportation commission. The commission shall promulgate rules setting forth a standardized statewide system for requesting and issuing variances to requirements set forth in this section."; and

Further amend said bill, Page 29, Section 302.170, Lines 42 and 43, by deleting the phrase "and (5)" on said lines and inserting in lieu thereof the following:

" [~~and~~]

(5) Documents submitted by a commercial driver's license applicant who is a Missouri resident and is active duty military or a veteran, as "veteran" is defined in 38 U.S.C. 101, which allow for waiver of the commercial driver's license knowledge test, skills test, or both; and

(6) "; and

Further amend said bill and section, Page 32, Line 163, by inserting after all of said section and line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the Armed Forces, their adult dependents or any active member of the Peace Corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the Armed Forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a license from a state which has requirements for issuance of a license comparable to the Missouri requirements or a license from a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license has not expired more than six months prior to the date of application for the Missouri license, the director may waive the test of the applicant's practical knowledge of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle

safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an individual has committed fraud or deception during the examination process, the license examiner shall immediately forward to the director all information relevant to any fraud or deception, including, but not limited to, a statement of the examiner's grounds for belief that the person committed or attempted to commit fraud or deception in the written, skills, or vision examination.

3. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further **practical knowledge or driving test** shall be required to obtain a motorcycle or motortricycle license or endorsement. **The motorcycle rider training course completion shall be accepted for purposes of motorcycle license or endorsement issuance for one year from the date of course completion.**

5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the ~~[U.S.]~~ **United States** Armed Forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further **practical knowledge or driving test** shall be required to obtain a motorcycle or motortricycle license or endorsement. **The military motorcycle rider training course completion shall be accepted for purposes of motorcycle license or endorsement issuance for one year from the date of course completion.** The director of revenue is authorized to promulgate rules and regulations for the administration and implementation of this subsection including rules governing the presentment of motorcycle training course completion cards from a military motorcycle rider training course or other documentation showing that the applicant has successfully completed a course in basic motorcycle safety instruction that meets or exceeds curriculum standards established by the Motorcycle Safety Foundation or other national organization whose purpose is to improve the safety of motorcyclists on the nation's streets and highways. 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, 2012, shall be invalid and void."; and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 22, Section 301.010, Line 301, by inserting after all of said section and line the following:

"301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the

office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided ~~[in the vehicle inspection report]~~ **by the owner of the vehicle**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall retain the odometer information provided ~~[in the vehicle inspection report]~~ **by the owner of the vehicle**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This subsection shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for

the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the contrary, the director of revenue shall establish a system of registration of all fleet vehicles owned or purchased by a fleet owner registered pursuant to this section. The director of revenue shall prescribe the forms for such fleet registration and the forms and procedures for the registration updates prescribed in this section. Any owner of ten or more motor vehicles which must be registered in accordance with this chapter may register as a fleet owner. All registered fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar year or biennial basis pursuant to this section in lieu of the registration periods provided in sections 301.030, 301.035, and 301.147. The director shall issue an identification number to each registered owner of fleet vehicles.

2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered during April of the corresponding year or on a prorated basis as provided in subsection 3 of this section. Fees of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be payable not later than the last day of April of the corresponding year, with two years' fees due for biennially-registered vehicles. ~~[Notwithstanding the provisions of section 307.355, an application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than one hundred twenty days prior to the date of application.]~~ The fees for vehicles added to the fleet which must be licensed at the time of registration shall be payable at the time of registration, except that when such vehicle is licensed between July first and September thirtieth the fee shall be three-fourths the annual fee, when licensed between October first and December thirty-first the fee shall be one-half the annual fee and when licensed on or after January first the fee shall be one-fourth the annual fee. When biennial registration is sought for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's prorated fee.

3. At any time during the calendar year in which an owner of a fleet purchases or otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle, the owner shall present to the director of revenue the identification number as a fleet number and may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant to this subsection.

4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant to this section shall be issued a special license plate which shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the manner prescribed by the advisory committee established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee beyond the regular registration fee, a fleet owner of at least fifty fleet vehicles may apply for fleet license plates bearing a company name or logo, the size and design thereof subject to approval by the director. All fleet license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear license plates as provided in this section which shall not require issuance of a renewal tab. Upon payment of appropriate registration fees, the director of revenue shall issue a registration certificate or other suitable evidence of payment of the annual or biennial fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued. The director of revenue shall promulgate rules and regulations establishing the procedure for application and issuance of fleet vehicle license plates.

~~[5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of Missouri.]; and~~

Further amend said bill, Page 23, Section 301.074, by removing all of said section from the bill and inserting in lieu thereof the following:

"301.074. License plates issued under sections 301.071 to 301.075 shall be valid for the duration of the veteran's disability. Each such applicant issued license plates under these provisions shall annually furnish ~~[proof of vehicle inspection and]~~ proof of disability to the director, except that an applicant whose service connected disability qualifying him for special license plates consists in whole or in part of loss of an eye or a limb or an applicant with a one hundred percent permanent disability, as established by a physician's signed statement to that effect, need only furnish proof of disability to the director when initially applying for the special license plates and not thereafter, but in such case proof that the veteran is alive shall be required annually. ~~[Each person qualifying under sections 301.071 to 301.075 may license only one motor vehicle under these provisions.]~~ No commercial motor vehicle in excess of twenty-four thousand pounds gross weight may be licensed under the provisions of sections 301.071 to 301.075."; and

Further amend said bill and page, Section 301.075, Line 4, by inserting after all of said section and line the following:

"301.132. 1. For purposes of this section, "street rod" is a vehicle older than 1949 or a vehicle manufactured after 1948 to resemble a vehicle manufactured before 1949; and has been altered from the manufacturer's original design or has a body constructed from nonoriginal materials.

2. The model year and the year of manufacture that are listed on the certificate of title of a street rod vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word "REPLICA".

3. For each street rod, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

4. In applying for registration of a street rod pursuant to this section, the owner of the street rod shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, and similar uses;

(2) Will not be used for general daily transportation.

5. ~~[In addition to the certification required pursuant to subsection 4 of this section, when applying for registration of a street rod, the new owner of the street rod shall provide proof that the street rod passed a safety inspection in accordance with section 307.350 that shall be approved by the department of public safety in consultation with the street rod community in this state.~~

~~6.]~~ 6. On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "STREET ROD", "STATE OF MISSOURI". Such license plates shall be kept securely attached to the motor vehicle registered pursuant to this section. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

~~7.]~~ 6. Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

~~8.]~~ 7. ~~[Except as provided in subsection 5 of this section,]~~ A vehicle registered pursuant to this section is exempt from any statute of this state that requires ~~[periodic vehicle inspections and from any statute of this state that requires]~~ the use and inspection of emission controls.

~~9.]~~ 8. A "custom vehicle" means any motor vehicle that:

(1) Is at least twenty-five years old and of a model year after 1948, or was manufactured to resemble a vehicle twenty-five years old or older and of a model year after 1948; and

(2) Has been altered from the manufacturer's original design, or has an entire body constructed from nonoriginal materials.

~~10.]~~ 9. The model year and the year of manufacture that are listed on the certificate of title of a custom vehicle shall be the model year and year of manufacture that the body of such vehicle resembles. The current and all subsequent certificates of ownership shall be designated with the word "REPLICA".

~~[14.]~~ **10.** For each custom vehicle, there shall be an annual fee equal to the fee charged for personalized license plates in section 301.144 in addition to the regular annual registration fees.

~~[12.]~~ **11.** In applying for registration of a custom vehicle pursuant to this section, the owner of the custom vehicle shall submit with the application a certification that the vehicle for which the application is made:

(1) Will be maintained for occasional transportation, exhibits, club activities, parades, tours, and similar uses; and

(2) Will not be used for general daily transportation.

~~[13. In addition to the certification required pursuant to subsection 12 of this section, when applying for registration of a custom vehicle, the new owner of the custom vehicle shall provide proof that the custom vehicle passed a safety inspection in accordance with section 307.350 that shall be approved by the department of public safety in consultation with the street rod community in this state.~~

~~————~~ **12.** On registration of a vehicle pursuant to this section, the director of the department of revenue shall issue to the owner two license plates containing the number assigned to the registration certificate issued by the director of revenue, and the following words: "CUSTOM VEHICLE", "STATE OF MISSOURI". Such license plates shall be kept securely attached to the motor vehicle registered hereunder. The director of revenue shall determine the characteristic features of such license plates for vehicles registered pursuant to the provisions of this section so that they may be recognized as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

~~[15.]~~ **13.** Unless the presence of the equipment was specifically required by a statute of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment is not required for the operation of a vehicle registered pursuant to this section.

~~[16.]~~ **14.** ~~[Except as provided in subsection 13 of this section,]~~ A vehicle registered pursuant to this section is exempt from any statute of this state that requires ~~[periodic vehicle inspections and from any statute of this state that requires]~~ the use and inspection of emission controls.

~~[17.]~~ **15.** For purposes of this section, "blue dot tail light" is a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch in diameter.

~~[18.]~~ **16.** A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors."; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

"301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of ~~[a motor vehicle safety inspection and]~~ any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer, unless the motor vehicle was acquired under section 301.213 in which case the applicant shall make application within thirty days after receiving title from the dealer, upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

- (1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or
- (2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor vehicle was acquired under section 301.213

and the applicant fails to make application within thirty days after receiving title from the dealer, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, ~~the safety inspection required in chapter 307 and~~ the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri ~~or as required by section 301.020~~, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, ~~the safety inspection required in chapter 307 and~~ the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director

shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

- (1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;
- (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;
- (3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund;
- (4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles.

The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.191. 1. When an application is made for an original Missouri certificate of ownership for a previously untitled trailer [~~sixteen feet or more in length~~] which is stated to be homemade, the applicant shall present a certificate of inspection as provided in this section. No certificate of ownership shall be issued for such a homemade trailer if no certificate of inspection is presented.

2. As used in this section, "homemade" means made by a person who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a statement of origin.

3. Every person constructing a homemade trailer [~~sixteen feet or more in length~~] shall obtain an inspection from the sheriff of his or her county of residence or from the Missouri state highway patrol prior to applying for a certificate of ownership. If the person constructing the trailer sells or transfers the trailer prior to applying for a certificate of ownership, the sheriff's or the Missouri state highway patrol's certificate of inspection shall be transferred with the trailer.

4. A fee of [~~ten~~] **twenty-five** dollars shall be paid for the inspection. If the inspection is completed by the sheriff, the proceeds from the inspections shall be deposited by the sheriff within thirty days into the county law enforcement fund if one exists; otherwise into the county general revenue fund. If the inspection is completed by the Missouri state highway patrol, the applicant shall pay the [~~ten~~] **twenty-five** dollar inspection fee to the director of revenue at the time of application for a certificate of ownership for the homemade trailer. The fee shall be deposited in the state treasury to the credit of the state highway fund.

5. The sheriff or Missouri state highway patrol shall inspect the trailer and certify it if the trailer appears to be homemade. The sheriff or Missouri state highway patrol may request the owner to provide any documents or

other evidence showing that the trailer was homemade. When a trailer is certified by the sheriff, the sheriff may stamp a permanent identifying number in the tongue of the frame. The certificate of inspection shall be on a form designed and provided by the director of revenue.

6. Upon presentation of the certificate of inspection and all applicable documents and fees including the identification plate fee provided in section 301.380, the director of revenue shall issue a readily distinguishable manufacturers' identifying number plate. The identification number plate shall be affixed to the tongue of the trailer's frame.

7. The sheriff or Missouri state highway patrol may seize any trailer which has been stolen or has identifying numbers obliterated or removed. The sheriff or Missouri state highway patrol may hold the trailer as evidence while an investigation is conducted. The trailer shall be returned if no related criminal charges are filed within thirty days or when the charges are later dropped or dismissed or when the owner is acquitted.

301.380. 1. Whenever the original, manufacturer's, or other distinguishing number on any motor vehicle, trailer or motor vehicle tire has been destroyed, removed, covered, altered, defaced or is otherwise nonexistent, the director of revenue, upon application, payment of a fee of seven dollars and fifty cents, and satisfactory proof of ownership by the owner, shall issue a certificate authorizing the owner to place a special number designated by the director of revenue upon the vehicle, trailer or tire.

2. In order to properly calculate the sales tax due, in the case of a trailer which is alleged to have been made by someone who is not a manufacturer using readily distinguishable manufacturers' identifying numbers or a certificate of origin, the person seeking the special number authorized by the provisions of this section shall secure a ~~[written statement from a motor vehicle inspection station]~~ **vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue**, that the trailer has been examined and that it is not one made by a regular manufacturer. **The person seeking the special number authorized by the provisions of this section shall pay a fee of twenty-five dollars for such examination certificate, payable to the director of revenue, which shall be deposited into the state treasury to the credit of the state highways and transportation department fund.** The superintendent of the state highway patrol shall provide such forms for ~~[inspection stations, and the person, firm, or corporation seeking the examination shall pay a regular inspection fee for the examination. The proceeds of the fee shall be distributed in the same manner as regular inspection fees are distributed]~~ **law enforcement agencies performing such inspections.** This subsection shall not apply to trailers inspected under section 301.191.

3. The director of revenue shall designate the special numbers consecutively beginning with the number one preceded by the letters "DR" and followed by the letters "Mo" for each make of motor vehicle, trailer or motor vehicle tire, or if the make be unknown, the number shall also be preceded by the letter "X".

4. When such number has been placed upon the motor vehicle or motor or engine thereof, or trailer or motor vehicle tire, it shall be the lawful number of the same for the purpose of identification, registration, and all other purposes of this chapter, and the owner may sell and transfer such property under the special number. No person shall destroy, remove, cover, alter or deface any such special number.

301.443. 1. Any legal resident of the state of Missouri who is a veteran of service in the Armed Forces of the United States and has been honorably discharged from such service and who is a former prisoner of war and any legal resident of the state of Missouri who is a former prisoner of war and who was a United States citizen not in the Armed Forces of the United States during such time is, upon filing an application for registration together with such information and proof in the form of a statement from the United States Veterans Administration or the Department of Defense or any other form of proof as the director may require, entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 for a motor vehicle other than a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. There shall be no fee charged for license plates issued under the provisions of this section.

2. Not more than one certificate of registration and one corresponding set of motor vehicle license plates or other evidence of registration as provided in section 301.130 shall be issued each year to a qualified former prisoner of war under this section.

3. Proof of ownership ~~[and vehicle inspection]~~ of the particular motor vehicle for which a registration certificate and set of license plates is requested must be shown at the time of application. Proof of status as a former prisoner of war as required in subsection 1 of this section shall only be required on the initial application.

4. As used in this section, "former prisoner of war" means any person who was taken as an enemy prisoner during World War I, World War II, the Korean Conflict, or the Vietnam Conflict.

5. The director shall furnish each former prisoner of war obtaining a set of license plates under the provisions of subsections 1 to 4 of this section special plates which shall have the words "FORMER P.O.W." on the license plates in preference to the words "SHOW-ME STATE" as provided in section 301.130 in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

6. Registration certificates and license plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified former prisoner of war.

7. (1) Notwithstanding the provisions of subsection 6 of this section to the contrary, the surviving spouse of a former prisoner of war who has not remarried and who has been issued license plates described in subsection 5 of this section shall be entitled to transfer such license plates to the motor vehicle of the surviving spouse and receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the transfer of such license plates.

(2) The department of revenue shall promulgate rules for the obtaining of a set of license plates described in subsection 5 of this section by the surviving spouse of the former prisoner of war when such license plates are not issued prior to the death of the former prisoner of war. The surviving spouse shall be entitled to receive annually one certificate of registration and one set of license plates or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the license plates issued pursuant to this subdivision.

301.800. 1. Any motor vehicle assembled by a two- or four-year institution of higher education exclusively utilizing solar power and built to compete in a national competition organized to foster interest in solar energy shall be registered and titled by the director of revenue, other laws regulating licensing of motor vehicles to the contrary notwithstanding.

2. Such institution shall file an application in a form prescribed by the director, verified by affidavit, that such vehicle meets the requirements of subsection 1 of this section.

3. The plate issued by the director shall be the collegiate plate of the institution and shall display the term "solar" in a manner prescribed by the director.

4. The institution shall pay the applicable fees as determined by the director.

5. Such motor vehicle shall be exempt from the ~~[inspections required by section 307.350 and]~~ **inspection required under** section 643.315 and shall only be operated on the streets and highways with the approval of the institution of higher education."; and

Further amend said bill, Page 41, Section 307.350, Line 49, by inserting after all of said section and line the following:

"307.360. 1. The superintendent of the Missouri state highway patrol shall issue permits and written instructions to official inspection stations and shall furnish forms and certificates for the ~~[inspection of brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system, and any other safety equipment required by the state. In no instance will road testing of a vehicle be considered a part of the inspection procedure]~~ **certification of manufacturer's identification numbers and odometer readings for vehicles presented for inspection.**

2. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official inspection station and the qualifications for persons who conduct the inspections, and no applicant may be approved to operate an official inspection station until the applicant meets the standards and has the required equipment and qualified inspectors as prescribed. The superintendent of the Missouri state highway patrol shall establish standards and procedures to be followed in the making of inspections required by sections ~~[307.350]~~ **307.360** to 307.390 and shall prescribe rules and regulations for the operation of the stations.

3. (1) The application for permit as an official inspection station shall be made to the superintendent of the Missouri state highway patrol on a form furnished by the superintendent. The fee for a permit to operate an official inspection station shall be ten dollars per year and each permit shall be renewed annually on the date of issue. All fees shall be payable to the director of revenue and shall be deposited by him in the state treasury to the credit of the state highway fund.

(2) The application shall set forth the name under which applicant transacts or intends to transact business, the location of the applicant's place of business and such other information as the superintendent of the Missouri state highway patrol may require. If the applicant has or intends to have more than one place of business within the state, a separate application shall be made for each place of business. If the applicant is a partnership, the application shall set forth the names of the partners; if a corporation, the names of the officers shall be shown. The application shall be signed and verified by oath or affirmation of the owner or an authorized officer or partner.

(3) Each location which fulfills the superintendent of the Missouri state highway patrol's requirements and whose owners, proprietors and employees comply with the superintendent's regulations and qualifications shall be designated as an official inspection station and the applicant issued a certificate. The superintendent of the Missouri state highway patrol shall investigate all applicants for inspection station permits to determine whether or not the premises, equipment and personnel meet the requirements prescribed by him.

(4) Any automobile mechanic who has had at least one year of practical experience as an automotive mechanic or any person who has successfully completed a course of vocational instruction in automotive mechanics from a generally recognized educational institution, either public or private, and who has demonstrated the knowledge and ability to conduct an inspection in compliance with the regulations established by the superintendent of the Missouri state highway patrol may be issued a permit to conduct inspections at any official inspection station. No person without a valid permit shall conduct any part of an inspection~~[-, except a person without a valid permit may assist in the inspection of a vehicle by operating the vehicle's lighting equipment and signaling devices. The superintendent of the Missouri state highway patrol may require a mechanic to be reexamined at any time to determine the mechanic's knowledge and ability to conduct an inspection. If the mechanic fails the reexamination or refuses to be reexamined, the permit issued to the mechanic shall be suspended until the mechanic passes the examination but under no circumstances can the mechanic again be tested until a period of thirty days has elapsed].~~ No fee shall be charged for the permit and the permit shall remain valid for a period of three years from the date of issue or until suspended or revoked by the superintendent of the Missouri state highway patrol.

~~[(5) The superintendent of the Missouri state highway patrol may issue a private official inspection station permit to any association, person, partnership, corporation and/or subsidiary corporation, and governmental entity having registered or titled in his, her or its name in this state one or more vehicles of the type required to be inspected by section 307.350, or who maintains such vehicles under a written maintenance agreement of at least one year's duration and who maintains approved inspection facilities and has qualified personnel; but separate permits must be obtained for separate facilities of the same association, person, partnership, corporation and/or subsidiary corporation, or governmental entity. Such private stations shall inspect only vehicles registered or to be registered, titled or to be titled or maintained in the name of the person or organization described on the application for permit. No fee shall be charged for a permit issued to a governmental entity.]~~

4. (1) The superintendent of the Missouri state highway patrol shall supervise and cause inspections to be made of the official inspection stations and inspecting personnel and if the superintendent finds that the provisions of sections ~~[307.350]~~ **307.360** to 307.390 or the regulations issued pursuant to sections ~~[307.350]~~ **307.360** to 307.390 are not being complied with, or that the business of an official inspection station~~[-, in connection with corrections, adjustments, repairs or inspection of vehicles]~~ is being improperly conducted, the superintendent shall suspend or revoke the permit of the station for a period of not less than thirty days or more than one year and require the immediate surrender and return of the permit, together with all official forms and certificates of inspection and approval. If the superintendent finds that an inspector has violated any of the provisions of sections ~~[307.350]~~ **307.360** to 307.390 or the regulations issued pursuant to sections ~~[307.350]~~ **307.360** to 307.390, the superintendent shall suspend or revoke the inspector's permit for a period of not less than thirty days nor more than one year. If a station operator or if an inspector violates any of the provisions of sections ~~[307.350]~~ **307.360** to 307.390, he or she is subject to prosecution as provided in section 307.390.

(2) The suspension or revocation of a station permit or of an inspector's permit shall be in writing to the operator, inspector, or the person in charge of the station. Before suspending or revoking either of the permits, the superintendent shall serve notice in writing by certified mail or by personal service to the permittee at the permittee's address of record giving the permittee the opportunity to appear in the office of the superintendent on a stated date, not less than ten nor more than thirty days after the mailing or service of the notice, for a hearing to show cause why the permittee's permit should not be suspended or revoked. An inspection station owner or an inspector may appear in person or by counsel in the office of the superintendent to show cause why the proposed suspension or revocation is in error, or to present any other facts or testimony that would bear on the final decision of the superintendent. If the permittee or the permittee's agent does not appear on the stated day after receipt of notice, it shall be presumed

that the permittee admits the allegations of fact contained in the hearing notification letter. The decision of the superintendent may in such case be based upon the written reports submitted by the superintendent's officers. The order of the superintendent, specifying his findings of fact and conclusions of law, shall be considered final immediately after receipt of notice thereof by the permittee.

(3) Any person whose permit is suspended or revoked or whose application for a permit is denied may within ten days appeal the action as provided in chapter 536.

307.365. 1. No permit for an official inspection station shall be assigned or transferred or used at any location other than therein designated and every permit shall be posted in a conspicuous place at the location designated. The superintendent of the Missouri state highway patrol shall design and furnish each official inspection station, at no cost, one official sign made of metal or other durable material to be displayed in a conspicuous location to designate the station as an official inspection station. Additional signs may be obtained by an official inspection station for a fee equal to the cost to the state. Each inspection station shall also be supplied with one or more posters which must be displayed in a conspicuous location at the place of inspection and which informs the public that required repairs or corrections need not be made at the inspection station.

2. No person operating an official inspection station pursuant to the provisions of sections ~~[307.350]~~ **307.360** to 307.390 may issue a certificate of inspection and approval for any vehicle except upon an official form furnished by the superintendent of the Missouri state highway patrol for that purpose ~~[and only after inspecting the vehicle and determining that its brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel system and any other safety equipment as required by the state are in proper condition and adjustment to be operated upon the public highways of this state with safety to the driver or operator, other occupants therein, as well as other persons and property upon the highways, as provided by sections 307.350 to 307.390 and the regulations prescribed by the superintendent of the Missouri state highway patrol. Brakes may be inspected for safety by means of visual inspection or computerized brake testing].~~ No person operating an official inspection station shall furnish, loan, give or sell a certificate of inspection and approval to any other person except those entitled to receive it under provisions of sections ~~[307.350]~~ **307.360** to 307.390. ~~[No person shall have in such person's possession any certificate of inspection and approval and/or inspection sticker with knowledge that the certificate and/or inspection sticker has been illegally purchased, stolen or counterfeited.]~~

3. The superintendent of the Missouri state highway patrol may require officially designated stations to furnish reports upon forms furnished by the superintendent for that purpose as the superintendent considers reasonably necessary for the proper and efficient administration of sections ~~[307.350]~~ **307.360** to 307.390.

4. ~~[If, upon inspection, defects or unsafe conditions are found, the owner may correct them or shall have them corrected at any place the owner chooses within twenty days after the defect or unsafe condition is found, and shall have the right to remove the vehicle to such place for correction, but before the vehicle is operated thereafter upon the public highways of this state, a certificate of inspection and approval must be obtained. The inspecting personnel of the official inspection station must inform the owner that the corrections need not be made at the inspection station.~~

~~—5.]~~ A fee, not to exceed twelve dollars, as determined by each official inspection station, may be charged by an official inspection station for each official inspection including the issuance of the certificate of inspection ~~[and approval, sticker, seal or other device and a total fee, not to exceed ten dollars, as determined by each official inspection station, may be charged for an official inspection of a trailer or motorcycle, which shall include the issuance of the certificate of inspection and approval, sticker, seal or other device].~~ Such fee shall be conspicuously posted on the premises of each such official inspection station. ~~[No owner shall be charged an additional inspection fee upon having corrected defects or unsafe conditions found in an inspection completed within the previous twenty consecutive days, excluding Saturdays, Sundays and holidays, if such follow-up inspection is made by the station making the initial inspection. Every inspection for which a fee is charged shall be a complete inspection, and upon completion of the inspection, if any defects are found the owner of the vehicle shall be furnished a list of the defects and a receipt for the fee paid for the inspection. If the owner of a vehicle decides to have any necessary repairs or corrections made at the official inspection station, the owner shall be furnished a written estimate of the cost of such repairs before such repairs or corrections are made by the official inspection station. The written estimate shall have plainly written upon it that the owner understands that the corrections need not be made by the official inspection station and shall have a signature line for the owner. The owner must sign below the statement on the signature line before any repairs are made.~~

~~—6.~~ Certificates of inspection and approval, sticker, seal or other device shall be purchased by the official inspection stations from the superintendent of the Missouri state highway patrol. The superintendent of the Missouri state highway patrol shall collect a fee of one dollar and fifty cents for each certificate of inspection, sticker, seal or

other device issued to the official inspection stations, except that no charge shall be made for certificates of inspection, sticker, seal or other device issued to official inspection stations operated by governmental entities. All fees collected shall be deposited in the state treasury with one dollar of each fee collected credited to the state highway fund and, for the purpose of administering and enforcing the state motor vehicle laws and traffic regulations, fifty cents credited to the "Highway Patrol Inspection Fund" which is hereby created. The moneys collected and deposited in the highway patrol inspection fund shall be expended subject to appropriations by the general assembly for the administration and enforcement of sections 307.350 to 307.390 by the Missouri state highway patrol. The unexpended balance in the fund at the end of each biennium exceeding the amount of the appropriations from the fund for the first two fiscal years shall be transferred to the state road fund, and the provisions of section 33.080, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to the fund.

~~7.]~~ 5. The owner or operator of any inspection station who discontinues operation during the period that a station permit is valid or whose station permit is suspended or revoked shall return all official signs and posters ~~[and any current unused inspection stickers, seals or other devices]~~ to the superintendent of the Missouri state highway patrol and shall receive a full refund on request except for official signs and posters, provided the request is made during the calendar year or within sixty days thereafter in the manner prescribed by the superintendent of the Missouri state highway patrol. ~~[Stations which have a valid permit shall exchange unused previous year issue inspection stickers and/or decals for an identical number of current year issue, provided the unused stickers and/or decals are submitted for exchange not later than April thirtieth of the current calendar year, in the manner prescribed by the superintendent of the Missouri state highway patrol.]~~

~~8.]~~ 6. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this section shall be a class C misdemeanor.

~~9.]~~ 7. The owner or operator of any inspection station shall maintain liability insurance at all times to cover possible damage to vehicles during the inspection process.

307.370. 1. No person shall represent in any manner any place as an official inspection station unless the station is operated under a valid permit issued by the superintendent of the Missouri state highway patrol.

2. No person unless then holding a valid permit shall issue a certificate of inspection ~~[and approval, sticker, seal or other device]~~.

3. No person shall make, issue or knowingly use any imitation or counterfeit of an official certificate of inspection ~~[, sticker, seal or other device]~~.

4. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval ~~[, sticker, seal or other device]~~ knowing the same to be fictitious or issued for another vehicle or issued without an inspection having been made.

307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official **school bus** inspection station, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. The inspection shall ~~[, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390,]~~ include **a determination that the brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, and fuel system of the bus are in proper condition and, in addition, include** an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

- (1) All mirrors, including crossview, inside, and outside;
- (2) The front and rear warning flashers;
- (3) The stop signal arm;
- (4) The crossing control arm on public school buses required to have them pursuant to section 304.050;
- (5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;
- (6) The exhaust tailpipe shall be flush with or may extend not more than two inches beyond the perimeter of the body or bumper;
- (7) The emergency doors and exits to determine them to be unlocked and easily opened as required;
- (8) The lettering and signing on the front, side and rear of the bus;
- (9) The service door;
- (10) The step treads;
- (11) The aisle mats or aisle runners;

(12) The emergency equipment which shall include as a minimum a first aid kit, flares or fuses, and a fire extinguisher;

(13) The seats, including a determination that they are securely fastened to the floor;

(14) The emergency door buzzer;

(15) All hand hold grips;

(16) The interior glazing of the bus.

2. In addition to the inspection required by subsection 1 of this section, the Missouri state highway patrol shall conduct an inspection after February first of each school year of all vehicles required to be marked as school buses under section 304.050. This inspection shall be conducted by the Missouri highway patrol in cooperation with the department of elementary and secondary education and shall include, as a minimum, items in subsection 1 of this section and the following:

(1) The driver seat belts;

(2) The heating and defrosting systems;

(3) The reflectors;

(4) The bus steps;

(5) The aisles;

(6) The frame.

3. If, upon inspection, conditions which violate the standards in subsection 2 of this section are found, the owner or operator shall have them corrected in ten days and notify the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus shall not be used until corrections are made and the superintendent of the Missouri state highway patrol or those persons authorized by the superintendent are notified.

4. The Missouri highway patrol may inspect any school bus at any time and if such inspection reveals a deficiency affecting the safe operation of the bus, the provisions of subsection 3 of this section shall be applicable.

5. ~~[Notwithstanding the provisions of section 307.390 to the contrary,]~~ A violation of this section shall be a class C misdemeanor.

6. The superintendent of the Missouri state highway patrol shall prescribe the standards and equipment necessary for an official school bus inspection station and the qualifications for persons who conduct the inspections. The Missouri state highway patrol shall establish standards and procedures to be followed when conducting the inspections required under this section and shall prescribe rules and regulations for the operation of the school bus inspection stations.

307.385. The superintendent of the Missouri state highway patrol may notify the director of revenue and the director of revenue shall suspend the registration of any vehicle which the superintendent of the Missouri state highway patrol determines, after a written notice, is not equipped as required by law or for which a certificate required by sections ~~[307.350]~~ **307.360** to 307.390 has not been obtained.

307.390. 1. Any person who violates any provision of sections ~~[307.350]~~ **307.360** to 307.390 is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

2. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to investigate and enforce motor vehicle safety inspection laws and regulations pursuant to sections ~~[307.350]~~ **307.360** to 307.390 and sections 643.300 to 643.355. A person assigned by the superintendent pursuant to the authority granted by this subsection shall be designated a motor vehicle inspector and shall have limited powers to issue a uniform complaint and summons for a violation of the motor vehicle inspection laws and regulations. A motor vehicle inspector shall not have authority to exercise the power granted in this subsection until such inspector successfully completes training provided by, and to the satisfaction of, the superintendent.

643.303. 1. Beginning September 1, 2007, emissions inspections required by sections 643.300 to 643.355 shall be conducted through a decentralized emissions program that meets the requirements of this section. Prior to September 1, 2007, the air conservation commission shall develop a decentralized emissions inspection program that allows official inspection stations to conduct on-board diagnostic emission inspections of 1996 model year and newer motor vehicles equipped with on-board diagnostic systems meeting the federal Environmental Protection Agency On-Board Diagnostics II (OBDII) standards. The decentralized emissions inspection program shall, at a minimum, provide for the following:

(1) The periodic inspection of certain motor vehicles as required under section 643.315;

(2) The certification and operation of official emissions inspection stations and the licensing of emission inspectors;

(3) The testing of motor vehicles through on-board diagnostic testing technologies;

(4) The training, certification, and supervision of emission inspectors and other personnel; and

(5) Procedures for certifying test results and for reporting and maintaining relevant data records.

2. In addition to any other criteria established by the commission under section 643.320 or by rule, the decentralized emissions inspection program shall allow any official inspection station located in an area described in subsection 1 of section 643.305 otherwise qualified by the Missouri state highway patrol to conduct motor vehicle ~~[safety]~~ inspections under section 307.360 to conduct on-board diagnostic emission inspections. Any motor vehicle ~~[safety]~~ inspection station that desires to conduct emissions inspections shall submit an application for a certificate of authorization to the commission as provided for under section 643.320. Other individuals, corporations, or entities ~~[that do not conduct motor vehicle safety inspections]~~ may conduct emission inspections provided they meet the qualifications set forth in sections 643.300 to 643.355 and ~~[the]~~ rules promulgated by the commission. Applications shall be made upon a form designated by the commission and shall contain such information as may be required by the commission. A certificate of authorization issued under section 643.320 to conduct emission inspections shall be issued only after the commission has made a determination that the applicant's proposed inspection station will be properly equipped, has the necessary licensed emission inspectors to conduct inspections, and meets all other requirements of sections 643.300 to 643.355 or rules promulgated to carry out the provisions of those sections.

3. The decentralized emissions inspection program shall allow any official **emissions** inspection station that is certified to conduct an on-board diagnostic emission inspection under sections 643.300 to 643.355 to repair motor vehicles in order to bring such vehicles into compliance with sections 643.300 to 643.355, if such station and personnel meet the qualifications to conduct emission repairs as set forth in sections 643.300 to 643.355. An official emission inspection station may elect to be an emissions test-only station or may elect to conduct both emission inspections and repairs.

4. The commission is authorized to begin certification of official **emissions** inspection stations prior to September 1, 2007, in order to implement the decentralized emissions inspection program. Prior to January 1, 2007, the department of natural resources shall issue a report to the general assembly and the governor regarding the progress of implementing the decentralized emissions inspection program. The report shall include, but not be limited to, a summary describing how many inspection stations or individuals the department expects to participate in the program and how many inspection stations or individuals will be qualified by September 1, 2007, to conduct such emissions inspections.

5. The commission may, as a part of implementing the decentralized emissions inspection program, use remote sensing devices to collect information regarding the vehicle fleet emissions characteristics and registration compliance within the area described in subsection 1 of section 643.305. The decentralized emissions inspection program established by the commission may also include a clean screen program that utilizes remote sensing devices. Owners of eligible vehicles who comply with clean screen/remote sensing procedures shall be deemed to have complied with the mandatory inspection requirements for the next inspection cycle. As used in this subsection, the term "clean screen program" shall mean a procedure or system that utilizes remote sensing technologies to determine whether a motor vehicle has acceptable emission levels and then allows the motor vehicle owner to bypass the emissions inspection test required under section 643.315.

6. The decentralized emissions inspection program may include a gas cap pressure test and a visual inspection component~~[-, and such tests may be included as part of the motor vehicle safety inspection test under section 307.350].~~

7. As used in sections 643.300 to 643.355, "decentralized emissions inspection program" means an emissions inspection program under which a certified emissions inspector conducts emissions inspection testing at an official inspection station.

8. The decentralized emission inspection program shall satisfy the requirements established by regulation of the United States Environmental Protection Agency.

9. The decentralized emissions inspection program established by the commission and sections 643.300 to 643.355 shall not be construed to be a new program as described in section 23.253, and the decentralized emissions inspection program shall not be subject to the sunset mandate prescribed by sections 23.250 to 23.298.

10. No later than July 1, 2007, the department of natural resources and the Missouri highway patrol shall enter into an interagency agreement covering all aspects of the administration and enforcement of sections 643.300 to 643.355.

11. No later than July 1, 2007, the air conservation commission shall promulgate rules for the implementation 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 under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

12. Prior to September 1, 2007, the department of natural resources shall actively promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the decentralized emission inspection program, the department shall monitor participation in such program. In determining whether there are a sufficient number of individuals conducting motor vehicle emission inspections under the decentralized program, the department shall attempt to ensure, through promotional efforts, that no more than twenty percent of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of ~~the safety and~~ emission inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by ~~sections 307.350 to 307.390 and~~ sections 643.300 to 643.355. The director of revenue may verify that a successful ~~safety and~~ emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

- (1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;
- (2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;
- (3) Model year vehicles manufactured prior to 1996;
- (4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;
- (5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;
- (6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;
- (7) Historic motor vehicles registered pursuant to section 301.131;
- (8) School buses;
- (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;
- (10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture~~[-, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted];~~
- (11) Motor vehicles that are driven fewer than twelve thousand miles between biennial ~~[safety inspections]~~ **registration periods**; and
- (12) Qualified plug-in electric drive vehicles. For the purposes of this section, "qualified plug-in electric drive vehicle" shall mean a plug-in electric drive vehicle that is made by a manufacturer, has not been modified from

original manufacturer specifications, and can operate solely on electric power and is capable of recharging its battery from an on-board generation source and an off-board electricity source.

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to 643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

- (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or
- (b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020. ~~[No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380.]~~

~~[307.350. 1. The owner of every motor vehicle as defined in section 301.010 which is required to be registered in this state, except:~~

- ~~(1) Motor vehicles, for the five year period following their model year of manufacture, excluding prior salvage vehicles immediately following a rebuilding process and vehicles subject to the provisions of section 307.380;~~
- ~~(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and~~
- ~~(3) Historic motor vehicles registered pursuant to section 301.131;~~
- ~~(4) Vehicles registered in excess of twenty four thousand pounds for a period of less than twelve months; shall submit such vehicles to a biennial inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for registration or within sixty days of when a vehicle's registration is transferred. Any vehicle manufactured as an even numbered model year vehicle shall be inspected and approved pursuant to the safety inspection program established pursuant to sections 307.350 to 307.390 in each even numbered calendar year and any such vehicle manufactured as an odd numbered model~~

~~year vehicle shall be inspected and approved pursuant to sections 307.350 to 307.390 in each odd-numbered year. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.~~

~~2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of such owner's choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.~~

~~3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available pursuant to section 301.144 or a set of any license plates available pursuant to section 301.142, prior to the expiration date of such motor vehicle's current registration.~~

~~4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]~~

~~[307.353. Other provisions of law notwithstanding, no person shall be required to have a biennial vehicle inspection during a registration period which exceeds two years. The inspection required at the beginning of the registration period shall be valid for the entire registration period.]~~

~~[307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued during a biennial registration year in which the vehicle is required to be inspected unless the application is accompanied by a certificate of inspection and approval issued no more than sixty days prior to the date of application, or in the case of school buses, which will be required to be inspected annually as provided in section 307.375, except:~~

~~(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri;~~

~~(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed or that the vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring.~~

~~2. If due to interstate operation a commercial motor vehicle as defined in section 301.010 or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.~~

~~3. After a commercial motor vehicle as defined in section 301.010 has been registered for the current year, no certificate of inspection and approval is required when a local~~

commercial motor vehicle license is changed to a beyond local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.]

~~[307.380. 1. Every vehicle of the type required to be inspected upon having been involved in an accident and when so directed by a police officer must be inspected and an official certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is again operated on the highways of this state. At the seller's expense every vehicle of the type required to be inspected by section 307.350, whether new or used, shall immediately prior to sale be fully inspected regardless of any current certificate of inspection and approval, and an appropriate new certificate of inspection and approval, sticker, seal or other device shall be obtained.—~~

~~2. Nothing contained in the provisions of this section shall be construed to prohibit a dealer or any other person from selling a vehicle without a certificate of inspection and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons stated herein. No vehicle of the type required to be inspected by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner has submitted the vehicle for inspection and obtained an official certificate of inspection and approval, sticker, seal or other device for such vehicle.—~~

~~3. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.]~~

~~[307.402. All state agencies owning motor vehicles shall be responsible for obtaining an inspection of each of their vehicle's mechanism and equipment in accordance with the provisions of sections 307.350 to 307.402 and obtaining a certificate of inspection and approval and a sticker, seal or other device from a duly authorized official inspection station:]~~

Section B. The repeal and reenactment of sections 301.020, 301.032, 301.074, 301.132, 301.147, 301.190, 301.191, 301.380, 301.443, 301.800, 307.360, 307.365, 307.370, 307.375, 307.385, 307.390 643.303, and 643.315 and the repeal of sections 307.350, 307.353, 307.355, 307.380, and 307.402 of this act shall become effective January 1, 2019."; 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: 091

Anderson	Andrews	Austin	Bahr	Basye
Beard	Bernskoetter	Black	Brattin	Brown 57
Chipman	Christofanelli	Conway 104	Cornejo	Curtman
Davis	DeGroot	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzwater	Fraker	Francis
Frederick	Gannon	Gregory	Grier	Hannegan
Hansen	Helms	Henderson	Hill	Houghton
Hurst	Johnson	Justus	Kelly 141	Knight
Kolkmeyer	Korman	Lant	Lauer	Love
Lynch	Marshall	Mathews	Matthiesen	McDaniel

McGaugh	Moon	Morris 140	Morse 151	Muntzel
Neely	Pfausch	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
Walker 3	Walsh	White	Wiemann	Wilson
Wood				

NOES: 035

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Carpenter	Conway 10	Dinkins
Franks Jr	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	Stevens 46	Unsicker	Wessels

PRESENT: 000

ABSENT WITH LEAVE: 035

Alferman	Arthur	Barnes 60	Berry	Bondon
Brown 27	Burns	Butler	Cookson	Corlew
Cross	Curtis	Ellebracht	Ellington	Fitzpatrick
Franklin	Gray	Haahr	Haefner	Higdon
Houx	Kelley 127	Kidd	Lichtenegger	Messenger
Miller	Peters	Pogue	Runions	Schroer
Smith 85	Vescovo	Walker 74	Washington	Mr. Speaker

VACANCIES: 002

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 5, Section 21.795, Line 120, by inserting after all of said line the following:

"70.370. Within sixty days after this section becomes effective, the governor by and with the advice and consent of the senate shall appoint three commissioners to enter into a compact on behalf of the state of Missouri with the state of Illinois. If the senate is not in session at the time for making any appointment, the governor shall make a temporary appointment as in case of a vacancy. Any two of the commissioners so appointed together with the attorney general of the state of Missouri may act to enter into the following compact:

COMPACT BETWEEN MISSOURI AND ILLINOIS
CREATING THE BI-STATE DEVELOPMENT AGENCY
AND THE BI-STATE METROPOLITAN DISTRICT

The states of Missouri and Illinois enter into the following agreement:

ARTICLE I

They agree to and pledge each to the other faithful cooperation in the future planning and development of the bi-state metropolitan district, holding in high trust for the benefit of its people and of the nation the special blessings and natural advantages thereof.

ARTICLE II

To that end the two states create a district to be known as the "Bi-State Metropolitan Development District" (herein referred to as "The District") which shall embrace the following territory: The City of St. Louis and the counties of St. Louis ~~and~~, St. Charles ~~and~~, Jefferson, **and Franklin** in Missouri[-] and the counties of Madison, St. Clair, and Monroe in Illinois.

ARTICLE III

There is created "The Bi-State Development Agency of the Missouri-Illinois Metropolitan District" (herein referred to as "The Bi-State Agency") which shall be a body corporate and politic. The bi-state agency shall have the following powers:

(1) To plan, construct, maintain, own and operate bridges, tunnels, airports and terminal facilities and to plan and establish policies for sewage and drainage facilities;

(2) To make plans for submission to the communities involved for coordination of streets, highways, parkways, parking areas, terminals, water supply and sewage and disposal works, recreational and conservation facilities and projects, land use pattern and other matters in which joint or coordinated action of the communities within the areas will be generally beneficial;

(3) To charge and collect fees for use of the facilities owned and operated by it;

(4) To issue bonds upon the security of the revenues to be derived from such facilities; and, or upon any property held or to be held by it;

(5) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies; or by the federal government or any agency or officer thereof;

(6) To disburse funds for its lawful activities, and fix salaries and wages of its officers and employees;

(7) To perform all other necessary and incidental functions; and

(8) To exercise such additional powers as shall be conferred on it by the legislature of either state concurred in by the legislature of the other or by act of Congress.

No property now or hereafter vested in or held by either state, or by any county, city, borough, village, township or other political subdivision, shall be taken by the bi-state agency without the authority or consent of such state, county, city, borough, village, township or other political subdivision, nor shall anything herein impair or invalidate in any way any bonded indebtedness of such state, county, city, borough, village, township or other political subdivision, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from any municipal property to a specific purpose.

Unless and until otherwise provided, it shall make an annual report to the governor of each state, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

Nothing contained in this compact shall impair the powers of any municipality to develop or improve terminal or other facilities.

The bi-state agency shall from time to time make plans for the development of the district; and when such plans are duly approved by the legislatures of the two states, they shall be binding upon both states with the same force and effect as if incorporated in this compact.

The bi-state agency may from time to time make recommendations to the legislatures of the two states or to the Congress of the United States, based upon study and analysis, for the improvement of transportation, terminal, and other facilities in the district.

The bi-state agency may petition any interstate commerce commission (or like body), public service commission, public utilities commission (or like body), or any other federal, municipal, state or local authority, administrative, judicial or legislative, having jurisdiction in the premises, for the adoption and execution of any physical improvements, change in method, rate of transportation, system of handling freight, warehousing, docking, lightering, or transfer of freight, which, in the opinion of the bi-state agency, may be designed to improve or better the handling of commerce in and through the district, or improve terminal and transportation facilities therein. It may intervene in any proceeding affecting the commerce of the district.

ARTICLE IV

The bi-state agency shall consist of ten commissioners, five of whom shall be resident voters of the state of Missouri and five of whom shall be resident voters of the state of Illinois. All commissioners shall reside within the bi-state district, the Missouri members to be chosen by the state of Missouri and the Illinois members by the state of Illinois in the manner and for the terms fixed by the legislature of each state except as herein provided.

ARTICLE V

The bi-state agency shall elect from its number a chairman, a vice chairman, and may appoint such officers and employees as it may require for the performance of its duties, and shall fix and determine their qualifications and duties.

Until otherwise determined by the legislatures of the two states no action of the bi-state agency shall be binding unless taken at a meeting at which at least three members from each state are present, and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.

Until otherwise determined by the action of the legislature of the two states, the bi-state agency shall not incur any obligations for salaries, office or other administrative expenses, prior to the making of appropriations adequate to meet the same.

The bi-state agency is hereby authorized to make suitable rules and regulations not inconsistent with the constitution or laws of the United States or of either state, or of any political subdivision thereof, and subject to the exercise of the power of Congress, for the improvement of the district, which when concurred in or authorized by the legislatures of both states, shall be binding and effective upon all persons and corporations affected thereby.

The two states shall provide penalties for violations of any order, rule or regulation of the bi-state agency, and for the manner of enforcing same.

ARTICLE VI

The bi-state agency is authorized and directed to proceed with the development of the district in accordance with the articles of this compact as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States or of either state, to effectuate the same, except the power to levy taxes or assessments.

It shall render such advice, suggestion and assistance to all municipal officials as will permit all local and municipal improvements, so far as practicable, to fit in with the plan.

ARTICLE VII

In witness thereof, we have hereunto set our hands and seals under authority vested in us by law.

(Signed)

In the presence of:

(Signed)"; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 11, Section 71.015, Line 148, by inserting immediately after all of said section and line the following:

"137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for transportation or storage of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, propane or LP gas equipment, water, and sewage;

(5) **"Reliever airport", any land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System that may receive federal airport improvement project funds through the Federal Aviation Administration;**

(6) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.016. 1. As used in Section 4(b) of Article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, bed and breakfast inns in which the owner resides and uses as a primary residence with six or fewer rooms for rent, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include ~~land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration~~ **any reliever airport**. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to Article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to Article X, Subsection 2 of Section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does

not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section. **This subsection shall not apply to any reliever airport.**

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;
- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in Section 4(b) of Article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution.

137.017. 1. For general property assessment purposes, the true value in money of land which is in use as agricultural and horticultural property, as defined in section 137.016, shall be that value which such land has for agricultural or horticultural use. The true value of buildings or other structures customarily associated with farming, agricultural, and horticultural uses, excluding residential dwellings and related land, shall be added to the use value of the agricultural and horticultural land to determine the value of the agricultural and horticultural property under sections 137.017 to 137.021.

2. After it has been established that the land is actually agricultural and horticultural property, as defined in section 137.016, and is being valued and assessed accordingly, the land shall remain in this category as long as the owner of the land complies with the provisions of sections 137.017 to 137.021.

3. Continuance of valuation and assessment for general property taxation under the provisions of sections 137.017 to 137.021 shall depend upon continuance of the land being used as agricultural and horticultural property, as defined in section 137.016, and compliance with the other requirements of sections 137.017 to 137.021 and not upon continuance in the same owner of title to the land.

4. For general property assessment purposes, the true value in money of vacant and unused land which is classified as agricultural and horticultural property under subsection 3 of section 137.016 shall be its fair market value. **This subsection shall not apply to any reliever airport.**

5. For general property assessment purposes, the true value in money of a reliever airport shall be that value which such land has for agricultural or horticultural use."; 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: 087

Anderson	Andrews	Austin	Bahr	Basye
Beard	Berry	Bondon	Brattin	Brown 57
Christofanelli	Conway 104	Corlew	Cornejo	Curtman
Davis	DeGroot	Dinkins	Dogan	Dohrman
Eggleston	Evans	Fitzwater	Fraker	Francis
Frederick	Gannon	Gregory	Grier	Hannegan
Hansen	Helms	Henderson	Hill	Houghton
Hurst	Johnson	Justus	Kelley 127	Knight
Kolkmeier	Korman	Lant	Lauer	Love
Lynch	Marshall	Mathews	Matthiesen	McGaugh
Moon	Morris 140	Morse 151	Muntzel	Neely
Pfautsch	Phillips	Pike	Plocher	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	Walker 3	Walsh	White
Wiemann	Wood			

NOES: 038

Adams	Anders	Bangert	Baringer	Barnes 28
Beck	Burnett	Burns	Carpenter	Conway 10
Ellebracht	Franks Jr	Gray	Green	Harris
Kendrick	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	Wessels		

PRESENT: 000

ABSENT WITH LEAVE: 036

Alferman	Arthur	Barnes 60	Bernskoetter	Black
Brown 27	Butler	Chipman	Cookson	Cross
Curtis	Ellington	Engler	Fitzpatrick	Franklin
Haahr	Haefner	Higdon	Houx	Kelly 141
Kidd	Lichtenegger	McDaniel	McGee	Messenger
Miller	Peters	Pietzman	Pogue	Redmon
Schroer	Smith 85	Vescovo	Walker 74	Wilson
Mr. Speaker				

VACANCIES: 002

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

Representative Shaul (113) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 27, Section 301.140, Line 143, by inserting immediately after all of said section and line the following:

"301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

- (1) "Department", the department of revenue;
- (2) "Director", the director of the department of revenue;
- (3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, assistant physicians, physical therapists licensed pursuant to chapter 334, and optometrists licensed pursuant to chapter 336;
- (4) "Physically disabled", a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:
 - (a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or
 - (b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or
 - (c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or
 - (d) Uses portable oxygen; or
 - (e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
 - (f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;
- (5) "Physician", a person licensed to practice medicine pursuant to chapter 334;
- (6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;
- (7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;
- (8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;
- (9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

- (1) Be on a form prescribed by the director of revenue;
- (2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;
- (3) Include the physician's or other authorized health care practitioner's license number; and
- (4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis

or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days preceding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. **If at any time an individual who obtained disabled license plates issued under this subsection no longer occupies a residence with a physically disabled person, or no longer owns a vehicle that is operated at least fifty percent of the time by a physically disabled person, such individual shall surrender the disabled license plates to the department within thirty days of becoming ineligible for their use.**

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person, **and shall be surrendered to the department, within thirty days, if a group, organization, or entity that obtained the removable windshield placard due to the transportation of more than one physically disabled person no longer transports more than one disabled person.** When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every four years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall

conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every ~~fourth~~ **eightth** year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a ~~four-year~~ **eight-year** period.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the ~~four-year~~ **eight-year** certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."; and

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

Representative Mitten raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Johnson requested a parliamentary ruling.

The point of order was withdrawn.

On motion of Representative Shaul (113), **House Amendment No. 8** was adopted.

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 39, Section 304.190, Line 86, 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 Mitten raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

Representative Johnson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Austin moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Anderson	Andrews	Austin	Basye	Beard
Bernskoetter	Bondon	Brattin	Brown 57	Christofanelli
Corlew	Cornejo	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Engler
Evans	Fitzwater	Fraker	Francis	Frederick
Gannon	Gregory	Grier	Haahr	Hannegan
Hansen	Helms	Hill	Houghton	Hurst
Johnson	Justus	Kidd	Knight	Korman
Lant	Lauer	Love	Lynch	Marshall
Mathews	Matthiesen	McGaugh	Moon	Morris 140
Morse 151	Muntzel	Neely	Pfautsch	Phillips
Pike	Plocher	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowland 155	Ruth	Shaul 113	Shull 16
Shumake	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	Walsh	Wiemann	Wood	

NOES: 031

Adams	Anders	Arthur	Bangert	Baringer
Beck	Burnett	Carpenter	Franks Jr	Green
Harris	Kendrick	Lavender	McCann Beatty	McCreery
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Razer
Revis	Roberts	Rowland 29	Runions	Unsicker
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 046

Alferman	Bahr	Barnes 60	Barnes 28	Berry
Black	Brown 27	Burns	Butler	Chipman
Conway 10	Conway 104	Cookson	Cross	Curtis
Ellebracht	Ellington	Fitzpatrick	Franklin	Gray
Haefner	Henderson	Higdon	Houx	Kelley 127
Kelly 141	Kolkmeyer	Lichtenegger	May	McDaniel
McGee	Messenger	Miller	Peters	Pietzman
Pogue	Reisch	Schroer	Smith 85	Smith 163

Stevens 46 Walker 74 Washington White Wilson
Mr. Speaker

VACANCIES: 002

On motion of Representative Cornejo, **House Amendment No. 9** was adopted by the following vote, the ayes and noes having been demanded pursuant to Article III, Section 26 of the Constitution:

AYES: 087

Alferman	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black
Brattin	Brown 57	Chipman	Christofanelli	Corlew
Cornejo	Curtman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Engler	Fitzpatrick
Fitzwater	Fraker	Francis	Frederick	Gannon
Gregory	Grier	Haahr	Hannegan	Hansen
Helms	Henderson	Hill	Johnson	Justus
Kelley 127	Kelly 141	Kidd	Knight	Kolkmeier
Lant	Lauer	Love	Lynch	Mathews
Matthiesen	McGaugh	Morris 140	Morse 151	Muntzel
Neely	Pfausch	Phillips	Pierson Jr	Pike
Plocher	Redmon	Rehder	Rhoads	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Shaul 113	Shull 16	Shumake	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Taylor	Trent	Walker 3	Walsh	Wiemann
Wood	Mr. Speaker			

NOES: 046

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Bondon	Burnett	Butler
Carpenter	Ellebracht	Ellington	Franks Jr	Gray
Green	Harris	Hurst	Kendrick	Korman
Lavender	Marshall	May	McCann Beatty	McCreery
McGee	Meredith 71	Merideth 80	Miller	Mitten
Moon	Morgan	Mosley	Newman	Nichols
Quade	Razer	Reiboldt	Remole	Revis
Rowland 29	Runions	Stevens 46	Unsicker	Washington
Wessels				

PRESENT: 000

ABSENT WITH LEAVE: 028

Barnes 60	Brown 27	Burns	Conway 10	Conway 104
Cookson	Cross	Curtis	Evans	Franklin
Haefner	Higdon	Houghton	Houx	Lichtenegger
McDaniel	Messenger	Peters	Pietzman	Pogue
Reisch	Schroer	Smith 85	Smith 163	Vescovo
Walker 74	White	Wilson		

VACANCIES: 002

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

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 14, Section 301.010, Line 5, by inserting after all of said line the following:

"(2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards;"; and

Further amend said bill and section by renumbering subdivisions accordingly; and

Further amend said bill and section, page 18, Lines 143 to 145, by removing all of said lines from the bill and inserting in lieu thereof the following:

"[(38)] (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;" and

Further amend said bill and section, Page 22, Line 301, by inserting after all of said section and line the following:

"301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, **autocycle**, bus, or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall retain the odometer information provided in the vehicle inspection report, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This subsection shall not apply unless:

(1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and

(2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application

for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company pays a claim on a salvage vehicle as defined in section 301.010 and the owner retains the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company that pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or that pays a claim on a salvage vehicle as defined in section 301.010 and the owner is retaining the vehicle shall in writing notify the owner of the vehicle, and in a first party claim, the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such owner, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 209.015. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 209.015; except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

301.055. **1.** The annual registration fee for motor vehicles other than commercial motor vehicles is:

Less than 12 horsepower	\$18.00
12 horsepower and less than 24 horsepower	21.00
24 horsepower and less than 36 horsepower	24.00
36 horsepower and less than 48 horsepower	33.00
48 horsepower and less than 60 horsepower	39.00
60 horsepower and less than 72 horsepower	45.00
72 horsepower and more	51.00
Motorcycles	8.50
Motortricycles	10.00
Autocycles	10.00

2. Notwithstanding any other provision of law, the registration of any autocycle registered as a motorcycle or motortricycle prior to August 28, 2018, shall remain in effect until the expiration of the registration period for such vehicle at which time the owner shall be required to renew the motor vehicle's registration under the autocycle classification and pay the appropriate registration fee."; and

Further amend said bill, Page 23, Section 301.075, Line 4, by inserting after all of said section and line the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the National Guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, **autocycles**, motorscooters, and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles, **autocycles**, and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs

to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for twenty-four thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030. On and after August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or hereafter statutorily created special personalized license plates.

9. No later than January 1, 2019, the director of revenue shall commence the reissuance of new license plates of such design as approved by the advisory committee under section 301.125 consistent with the terms, conditions, and provisions of section 301.125 and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection."; and

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

"301.350. 1. Upon receipt of an application for registration of a motor vehicle, trailer, manufacturer or dealer, as provided in this chapter, the director of revenue shall file such application and register such motor vehicle, trailer, manufacturer or dealer, together with the facts stated in the application, under a distinctive number assigned to such motor vehicle, trailer, manufacturer or dealer. Separate records shall be kept as follows:

- (1) Motor vehicles registered by owners;
- (2) Commercial motor vehicles;
- (3) Trailers;
- (4) Motorcycles and motor tricycles;
- (5) **Autocycles;**
- (6) Manufacturers and dealers.

2. The director of revenue may keep such other classifications and records as he may deem necessary and may enter contracts or agreements or otherwise make arrangements for computerized access to odometer and title information.

3. All of such books and records shall be kept open to public inspection during reasonable business hours.

4. The governor may cause the records of the department of revenue to be audited by the state auditor at any time."; and

Further amend said bill, Page 32, Section 302.170, Line 163, by inserting after all of said section and line the following:

"304.005. 1. As used in this section, the term "autocycle" means a three-wheeled motor vehicle which the drivers and passengers ride in a partially or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and pedals, and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards.

2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an autocycle ~~[shall]~~ **may** not be required to wear protective headgear ~~[if the vehicle is equipped with a roof that meets or exceeds the standards established for protective headgear].~~

3. No person shall operate an autocycle on any highway or street in this state unless the person has a valid driver's license. The operator of an autocycle, however, shall not be required to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340."; and

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

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

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

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 32, Section 302.170, Line 163, 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.

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

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

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 5, Section 21.795, Line 120, by inserting after all of said section and line the following:

"68.075. 1. This section shall be known and may be cited as the "Advanced Industrial Manufacturing Zones Act".

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

(1) "AIM zone", an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) "County average wage", the average wage in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(3) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the county average wage;

(4) "**Related facility**", a facility operated by a company or a related company prior to the establishment of the AIM zone in question located within any port district, as defined under section 68.015, which is directly related to the operations of the facility within the new AIM zone.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority's jurisdiction, ownership, or control, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority's jurisdiction or under the port authority's ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. 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.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023."; and

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

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

Representative Johnson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

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

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

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 41, Section 307.350, Line 49, by inserting immediately after said line the following:

"Section 1. The department of transportation shall have the authority to allow, by permit, the installation and operation of systems of one or more fixed cameras combined with computer algorithms to convert images or registration plates into data readable by a computer for law enforcement purposes on the right of way, overpasses, bridges, of all highways in this state. Such permits may be issued for a period of not less than one year. All existing systems as of August 28, 2018, shall have one year from the passage of this section to obtain the new permit established by this section. The department shall not be required to pay any costs arising from the installation, use, or removal of permitted systems."; and

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

On motion of Representative Rhoads, **House Amendment No. 13** was adopted.

Representative Roden offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 22, Section 301.010, Line 301, by inserting after all of said section and line the following:

"301.030. 1. The director shall provide for the retention of license plates by the owners of motor vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last date of the twelfth month from the date of beginning.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as provided for in sections 301.271 to 301.279 shall be payable not later than the last day of February of each year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle license plates may also be so stamped, marked or designed as to indicate they are to be used only on local commercial motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee established in section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

4. The director shall, upon application, issue registration and license plates for nine thousand pounds gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided in section 301.057.

5. Notwithstanding any other provision of law to the contrary, any motorcycle or motortricycle registration issued by the Missouri department of revenue shall expire biennially on June 30."; and

Further amend said bill, Page 26, Section 301.140, Line 102, by deleting all of said line and inserting in lieu thereof the following:

~~"[8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.]"~~; and

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

Further amend said bill, Page 27, Section 301.145, Line 17, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

- (1) Operate any vehicle upon any highway in this state unless the person has a valid license;
- (2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;
- (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;
- (4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **under eighteen years of age who is** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; **except that, any person eighteen years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has medical payment insurance in addition to maintaining proof of financial responsibility in accordance with chapter 303 and he or she is covered by a health insurance policy or other form of insurance providing medical payment benefits in the minimum amount of one million dollars for injuries incurred as a result of an accident while operating a motorcycle or motortricycle.

2. Proof of coverage required by subsection 1 of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator's insurance card."; and

Further amend said bill, Page 39, Section 304.190, Line 86, by inserting after all of said section and line the following:

"304.232. 1. The Missouri state highway patrol shall approve procedures for the certification of municipal police officers, sheriffs, deputy sheriffs, and other law enforcement officials that enforce sections 304.170 to 304.230.

2. The certification procedures shall meet the requirements of the memorandum of understanding between the state of Missouri and the commercial vehicle safety alliance or any successor organization, as periodically adopted or amended.

3. Commercial motor vehicle safety data collection, management, and distribution by law enforcement officials shall be compatible with the information systems of the Missouri state highway patrol.

4. The Missouri state highway patrol shall establish reasonable fees sufficient to recover the cost of training, recurring training, data collection and management, certifying, and additional administrative functions for law enforcement officials approved under this section.

5. The agencies for which law enforcement officials approved under this section shall adhere to the Motor Carrier Safety Assistance Program requirements under 49 Code of Federal Regulations Part 350 of the Federal Motor Carrier Safety Regulations.

6. The agencies for which law enforcement officials approved under this section shall be subject to periodic program reviews and be required to submit a commercial vehicle safety plan that is consistent with and incorporated into the statewide enforcement plan.

7. Beginning January 1, 2009, no local law enforcement officer may conduct a random commercial motor vehicle roadside inspection to determine compliance with the provisions of sections 304.170 to 304.230 unless the law enforcement officer has satisfactorily completed, as a part of his or her training, the basic course of instruction developed by the commercial vehicle safety alliance and has been approved by the Missouri state highway patrol under this section. Law enforcement officers authorized to enforce the provisions of sections 304.170 to 304.230 shall annually receive in-service training related to commercial motor vehicle operations, including but not limited to training in current federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. The annual training requirements shall be approved by the superintendent of the state highway patrol.

8. Law enforcement officers who have received commercial vehicle safety alliance certification prior to January 1, 2009, shall be exempt from the provisions of this section and such officers shall be qualified to conduct random roadside inspections described under this section and section 304.230.

9. **No safety inspection shall be performed on the shoulder of any highway with a posted speed limit in excess of forty miles per hour, except that safety inspections may be permitted on the shoulder at any entrance or exit of such highway where there is adequate space on the shoulder to safely perform such inspection.**

10. The superintendent of the state highway patrol shall promulgate rules and regulations necessary to administer the certification procedures and any other 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, 2008, shall be invalid and void."; 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: 089

Alferman	Anderson	Andrews	Austin	Basye
Beard	Bernskoetter	Black	Bondon	Brattin
Brown 57	Chipman	Christofanelli	Conway 104	Corlew
Cornejo	Curtman	Davis	DeGroot	Dinkins
Dohrman	Eggleston	Evans	Fitzwater	Fraker
Francis	Frederick	Gannon	Gregory	Grier
Haahr	Hannegan	Hansen	Helms	Henderson
Hill	Houghton	Hurst	Johnson	Justus
Kelly 141	Knight	Kolkmeyer	Korman	Lant
Lauer	Love	Lynch	Mathews	Matthiesen
McGaugh	Moon	Morris 140	Morse 151	Muntzel
Neely	Pfautsch	Phillips	Pike	Plocher
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roden	Roerber	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	Wilson	Wood	

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NOES: 038

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

PRESENT: 000

ABSENT WITH LEAVE: 034

Bahr	Barnes 60	Berry	Brown 27	Burns
Butler	Conway 10	Cookson	Cross	Curtis
Dogan	Engler	Fitzpatrick	Franklin	Haefner
Higdon	Houx	Kelley 127	Kidd	Lichtenegger
Marshall	McDaniel	Merideth 80	Messenger	Miller
Peters	Pietzman	Pogue	Schroer	Smith 85
Walker 74	White	Wiemann	Mr. Speaker	

VACANCIES: 002

On motion of Representative Roden, **House Amendment No. 14** was adopted by the following vote, the ayes and noes having been demanded by Representative Roden:

AYES: 086

Alferman	Anders	Anderson	Andrews	Arthur
Austin	Basye	Beard	Bernskoetter	Black
Bondon	Brattin	Brown 57	Burnett	Chipman
Christofanelli	Conway 104	Corlew	Cornejo	Curtman
Davis	DeGroot	Dinkins	Dohrman	Eggleston
Fitzpatrick	Fitzwater	Fraker	Francis	Franklin
Gannon	Gregory	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Hill
Houghton	Hurst	Johnson	Justus	Kelly 141
Knight	Kolkmeyer	Korman	Lant	Love
Lynch	Marshall	Mathews	Matthiesen	Miller
Morris 140	Morse 151	Muntzel	Pfautsch	Phillips
Redmon	Rehder	Reiboldt	Reisch	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowland 155	Ruth	Schroer	Shaul 113	Shull 16
Smith 163	Sommer	Spencer	Stephens 128	Tate
Taylor	Trent	Vescovo	Walker 3	Walsh
Wilson				

NOES: 044

Adams	Bangert	Baringer	Barnes 28	Beck
Butler	Conway 10	Ellington	Evans	Franks Jr
Frederick	Gray	Green	Lauer	Lavender
May	McCann Beatty	McCreery	McGough	McGee
Meredith 71	Mitten	Morgan	Mosley	Newman
Nichols	Pierson Jr	Pike	Quade	Razer

Revis	Roberts	Rowland 29	Runions	Shumake
Stacy	Stevens 46	Swan	Unsicker	Walker 74
Washington	Wessels	White	Wood	

PRESENT: 001

Grier

ABSENT WITH LEAVE: 030

Bahr	Barnes 60	Berry	Brown 27	Burns
Carpenter	Cookson	Cross	Curtis	Dogan
Ellebracht	Engler	Higdon	Houx	Kelley 127
Kendrick	Kidd	Lichtenegger	McDaniel	Merideth 80
Messenger	Moon	Neely	Peters	Pietzman
Plocher	Pogue	Smith 85	Wiemann	Mr. Speaker

VACANCIES: 002

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

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 28, Section 301.145, Line 17, by inserting immediately after said section and line the following:

"301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer, carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

- (1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;
- (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;
- (3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;
- (4) Processing scrapped vehicles or vehicle parts as a scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons actually engaged in and holding a current license under sections 301.217 to 301.221 and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing salvage vehicles for export outside of the United States. Operators of salvage pools or salvage disposal sales shall:

(1) Keep ~~[a] an electronic record, for three years, of sales of [salvage vehicles with the purchasers' name and address, and the year, make, and vehicle identification number for each vehicle]~~ **a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a similar brand.** These records shall be open for inspection as **allowed for records** provided in section 301.225. Such records shall be submitted to the department on a quarterly basis **and made available to the National Motor Vehicle Information System (NMTVTIS).** **The electronic record shall:**

- (a) **Include the make, model, and year of the vehicle; the vehicle identification number; and current odometer reading;**
 - (b) **The names and addresses of the purchaser;**
 - (c) **A copy of the purchaser's driver's license or other government-issued identification; and**
 - (d) **The names and addresses of the seller of such vehicle; and**
- (2) **Obtain from any purchaser of such vehicle documented proof of any required license or other authorization to do business under this chapter or, for any person residing in a state, jurisdiction, or country**

that does not hold a similar license, a declaration under penalty of perjury that the purchaser is authorized to purchase salvage vehicles in that person's state, jurisdiction, or country.

Any person who knowingly violates this subsection by failing to report all transactions of a vehicle whose title is branded as salvage, junk, wrecked, nonrepairable, or carries a similar brand to the statewide database shall be guilty of a civil infraction, punishable by a fine of up to one thousand dollars per infraction.

3. The department shall maintain an accurate record of all reported transactions.

4. The department shall assign a unique identifier number of its choosing for all purchasers, as described in subsection 2 of this section, of salvage, wrecked, nonrepairable, junked, or other similarly branded vehicles, for such purchasers to use when submitting the sales transaction information required under this section.

5. The department shall make the information received under this section available, without charge, to any state or local law enforcement agency upon request when the person acting on behalf of any of these entities is acting within the course and scope of the entity's duties. Vehicular information on the make, model, and year of the vehicle; the vehicle identification number; and the current odometer reading received by the department under this section may be released to third parties under contract with the department.

6. Any person who is licensed under sections 301.217 to 301.229 who is selling a vehicle whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand shall report to the department within ten days all transactions involving the acquisition, transfer of ownership, or disposal of a total loss, salvage, junk, derelict, or other similarly branded vehicle.

7. The department shall maintain an electronic record of all purchases of a vehicle whose title is branded as total loss, salvage, junk, derelict, or carries a similar brand, and report each transaction without personal identifying information to NMVTIS within two business days after receiving report of the transaction.

8. The operator of a salvage pool or salvage disposal sale, or subsequent purchaser, who sells a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States at a salvage pool or a salvage disposal sale shall:

(1) Stamp on the face of the title so as not to obscure any name, date, or mileage statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and

(2) Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool, or the name of the governmental entity, as applicable.

The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be forwarded to the department.

~~[4.]~~ 9. The director of revenue shall issue a separate license for each kind of business described in subsection 1 of this section, to be entitled and designated as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "scrap processor" license."; and

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

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

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

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 26, Section 301.140, Line 102, by deleting all of said line and inserting in lieu thereof the following:

~~"[8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.]"~~; and

Further amend said bill and section by renumbering all of said section accordingly; and

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

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

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

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 32, Section 302.170, Line 163, by inserting after all of said section and line the following:

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

(1) "Law enforcement officer", any public servant, other than a patrol officer, who is defined as a law enforcement officer under section 556.061;

(2) "Motor club", an organization which motor vehicle drivers and owners may join that provide certain benefits relating to driving a motor vehicle;

(3) **"Nonconsensual tow", the transportation of a motor vehicle by tow truck if such transportation is performed without the prior consent or authorization of the owner or operator of the motor vehicle. For purposes of this section, all law enforcement-ordered tows are considered nonconsensual;**

(4) "Patrol officer", a Missouri state highway patrol officer;

~~[(4)]~~ (5) "Tow list", a list of approved towing companies compiled, maintained, and utilized by the Missouri state highway patrol or its designee;

~~[(5)]~~ (6) "Tow management company", any sole proprietorship, partnership, corporation, fiduciary, association, or other business entity that manages towing logistics for government agencies or motor clubs;

~~[(6)]~~ (7) "Tow truck", a rollback or car carrier, wrecker, or tow truck as defined under section 301.010;

~~[(7)]~~ (8) "Towing", moving or removing, or the preparation therefor, of a vehicle by another vehicle for which a service charge is made, either directly or indirectly, including any dues or other charges of clubs or associations which provide towing services;

~~[(8)]~~ (9) "Towing company", any person, partnership, corporation, fiduciary, association, or other entity that operates a wrecker or towing service as defined under section 301.010.

2. In authorizing a towing company to perform services, any patrol officer or law enforcement officer within the officer's jurisdiction, or Missouri department of transportation employee, may utilize the services of a tow management company or tow list, provided:

(1) The Missouri state highway patrol is under no obligation to include or retain the services of any towing company in any contract or agreement with a tow management company or any tow list established pursuant to this section. A towing company is subject to removal from a tow list at any time;

(2) Notwithstanding any other provision of law or any regulation established pursuant to this section, an owner or operator's request for a specific towing company shall be honored by the Missouri state highway patrol unless:

(a) The requested towing company cannot or does not respond in a reasonable time, as determined by a law enforcement officer; or

(b) The vehicle to be towed poses an immediate traffic hazard, as determined by a law enforcement officer.

3. A patrol officer shall not use a towing company located outside of Missouri under this section except under the following circumstances:

(1) A state or federal emergency has been declared; or

(2) The driver or owner of the vehicle, or a motor club of which the driver or owner is a member, requests a specific out-of-state towing company.

4. A towing company shall not tow a vehicle to a location outside of Missouri without the consent of the driver or owner of the motor vehicle, or without the consent of a motor club of which the driver or owner of the motor vehicle is a member.

5. Any towing company or tow truck arriving at the scene of an accident that has not been called by a patrol officer, a law enforcement officer, a Missouri department of transportation employee, the driver or owner of the motor vehicle or his or her authorized agent, including a motor club of which the driver or owner is a member, shall be prohibited from towing the vehicle from the scene of the accident, unless the towing company or tow truck operator is rendering emergency aid in the interest of public safety, or is operating during a declared state of emergency under section 44.100.

6. A tow truck operator that stops and tows a vehicle from the scene of an accident in violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon conviction or pleading guilty for the first violation, and such tow truck shall be subject to impounding. The penalty for a second violation shall be a class A misdemeanor, and the penalty for any third or subsequent violation shall be a class D felony. A violation of this section shall not preclude the tow truck operator from being charged with tampering under chapter 569.

7. The provisions of this section shall also apply to motor vehicles towed under section 304.155 or 304.157.

8. The provisions of **subsections 1 to 7** of this section shall not apply to counties of the third or fourth classification.

9. (1) The Towing Task Force is hereby created. The task force shall make recommendations as provided in this subsection with respect to tows involving vehicles with a gross vehicle weight rating in excess of twenty-six thousand pounds. The task force shall consist of nine members who shall be appointed as follows:

- (a) One member of the general assembly appointed by the president pro tempore of the senate;
 - (b) One member of the general assembly appointed by the speaker of the house of representatives;
 - (c) One member, or the member's designee, appointed by the governor to represent the department of revenue;
 - (d) One member, or the member's designee, appointed by the superintendent of the Missouri state highway patrol;
 - (e) One member, or the member's designee, appointed by the governor to represent towing companies within the state but who does not represent a towing association;
 - (f) One member who insures commercial motor vehicles, or the member's designee, appointed by the governor to represent insurance companies within the state;
 - (g) One member, or the member's designee, appointed by the governor to represent an association of motor carriers within the state;
 - (h) One member, or the member's designee, appointed by the director of the Missouri department of revenue; and
 - (i) One member, appointed by the governor, who is a truck driver that resides in Missouri.
- (2) The task force shall have the following duties and powers:
- (a) To make comprehensive recommendations on matters related to the investigation of overcharges made by towing companies in violation of the rules promulgated under this subsection, including:
 - a. A process for the adjudication of consumer complaints regarding nonconsensual tow charges; and
 - b. Factors to consider in determining whether a charge levied by a towing company is just, fair, and reasonable; provided that, it shall be a violation of the rules promulgated under this subsection for a towing company to charge for the use of unnecessary equipment and labor;
 - c. A process for the removal of towing companies from rotation lists for violations of the rules; and
 - (b) To make comprehensive recommendations regarding information that should be included on every invoice with respect to a nonconsensual tow.
- (3) The task force shall make its first comprehensive recommendations in a report to the general assembly no later than March 1, 2020.
- (4) The members of the towing task force shall elect a chair from among their membership. The chair shall set the times and frequency of the task force's meetings.
- (5) The task force established under this subsection shall expire on January 1, 2021."; and

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

On motion of Representative Corlew, **House Amendment No. 17** was adopted.

Representative Tate offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 881, Page 14, Section 227.240, Line 44, by inserting immediately after said section and line the following:

"227.601. 1. Notwithstanding any provision of sections 227.600 to 227.669 to the contrary, the process and approval for concession agreements to build, maintain, operate, or finance projects owned by a political subdivision shall be approved by the governing body of such political subdivision and shall not be subject to approval by the commission. Notwithstanding the provisions of subsection 5 of this section, the sale or conveyance of any project owned by a political subdivision shall be subject to voter approval if required by law.

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

(1) "Competitive bidding process", a request for proposal for the financing, development, or operation of the project, including any deadline for submission of such proposals, and notice of the request, which shall be published once a week for two consecutive weeks in:

- (a) A newspaper of general circulation in the city where the proposed project is located;
- (b) At least one construction industry trade publication that is nationally distributed; and
- (c) Such other publications or manner as the governing body of the political subdivision may determine;

(2) "Concession agreement", a license or lease between a private partner and a political subdivision for the development, finance, operation, or maintenance of a project, as such term is defined in section 227.600.

3. Notwithstanding any provision of law to the contrary, political subdivisions may enter into concession agreements, provided that:

- (1) The term of the concession agreement shall be for a term not exceeding thirty years;
- (2) The political subdivision shall retain oversight of operations of any such project;
- (3) The political subdivision shall retain oversight of rate setting methodology;
- (4) The political subdivision shall have the right to terminate the agreement if the private partner does not comply with the concession agreement; and
- (5) The concession agreement is supported by a preliminary engineering and financial feasibility study, including an estimate of the costs of the project and the rate impact on customers during the life of the agreement.

4. The commission shall not be required to oversee, or issue an annual report under section 227.669 for, projects approved by political subdivisions, provided that any political subdivision entering into a concession agreement shall use a public-private partnership framework that shall include a competitive bidding process.

5. Except as provided in subsection 1 of this section, the provisions of sections 71.530, 71.550, 78.190, 78.630, 81.190, 88.251, 88.633, 88.770, 88.773, 91.550, and 91.600 shall not apply to concession agreements that are approved as provided in this section."; and

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

On motion of Representative Tate, **House Amendment No. 18** was adopted.

On motion of Representative Davis, **HCS SS SB 881, as amended**, was adopted.

On motion of Representative Davis, **HCS SS SB 881, as amended**, was read the third time and passed by the following vote:

AYES: 098

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Basye	Beard	Bernskoetter	Berry
Black	Brown 57	Chipman	Christofanelli	Conway 10
Conway 104	Corlew	Cornejo	Curtman	Davis
DeGroot	Dinkins	Dogan	Dohrman	Eggleston
Engler	Evans	Fitzpatrick	Fitzwater	Fraker
Francis	Franklin	Frederick	Gannon	Gregory
Grier	Haahr	Hannegan	Hansen	Harris

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Helms	Henderson	Hill	Houghton	Houx
Johnson	Justus	Kelley 127	Kelly 141	Kidd
Knight	Kolkmeier	Korman	Lant	Lauer
Love	Lynch	Matthiesen	McGaugh	Miller
Morris 140	Morse 151	Muntzel	Neely	Pfautsch
Pike	Plocher	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowland 155	Runions	Ruth
Shaul 113	Shull 16	Shumake	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Swan	Tate
Trent	Vescovo	Walker 3	Walsh	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 039

Adams	Arthur	Bangert	Baringer	Barnes 28
Beck	Bondon	Burnett	Butler	Carpenter
Curtis	Gray	Hurst	Kendrick	Lavender
Marshall	May	McCann Beatty	McCreery	McDaniel
McGee	Meredith 71	Merideth 80	Moon	Morgan
Mosley	Newman	Nichols	Quade	Razer
Revis	Roberts	Rowland 29	Stevens 46	Taylor
Unsicker	Washington	Wessels	White	

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes 60	Brattin	Brown 27	Burns	Cookson
Cross	Ellebracht	Ellington	Franks Jr	Green
Haefner	Higdon	Lichtenegger	Mathews	Messenger
Mitten	Peters	Phillips	Pierson Jr	Pietzman
Pogue	Schroer	Smith 85	Walker 74	

VACANCIES: 002

Representative Johnson declared the bill passed.

MOTION

Representative Vescovo moved that Rule 22 be suspended to allow Conference Committees to meet.

Which motion was adopted by the following vote:

AYES: 103

Alferman	Anders	Anderson	Andrews	Austin
Bahr	Bangert	Baringer	Barnes 28	Basye
Beard	Bernskoetter	Berry	Black	Bondon
Brown 57	Christofanelli	Conway 10	Conway 104	Corlew
Cornejo	Curtsman	Davis	DeGroot	Dinkins
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Evans	Fitzpatrick	Fitzwater	Francis	Frederick
Gannon	Gregory	Grier	Haahr	Hannegan
Hansen	Helms	Henderson	Houghton	Houx

Hurst	Johnson	Justus	Kelly 141	Kendrick
Knight	Kolkmeyer	Korman	Lant	Lauer
Love	Lynch	Marshall	Matthiesen	McCann Beatty
McDaniel	McGaugh	McGee	Miller	Mitten
Morris 140	Morse 151	Muntzel	Neely	Pfautsch
Pike	Plocher	Razer	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roberts	Rone
Ross	Rowland 155	Runions	Ruth	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walsh	Wessels
White	Wiemann	Wood		

NOES: 023

Adams	Arthur	Beck	Burnett	Carpenter
Curtis	Gray	Harris	Lavender	May
McCreery	Meredith 71	Merideth 80	Morgan	Mosley
Newman	Nichols	Pierson Jr	Quade	Revis
Rowland 29	Stevens 46	Unsicker		

PRESENT: 000

ABSENT WITH LEAVE: 035

Barnes 60	Brattin	Brown 27	Burns	Butler
Chipman	Cookson	Cross	Ellington	Fraker
Franklin	Franks Jr	Green	Haefner	Higdon
Hill	Kelley 127	Kidd	Lichtenegger	Mathews
Messenger	Moon	Peters	Phillips	Pietzman
Pogue	Redmon	Roden	Roeber	Schroer
Smith 85	Walker 74	Washington	Wilson	Mr. Speaker

VACANCIES: 002

THIRD READING OF SENATE BILLS - INFORMAL

SS#5 SB 564, relating to public utilities, was taken up by Representative Berry.

Representative Alferman assumed the Chair.

On motion of Representative Berry, the title of **SS#5 SB 564** was agreed to.

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

House Amendment No. 1

AMEND Senate Substitute No. 5 for Senate Bill No. 564, Page 10, Section 393.1400, Lines 30-31, by deleting all of said lines and inserting in lieu thereof the following:

"all depreciation expense and return associated with all incremental investment that is associated with grid modernization projects and recorded to plant-in-service on the"; and

Further amend said bill, page and section, Line 46, by inserting after the word "**expiration.**" the following:

"For purposes of this subsection, "incremental investment" shall mean that level of investment exceeding the electrical corporation's average annual capital investment during calendar years 2015 to 2017, provided that the investment is at least twenty-five percent greater than the average capital investment during calendar years 2015 to 2017."; and

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

Representative McCreery moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Berry, **SS#5 SB 564** was truly agreed to and finally passed by the following vote:

AYES: 125

Adams	Alferman	Anders	Anderson	Andrews
Austin	Bahr	Bangert	Baringer	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Corlew	Cornejo	Davis	Dinkins	Dohrman
Eggleston	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Knight	Kolkmeier	Korman	Lant
Lauer	Love	Lynch	Matthiesen	May
McCann Beatty	McDaniel	McGaugh	McGee	Merideth 80
Miller	Mitten	Morris 140	Morse 151	Mosley
Muntzel	Neely	Pfautsch	Phillips	Pierson Jr
Pike	Plocher	Razer	Redmon	Rehder
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roeber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Sommer	Spencer
Stacy	Stephens 128	Swan	Tate	Taylor
Trent	Vescovo	Walker 3	Walker 74	Walsh
Wessels	White	Wiemann	Wilson	Wood

NOES: 020

Arthur	Barnes 28	Burnett	Cookson	Curtis
Curtman	Ellebracht	Ellington	Franks Jr	Lavender
Marshall	McCreery	Meredith 71	Moon	Morgan
Newman	Quade	Stevens 46	Unsicker	Washington

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes 60	Brown 27	Cross	DeGroot	Dogan
Higdon	Lichtenegger	Mathews	Messenger	Nichols

Peters Pietzman Pogue Reiboldt Smith 85
 Mr. Speaker

VACANCIES: 002

Representative Alferman declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

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

NOES: 005

Cookson	Curtis	Hurst	Marshall	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes 60	Brown 27	Conway 10	Cross	Curtman
DeGroot	Dogan	Higdon	Kelly 141	Lichtenegger
Mathews	Messenger	Nichols	Peters	Pietzman
Pogue	Smith 85	Mr. Speaker		

VACANCIES: 002

HCS SB 575, relating to reimbursement of health care services, was taken up by Representative Trent.

On motion of Representative Trent, the title of **HCS SB 575** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 575, Page 8, Section 376.690, Line 12, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, page, and section, Line 13, by inserting immediately after the word "**carrier**" the following:

"within one hundred and eighty days of the delivery of the unanticipated out-of-network care"; and

Further amend said bill and section, Page 9, Line 39, by inserting immediately after the word "**professional**" the following:

"who sends a claim to a health carrier under subsection 2 of section 376.690"; and

Further amend said bill, page, and section, Line 43, by inserting immediately after the word "**professional**" the following:

"who sends a claim to a health carrier under subsection 2 of section 376.690"; and

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

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

On motion of Representative Trent, **HCS SB 575, as amended**, was adopted.

On motion of Representative Trent, **HCS SB 575, as amended**, was read the third time and passed by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 28	Basye	Beck	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Burnett
Butler	Carpenter	Chipman	Christofanelli	Conway 104
Corlew	Cornejo	Curtman	Davis	DeGroot
Dinkins	Dogan	Dohrman	Eggleston	Ellebracht
Ellington	Engler	Evans	Fitzpatrick	Fitzwater
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Green	Gregory	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Hill	Hurst	Johnson
Justus	Kelley 127	Kelly 141	Kendrick	Knight
Kolkmeyer	Korman	Lant	Lauer	Lavender

Love	Lynch	Matthiesen	May	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Merideth 80
Miller	Mitten	Morgan	Morris 140	Morse 151
Mosley	Muntzel	Neely	Newman	Nichols
Pfautsch	Phillips	Pierson Jr	Pike	Plocher
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Revis	Rhoads	Roberts
Roden	Roerber	Rone	Ross	Rowland 155
Rowland 29	Runions	Ruth	Shaul 113	Shull 16
Shumake	Smith 163	Sommer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Walker 3	Walker 74	Walsh	Washington
Wessels	White	Wiemann	Wilson	Wood

NOES: 002

Marshall Moon

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes 60	Beard	Brown 27	Burns	Conway 10
Cookson	Cross	Curtis	Higdon	Houghton
Houx	Kidd	Lichtenegger	Mathews	McDaniel
Messenger	Peters	Pietzman	Pogue	Schroer
Smith 85	Spencer	Vescovo	Mr. Speaker	

VACANCIES: 002

Representative Alferman declared the bill passed.

Speaker Pro Tem Haahr assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

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

SB 819: Representatives Neely, Cornejo, Smith (163), Arthur and Burnett

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

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

SCR 50 - Rules - Legislative Oversight
SCR 53 - Rules - Legislative Oversight

COMMITTEE REPORTS

Committee on Rules - Legislative Oversight, Chairman Rhoads reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HB 2708**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (1): Gregory

Absent (1): Haahr

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SCR 50**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (1): Curtis

Absent (1): Haahr

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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

Noes (0)

Absent (1): Haahr

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1633

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1633, with Senate Amendment No. 1, 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 Bill No. 1633, as amended;

2. That the House recede from its position on House Bill No. 1633;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1633, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Representative Kevin Corlew
/s/ Representative Kevin Austin
/s/ Representative Kevin Engler
/s/ Representative Bruce Franks Jr.
/s/ Representative Barbara Washington

FOR THE SENATE:

/s/ Senator Bob Dixon
/s/ Senator Ed Emery
/s/ Senator Andrew Koenig
/s/ Senator Jason Holsman
/s/ Senator Scott Sifton

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 603, 576 & 898**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898, with House Amendment Nos. 1, 3 and 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 House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 603, 576, & 898, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Onder
/s/ Gary Romine
/s/ Denny Hoskins
/s/ Jill Schupp
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Bryan Spencer
Rebecca Roeber
/s/ Kathryn Swan
/s/ Judy Morgan
/s/ Courtney Allen Curtis

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 718**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 10, and 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment Nos. 13 and 14, House Amendment No. 1 to House Amendment No. 15, House Amendment No. 15 as amended, and House Amendment No. 16, 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 Committee Substitute for Senate Bill No. 718, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 718;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Eigel
/s/ Bob Onder
/s/ David Sater
/s/ Jason Holsman
/s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Shawn Rhoads
/s/ Jay Barnes (60)
/s/ Holly Rehder
/s/ Martha Stevens (46)
/s/ Cora Faith Walker (74)

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 807 & 577**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 807 & 577, with House Amendment Nos. 1, 2, and 3, 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 Committee Substitute for Senate Bills Nos. 807 & 577, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 807 & 577;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 807 & 577 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson
/s/ Mike Cunningham
/s/ Bill Eigel
/s/ Scott Sifton
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Donna Lichtenegger
/s/ Allen Andrews
/s/ Dean Dohrman
/s/ Gretchen Bangert
/s/ Greg Razer

REFERRAL OF CONFERENCE COMMITTEE REPORTS

The following Conference Committee Reports were referred to the Committee indicated:

CCR SS SCS HB 1633, as amended - Fiscal Review
CCR HCS SS SCS SBs 603, 576 & 898, as amended - Fiscal Review
CCR HCS SCS SB 718, as amended - Fiscal Review
CCR HCS SCS SBs 807 & 577, as amended - Fiscal Review

ADJOURNMENT

On motion of Representative Vescovo, the House adjourned until 10:00 a.m., Thursday, May 17, 2018.

COMMITTEE HEARINGS

BUDGET

Thursday, May 17, 2018, 8:30 AM, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of tax credit hearing (if necessary)

FISCAL REVIEW

Thursday, May 17, 2018, 9:00 AM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, May 18, 2018, 9:00 AM, 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.

CANCELLED

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

Thursday, May 17, 2018, 5:00 PM or upon conclusion of afternoon session (whichever is later),
House Hearing Room 6.

Executive session will be held: SS SB 982

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

HOUSE CALENDAR

SEVENTY-SIXTH DAY, THURSDAY, MAY 17, 2018

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 61 - Shumake

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
HCS HB 2091 - Reiboldt

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING - INFORMAL

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

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 JOINT RESOLUTIONS FOR THIRD READING

SJR 27 - Engler

SENATE BILLS FOR THIRD READING - REVISION

SCS SRBs 975 & 1024 - Shaul (113)

SENATE BILLS FOR THIRD READING

HCS SS#2 SCS SB 949 - Kelley (127)
HCS#2 SS#2 SCS SB 1050, E.C. - Reiboldt
HCS#2 SS SB 704 - Dogan
SCS SB 1007 - Trent
SCS SB 953 - Hill
SCS SB 824 - Ross
SB 973 - Corlew

SENATE BILLS FOR THIRD READING - INFORMAL

SCS SB 787 - Morris (140)
SS SB 666 - Schroer
SB 919 - Reiboldt
SS SCS SB 752 - Ross
SB 706 - Korman
HCS SCS SB 672 - Bahr
SB 582 - Wood
HCS SB 780 - Hill
SS#2 SCS SB 802 - Evans
SS SCS SBs 627 & 925 - Houghton
HCS SB 850 - Franklin
HCS SB 796 - Ross
HCS SS SCS SB 547 - Curtman
HCS SCS SBs 946 & 947 - Cornejo
HCS SB 884 - Wiemann
HCS SS#2 SB 674 - Haahr
HCS SCS SBs 632 & 675 - Engler
SCS SB 629 - Miller
HCS SB 727, with HA 1, pending - Bondon
HCS SB 681 - Ruth
SB 649 - Engler

HCS SB 695 - Swan
SB 626 - Kidd
SB 708 - Fitzpatrick
HCS SS SCS SB 918, as amended - Houghton
SS SCS SB 568 - Fraker

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 43 - Black
SCR 36 - Kidd
SCR 49 - Rehder
SCR 42 - Davis
SCR 37 - Matthiesen
SCR 50 - Andrews
SCR 53 - Houghton

HOUSE BILLS WITH SENATE AMENDMENTS

SS#3 SCS HCS HB 1617, (Fiscal Review 5/16/18) - Barnes (60)

HOUSE BILLS WITH SENATE AMENDMENTS - INFORMAL

SCS HB 1797, as amended - Fitzwater
SS HB 1953 - Neely
SS SCS HCS HB 1364 - Kidd
SCS HCS HB 1635 - Bernskoetter
SS SCS HB 1769 - Mathews
HCS HB 2171, with SA 1 - Wood
SCS HCS#2 HB 1503 - Dohrman
SS HB 1428, as amended - Muntzel
SS#2 HCS HB 2129 - Cookson
SS HB 1415, as amended, E.C. - Lauer
SS#2 SCS HCS HBs 1288, 1377 & 2050 - Engler
SCS HB 2347 - Davis
SCS HCS HB 2540, as amended - Haahr

BILLS CARRYING REQUEST MESSAGES

SS SCS HB 1719, as amended, (Request Senate recede/grant conference) - Grier

BILLS IN CONFERENCE

CCR HCS SB 569, as amended - Fraker
CCR HCS SS SB 608 - Rhoads
CCR HCS SS SCS SB 826, as amended , E.C. - Ross

CCR HCS SS SB 870, as amended - Alferman
CCR HCS SS SCS SB 775, as amended - Fitzpatrick
CCR HCS SB 660, as amended, (Fiscal Review 5/14/18) - Fitzwater
CCR HCS SB 806, as amended - Neely
CCR HCS SB 743, as amended, (Fiscal Review 5/14/18) - Redmon
CCR HCS SB 687, as amended, (Fiscal Review 5/14/18) - Rowland (155)
CCR HCS SCS SB 718, as amended, (Fiscal Review 5/16/18) - Rhoads
SS SCS HB 1350, as amended - Smith (163)
CCR HCS SS SCS SBs 603, 576 & 898, as amended, (Fiscal Review 5/16/18), (exceed differences) - Spencer
HCS SB 951, as amended - Bondon
CCR SS SCS HB 1633, as amended, (Fiscal Review 5/16/18) - Corlew
HCS SB 808, as amended - Bondon
CCR HCS SCS SBs 807 & 577, as amended, (Fiscal Review 5/16/18) - Lichtenegger
SB 819, with HA 1 HA 1, HA 2 HA 1, HA 1, as amended, HA 2 & HA 4 - Neely

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