

# JOURNAL OF THE HOUSE

First Regular Session, 101st GENERAL ASSEMBLY

FIFTY-FIRST DAY, MONDAY, APRIL 12, 2021

The House met pursuant to adjournment.

Speaker Vescovo in the Chair.

Prayer by Representative Travis Fitzwater.

Dear Heavenly Father, may we consider it pure joy whenever we face the trials of this world because we know that the testing of our faith produces perseverance. As we persevere, may it finish its work so that we may mature and be complete as servants in Your Kingdom. And, if we lack the wisdom we need to lead in our state and nation, would You provide that knowledge, understanding, and experience?

May we ask You for all that we need with confidence that You will provide. May we have faith that expects You to do great things and answer our prayers. And, in that faith, will You give us the fortitude to see each other as brothers and sisters, made in YOUR image, for Your glory, and treat each other accordingly? Forgive us when we don't see each other as the beautiful miracle that You've created us to be.

Finally, give us the grace and gratitude of Your forgiveness that allows us to offer that to others. Humble our hearts and attitudes to receive Your grace for our own shortcomings, and humble us and give us boldness to forgive those who sin against us.

Make Missouri a state that leads out of reconciliation with each other, our communities, and our leaders. Give us hearts to live in unity with one another through the blessing of Your transcendent authority and glory. God, give us boldness to fight evil and to provide earthly justice to those who don't have a voice. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as printed.

## SECOND READING OF SENATE BILLS

The following Senate Bill was read the second time:

**SCS SB 40**, relating to the department of natural resources.

## COMMITTEE REPORTS

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

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

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Ayes (7): Baringer, Eggleston, Fitzwater, Griesheimer, Terry, Walsh (50) and Wiemann

Noes (0)

Absent (1): Richey

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS HCS HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Baringer, Eggleston, Fitzwater, Griesheimer, Terry, Walsh (50) and Wiemann

Noes (0)

Absent (1): Richey

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 991**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Baringer, Eggleston, Fitzwater, Griesheimer, Terry, Walsh (50) and Wiemann

Noes (0)

Absent (1): Richey

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HCS HB 429**, relating to child placement, was taken up by Representative Kelly (141).

On motion of Representative Kelly (141), **SS SCS HCS HB 429** was adopted by the following vote:

AYES: 128

Adams	Anderson	Andrews	Appelbaum	Aune
Bailey	Bangert	Baringer	Barnes	Basye
Billington	Black 137	Black 7	Boggs	Bromley
Brown 16	Brown 27	Brown 70	Buchheit-Courtway	Burger
Burnett	Burton	Busick	Butz	Christofanelli
Coleman 32	Collins	Cook	Copeland	Cupps
Davidson	Davis	Deaton	Dinkins	Dogan
Doll	Eggleston	Ellebracht	Falkner	Fishel
Fitzwater	Fogle	Francis	Gray	Gregory 51
Gregory 96	Grier	Griffith	Gunby	Haden
Haley	Hardwick	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurlbert	Ingle
Johnson	Kalberloh	Kelley 127	Kelly 141	Kidd
Knight	Lewis 6	Lovasco	Mayhew	McCreery
McDaniel	McGaugh	McGill	Morse	Mosley
Murphy	Nurrenbern	O'Donnell	Owen	Patterson
Perkins	Phifer	Pike	Plocher	Pollitt 52
Pollock 123	Pouche	Proudie	Railsback	Reedy
Richey	Riggs	Riley	Roberts	Roeber
Rone	Ruth	Sander	Sassmann	Sauls
Schnelting	Schroer	Schwadron	Seitz	Sharp 36

Sharpe 4	Shaul	Shields	Simmons	Smith 155
Smith 163	Smith 67	Stacy	Taylor 139	Terry
Thompson	Toalson Reisch	Trent	Turnbaugh	Van Schoiack
Veit	Wallingford	Walsh 50	Walsh Moore 93	Weber
West	Wiemann	Mr. Speaker		

NOES: 008

Lewis 25	Mackey	Merideth	Quade	Rogers
Stevens 46	Unsicker	Windham		

PRESENT: 002

Bland Manlove	Young
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ABSENT WITH LEAVE: 024

Aldridge	Atchison	Baker	Bosley	Chipman
Clemens	Coleman 97	DeGroot	Derges	Evans
Griesheimer	Haffner	Hannegan	Person	Pietzman
Porter	Price IV	Roden	Rowland	Stephens 128
Tate	Taylor 48	Thomas	Wright	

VACANCIES: 001

On motion of Representative Kelly (141), **SS SCS HCS HB 429** was truly agreed to and finally passed by the following vote:

AYES: 127

Adams	Anderson	Andrews	Aune	Bailey
Bangert	Baringer	Barnes	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Brown 27	Brown 70	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Chipman	Christofanelli
Coleman 32	Collins	Cook	Copeland	Cupps
Davidson	Davis	Deaton	Dinkins	Dogan
Doll	Eggleston	Ellebracht	Evans	Falkner
Fishel	Fitzwater	Fogle	Francis	Gray
Gregory 51	Gregory 96	Grier	Griffith	Gunby
Haden	Haley	Hardwick	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson	Kalberloh	Kelley 127	Kelly 141
Kidd	Knight	Lewis 6	Lovasco	Mayhew
McCreery	McGaugh	McGirl	Morse	Mosley
Murphy	Nurrenbern	O'Donnell	Owen	Patterson
Perkins	Phifer	Pike	Plocher	Pollitt 52
Pollock 123	Pouche	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roeber	Rone
Ruth	Sander	Sassmann	Sauls	Schroer
Schwadron	Seitz	Sharp 36	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Smith 67
Stacy	Taylor 139	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Van Schoiack	Veit
Wallingford	Walsh 50	Walsh Moore 93	Weber	West
Wiemann	Mr. Speaker			

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NOES: 008

Lewis 25	Mackey	Merideth	Quade	Rogers
Stevens 46	Unsicker	Windham		

PRESENT: 004

Appelbaum	Bland Manlove	Proudie	Young
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ABSENT WITH LEAVE: 023

Aldridge	Atchison	Baker	Bosley	Clemens
Coleman 97	DeGroot	Derges	Griesheimer	Haffner
Hannegan	McDaniel	Person	Pietzman	Porter
Price IV	Roden	Rowland	Schnelting	Stephens 128
Tate	Taylor 48	Wright		

VACANCIES: 001

Speaker Vescovo declared the bill passed.

**SS SCS HCS HB 430**, relating to benevolent tax credits, was taken up by Representative Kelly (141).

On motion of Representative Kelly (141), **SS SCS HCS HB 430** was adopted by the following vote:

AYES: 143

Adams	Anderson	Andrews	Appelbaum	Aune
Bailey	Bangert	Baringer	Barnes	Basye
Billington	Black 137	Black 7	Bland Manlove	Boggs
Bromley	Brown 16	Brown 27	Brown 70	Buchheit-Courtway
Burger	Burnett	Burton	Busick	Butz
Chipman	Christofanelli	Coleman 32	Coleman 97	Collins
Cook	Copeland	Cupps	Davidson	Davis
DeGroot	Dinkins	Dogan	Doll	Eggleston
Ellebracht	Evans	Falkner	Fishel	Fitzwater
Fogle	Francis	Gray	Gregory 51	Gregory 96
Grier	Griffith	Gunby	Haden	Haley
Hannegan	Hardwick	Henderson	Hill	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson
Kalberloh	Kelley 127	Kelly 141	Kidd	Knight
Lewis 25	Lewis 6	Lovasco	Mackey	Mayhew
McCreery	McGaugh	McGirl	Merideth	Morse
Mosley	Murphy	Nurrenbern	O'Donnell	Owen
Patterson	Perkins	Phifer	Pike	Plocher
Pollitt 52	Pollock 123	Poche	Price IV	Proudie
Quade	Railsback	Reedy	Richey	Riggs
Riley	Roberts	Roeber	Rogers	Rone
Ruth	Sander	Sassmann	Sauls	Schnelting
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Smith 163
Smith 67	Stacy	Stephens 128	Stevens 46	Taylor 139
Terry	Thomas	Thompson	Toalson Reisch	Trent

Turnbaugh	Unsicker	Van Schoiack	Veit	Wallingford
Walsh 50	Walsh Moore 93	Weber	West	Wiemann
Windham	Young	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Aldridge	Atchison	Baker	Bosley	Clemens
Deaton	Derges	Griesheimer	Haffner	Hicks
McDaniel	Person	Pietzman	Porter	Roden
Rowland	Tate	Taylor 48	Wright	

VACANCIES: 001

On motion of Representative Kelly (141), **SS SCS HCS HB 430** was truly agreed to and finally passed by the following vote:

AYES: 142

Adams	Anderson	Andrews	Appelbaum	Aune
Bailey	Bangert	Baringer	Barnes	Basye
Billington	Black 137	Black 7	Bland Manlove	Boggs
Bromley	Brown 16	Brown 27	Brown 70	Buchheit-Courtway
Burger	Burnett	Burton	Busick	Butz
Chipman	Coleman 32	Coleman 97	Collins	Cook
Copeland	Cupps	Davidson	Davis	DeGroot
Dinkins	Dogan	Doll	Eggleston	Ellebracht
Evans	Falkner	Fishel	Fitzwater	Fogle
Francis	Gray	Gregory 51	Gregory 96	Grier
Griffith	Gunby	Haden	Haley	Hannegan
Hardwick	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson
Kalberloh	Kelley 127	Kelly 141	Kidd	Knight
Lewis 25	Lewis 6	Lovasco	Mackey	Mayhew
McCreery	McGaugh	McGill	Merideth	Morse
Mosley	Murphy	Nurrenbern	O'Donnell	Owen
Patterson	Perkins	Phifer	Pike	Plocher
Pollitt 52	Pollock 123	Pouche	Price IV	Proudie
Quade	Railsback	Reedy	Richey	Riggs
Riley	Roberts	Roeber	Rogers	Rone
Ruth	Sander	Sassmann	Sauls	Schnelting
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Simmons	Smith 163	Smith 67
Stacy	Stephens 128	Stevens 46	Taylor 139	Terry
Thomas	Thompson	Toalson Reisch	Trent	Turnbaugh
Unsicker	Van Schoiack	Veit	Wallingford	Walsh 50
Walsh Moore 93	Weber	West	Wiemann	Windham
Young	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Aldridge	Atchison	Baker	Bosley	Christofanelli
Clemens	Deaton	Derges	Griesheimer	Haffner
McDaniel	Person	Pietzman	Porter	Roden
Rowland	Smith 155	Tate	Taylor 48	Wright

VACANCIES: 001

Speaker Vescovo declared the bill passed.

Representative Chipman assumed the Chair.

### THIRD READING OF HOUSE BILLS

**HCS HB 248**, relating to property tax assessments, was placed on the Informal Calendar.

**HB 991**, relating to income tax, was taken up by Representative Smith (163).

On motion of Representative Smith (163), **HB 991** was read the third time and passed by the following vote:

AYES: 146

Adams	Anderson	Andrews	Appelbaum	Aune
Bailey	Baker	Bangert	Baringer	Barnes
Basye	Billington	Black 137	Black 7	Bland Manlove
Boggs	Bromley	Brown 16	Brown 27	Brown 70
Buchheit-Courtway	Burger	Burnett	Burton	Busick
Butz	Chipman	Christofanelli	Coleman 32	Coleman 97
Collins	Cook	Copeland	Cupps	Davidson
Davis	DeGroot	Derges	Dinkins	Dogan
Doll	Eggleston	Ellebracht	Evans	Falkner
Fishel	Fitzwater	Fogle	Francis	Gray
Gregory 51	Gregory 96	Grier	Griffith	Gunby
Haden	Haley	Hannegan	Hardwick	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurlbert	Ingle	Johnson	Kalberloh	Kelley 127
Kelly 141	Kidd	Knight	Lewis 25	Lewis 6
Lovasco	Mackey	Mayhew	McCreery	McGaugh
McGill	Merideth	Morse	Mosley	Murphy
Nurrenbern	O'Donnell	Owen	Patterson	Perkins
Phifer	Pike	Plocher	Pollitt 52	Pollock 123
Pouche	Price IV	Proudie	Quade	Railsback
Reedy	Richey	Riggs	Riley	Roberts
Roeber	Rogers	Rone	Ruth	Sander
Sassmann	Sauls	Schnelting	Schroer	Schwadron
Seitz	Sharp 36	Sharpe 4	Shaul	Shields
Simmons	Smith 155	Smith 163	Smith 67	Stacy
Stephens 128	Stevens 46	Taylor 139	Terry	Thomas
Thompson	Toalson Reisch	Trent	Turnbaugh	Unsicker
Van Schoiack	Veit	Wallingford	Walsh 50	Walsh Moore 93
Weber	West	Wiemann	Windham	Young
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Aldridge	Atchison	Bosley	Clemens	Deaton
Griesheimer	Haffner	McDaniel	Person	Pietzman
Porter	Roden	Rowland	Tate	Taylor 48
Wright				

VACANCIES: 001

Representative Chipman declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Adams	Anderson	Andrews	Appelbaum	Aune
Bailey	Baker	Bangert	Baringer	Barnes
Basye	Billington	Black 137	Black 7	Bland Manlove
Boggs	Bromley	Brown 16	Brown 27	Brown 70
Buchheit-Courtway	Burger	Burnett	Burton	Busick
Butz	Chipman	Christofanelli	Coleman 32	Coleman 97
Collins	Cook	Copeland	Cupps	Davidson
Davis	DeGroot	Derges	Dinkins	Dogan
Doll	Eggleston	Ellebracht	Evans	Falkner
Fishel	Fitzwater	Fogle	Francis	Gray
Gregory 51	Gregory 96	Grier	Griesheimer	Griffith
Gunby	Haden	Haley	Hannegan	Hardwick
Henderson	Hill	Houx	Hovis	Hudson
Hurlbert	Ingle	Johnson	Kalberloh	Kelley 127
Kelly 141	Kidd	Knight	Lewis 25	Lewis 6
Lovasco	Mackey	Mayhew	McCreery	McGaugh
McGirl	Merideth	Morse	Mosley	Murphy
Nurrenbern	O'Donnell	Owen	Patterson	Perkins
Pike	Plocher	Pollitt 52	Pollock 123	Pouche
Price IV	Proudie	Quade	Railsback	Reedy
Richey	Riggs	Riley	Roberts	Roeber
Rogers	Rone	Ruth	Sander	Sassmann
Sauls	Schnelting	Schroer	Schwadron	Seitz
Sharp 36	Sharpe 4	Shaul	Shields	Simmons
Smith 155	Smith 163	Smith 67	Stacy	Stephens 128
Stevens 46	Taylor 139	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Unsicker	Van Schoiack
Veit	Wallingford	Walsh 50	Walsh Moore 93	Weber
West	Windham	Young		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Aldridge	Atchison	Bosley	Clemens	Deaton
Haffner	Hicks	McDaniel	Person	Phifer
Pietzman	Porter	Roden	Rowland	Tate
Taylor 48	Wiemann	Wright	Mr. Speaker	

VACANCIES: 001

### PERFECTION OF HOUSE BILLS

**HB 570, HB 708, HCS HB 27, HB 259, HCS HB 402, HCS HB 475, HB 1069, HB 1088, HCS HB 1202, HCS HB 439, HCS HB 472, HB 478, HCS HB 303, HB 317, HCS HB 602, HCS HB 944, HCS HB 137, HCS HB 1408, HB 1416, HCS HB 922, HCS HB 689, HCS HB 649, and HCS HB 162** were placed on the Informal Calendar.

### PERFECTION OF HOUSE BILLS - INFORMAL

**HB 570**, relating to traffic control signals, was taken up by Representative Basye.

On motion of Representative Basye, the title of **HB 570** was agreed to.

On motion of Representative Basye, **HB 570** was ordered perfected and printed.

**HB 507**, relating to gaming facilities, was taken up by Representative Rone.

Representative Rone moved that the title of **HB 507** be agreed to.

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

#### *House Amendment No. 1*

AMEND House Bill No. 507, Page 1, In the Title, Line 3, by deleting the phrase "gaming facilities" and inserting in lieu thereof "the definition of physical location of excursion gambling boat"; and

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

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

On motion of Representative Rone, **HB 507, as amended**, was ordered perfected and printed.

**HCS HB 162**, relating to business entities registered with the secretary of state, was taken up by Representative Veit.

On motion of Representative Veit, the title of **HCS HB 162** was agreed to.

On motion of Representative Veit, **HCS HB 162** was adopted.



On motion of Representative Veit, **HCS HB 162** was ordered perfected and printed.

**HCS HB 944**, relating to unlawful use of weapons, was taken up by Representative Reedy.

Representative Reedy moved that the title of **HCS HB 944** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 944, Page 1, In the Title, Line 3, by deleting the words "unlawful use of weapons" and inserting in lieu thereof the word "firearms"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 944, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"21.754. As the right to keep and bear arms is a fundamental right and notwithstanding any law to the contrary, all firearm businesses shall be deemed essential businesses. The general assembly hereby occupies and preempts the entire field of legislation that would prohibit, restrict, or reduce the operation of a firearm business, including legislation or orders issued during a declared state of emergency or disaster. Any existing or future orders, ordinances, or regulations that would prohibit, restrict, or reduce the operation of a firearm business are hereby, and shall be, null and void. Neither the state nor an official, agency, or political subdivision thereof shall issue or adopt any order, ordinance, or regulation that would prohibit, restrict, or reduce the operation of a firearm business. As used in this section, "firearm business" means any business engaged in the manufacturing, distributing, selling, or training for the use of firearms or ammunition and shall include shooting ranges.";** and

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

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

Representative Sharp (36) offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 944, Page 6, Section 571.030, Line 184, by inserting after said section and line the following:

- "571.031. 1. This section shall be known and may be cited as "Blair's Law".**
- 2. A person commits the offense of unlawful discharge of a firearm if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality.**
- 3. This section shall not apply if the firearm is discharged:**

- (1) As allowed by a defense of justification under chapter 563;
  - (2) On a properly supervised shooting range;
  - (3) To lawfully take wildlife during an open season established by the department of conservation.
- Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;
- (4) For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;
  - (5) By special permit of the chief of police of the municipality;
  - (6) As required by an animal control officer in the performance of his or her duties;
  - (7) Using blanks;
  - (8) More than one mile from any occupied structure;
  - (9) In self-defense or defense of another person against an animal attack if a reasonable person would believe that deadly physical force against the animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person; or
  - (10) By law enforcement personnel, as defined under section 590.1040, or a member of the United States Armed Forces if acting in an official capacity.
4. A person who commits the offense of discharge of a firearm shall be guilty of:
- (1) For a first offense, a class A misdemeanor;
  - (2) For a second offense, a class E felony; and
  - (3) For a third or subsequent offense, a class D felony."; and

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

Representative Baker 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 House Bill No. 944, Page 1, Line 27, by deleting said line and inserting in lieu thereof the following:

**"(3) For a third or subsequent offense, a class D felony.**

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a concealed carry permit authorizing the carrying of a concealed firearm on or about the applicant's person or within a vehicle. A concealed carry permit shall be valid from the date of issuance or renewal until five years from the last day of the month in which the permit was issued or renewed. The concealed carry permit is valid throughout this state. Although the permit is considered valid in the state, a person who fails to renew his or her permit within five years from the date of issuance or renewal shall not be eligible for an exception to a National Instant Criminal Background Check under federal regulations currently codified under 27 CFR 478.102(d), relating to the transfer, sale, or delivery of firearms from licensed dealers. A concealed carry endorsement issued prior to August 28, 2013, shall continue from the date of issuance or renewal until three years from the last day of the month in which the endorsement was issued or renewed to authorize the carrying of a concealed firearm on or about the applicant's person or within a vehicle in the same manner as a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.

2. A concealed carry permit issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least ~~nineteen~~ **eighteen** years of age, is a citizen or permanent resident of the United States and either:
  - (a) Has assumed residency in this state; or
  - (b) Is a member of the **United States** Armed Forces stationed in Missouri~~]~~ or the spouse of such member of the military;
- (2) ~~Is at least nineteen years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:~~

- ~~\_\_\_\_\_ (a) Has assumed residency in this state;~~
- ~~\_\_\_\_\_ (b) Is a member of the Armed Forces stationed in Missouri; or~~
- ~~\_\_\_\_\_ (c) The spouse of such member of the military stationed in Missouri and nineteen years of age;~~
- ~~\_\_\_\_\_ (3)] Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;~~
- ~~[(4)] (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a concealed carry permit or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a concealed carry permit;~~
- ~~[(5)] (4) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;~~
- ~~[(6)] (5) Has not been discharged under dishonorable conditions from the United States Armed Forces;~~
- ~~[(7)] (6) Has not engaged in a pattern of behavior, documented in public or closed records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;~~
- ~~[(8)] (7) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;~~
- ~~[(9)] (8) Submits a completed application for a permit as described in subsection 3 of this section;~~
- ~~[(10)] (9) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;~~
- ~~[(11)] (10) Is not the respondent of a valid full order of protection which is still in effect; and~~
- ~~[(12)] (11) Is not otherwise prohibited from possessing a firearm under section 571.070 or 18 U.S.C. Section 922(g).~~

3. The application for a concealed carry permit issued by the sheriff of the county of the applicant's residence shall contain only the following information:

- (1) The applicant's name, address, telephone number, gender, date and place of birth, and, if the applicant is not a United States citizen, the applicant's country of citizenship and any alien or admission number issued by the Federal Bureau of Customs and Immigration Enforcement or any successor agency;
- (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen or permanent resident of the United States;
- (3) An affirmation that the applicant is at least ~~[nineteen]~~ **eighteen** years of age ~~[or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces];~~
- (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a permit or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a permit;
- (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect;

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri; and

(12) A government-issued photo identification. This photograph shall not be included on the permit and shall only be used to verify the person's identity for permit renewal, or for the issuance of a new permit due to change of address, or for a lost or destroyed permit.

4. An application for a concealed carry permit shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a concealed carry permit must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

5. (1) Before an application for a concealed carry permit is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a concealed carry permit, the applicant shall be fingerprinted. No other biometric data shall be collected from the applicant. The sheriff shall conduct an inquiry of the National Instant Criminal Background Check System within three working days after submission of the properly completed application for a concealed carry permit. If no disqualifying record is identified by these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed report from the National Instant Criminal Background Check System and the response from the Federal Bureau of Investigation national criminal history record check, the sheriff shall examine the results and, if no disqualifying information is identified, shall issue a concealed carry permit within three working days.

(2) In the event the report from the National Instant Criminal Background Check System and the response from the Federal Bureau of Investigation national criminal history record check prescribed by subdivision (1) of this subsection are not completed within forty-five calendar days and no disqualifying information concerning the applicant has otherwise come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated on the certificate as such, which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's license or a valid military identification, shall permit the applicant to exercise the same rights in accordance with the same conditions as pertain to a concealed carry permit issued under this section, provided that it shall not serve as an alternative to an national instant criminal background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain valid until such time as the sheriff either issues or denies the certificate of qualification under subsection 6 or 7 of this section. The sheriff shall revoke a provisional permit issued under this subsection within twenty-four hours of receipt of any report that identifies a disqualifying record, and shall notify the concealed carry permit system established under subsection 5 of section 650.350. The revocation of a provisional permit issued under this section shall be proscribed in a manner consistent to the denial and review of an application under subsection 6 of this section.

6. The sheriff may refuse to approve an application for a concealed carry permit if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon

receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a concealed carry permit to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the concealed carry permit in the presence of the sheriff or his or her designee.

8. The concealed carry permit shall specify only the following information:

- (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes, and signature of the permit holder;
- (2) The signature of the sheriff issuing the permit;
- (3) The date of issuance; and
- (4) The expiration date.

The permit shall be no larger than two and one-eighth inches wide by three and three-eighths inches long and shall be of a uniform style prescribed by the department of public safety. The permit shall also be assigned a concealed carry permit system county code and shall be stored in sequential number.

9. (1) The sheriff shall keep a record of all applications for a concealed carry permit or a provisional permit and his or her action thereon. Any record of an application that is incomplete or denied for any reason shall be kept for a period not to exceed one year. Any record of an application that was approved shall be kept for a period of one year after the expiration and nonrenewal of the permit.

(2) The sheriff shall report the issuance of a concealed carry permit or provisional permit to the concealed carry permit system. All information on any such permit that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to August 28, 2013, shall not be public information and shall be considered personal protected information. Information retained in the concealed carry permit system under this subsection shall not be distributed to any federal, state, or private entities and shall only be made available for a single entry query of an individual in the event the individual is a subject of interest in an active criminal investigation or is arrested for a crime. A sheriff may access the concealed carry permit system for administrative purposes to issue a permit, verify the accuracy of permit holder information, change the name or address of a permit holder, suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a certified death certificate for the permit holder. Any person who violates the provisions of this subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

10. Information regarding any holder of a concealed carry permit, or a concealed carry endorsement issued prior to August 28, 2013, is a closed record. No bulk download or batch data shall be distributed to any federal, state, or private entity, except to MoSMART or a designee thereof. Any state agency that has retained any documents or records, including fingerprint records provided by an applicant for a concealed carry endorsement prior to August 28, 2013, shall destroy such documents or records, upon successful issuance of a permit.

11. For processing an application for a concealed carry permit pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund. This fee shall include the cost to reimburse the Missouri state highway patrol for the costs of fingerprinting and criminal background checks. An additional fee shall be added to each credit card, debit card, or other electronic transaction equal to the charge paid by the state or the applicant for the use of the credit card, debit card, or other electronic payment method by the applicant.

12. For processing a renewal for a concealed carry permit pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

14. For the purposes of this chapter, "concealed carry permit" shall include any concealed carry endorsement issued by the department of revenue before January 1, 2014, and any concealed carry document issued by any sheriff or under the authority of any sheriff after December 31, 2013.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry permit or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply

to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

~~(14) [Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;~~

~~—————(15)]~~ Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

~~[(16)]~~ (15) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

~~[(17)]~~ (16) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the

first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing."; and"; and

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 110

Andrews	Atchison	Bailey	Baker	Basye
Billington	Black 137	Black 7	Boggs	Bromley
Brown 16	Buchheit-Courtway	Burger	Busick	Chipman
Christofanelli	Coleman 32	Coleman 97	Cook	Copeland
Cupps	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Dogan	Eggleston	Evans
Falkner	Fishel	Fitzwater	Francis	Gregory 51
Gregory 96	Grier	Griesheimer	Griffith	Haden
Haffner	Haley	Hannegan	Hardwick	Henderson
Hicks	Hill	Houx	Hudson	Hurlbert
Kalberloh	Kelley 127	Kelly 141	Knight	Lewis 6
Lovasco	Mayhew	McGaugh	McGill	Morse
Murphy	O'Donnell	Owen	Patterson	Perkins
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Pouche	Price IV	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roden	Roeber
Rone	Ruth	Sander	Sassmann	Schnelting
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Stacy
Stephens 128	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Mr. Speaker

NOES: 045

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bland Manlove	Brown 27
Brown 70	Burnett	Burton	Butz	Clemens
Collins	Doll	Ellebracht	Fogle	Gray
Gunby	Ingle	Johnson	Lewis 25	Mackey
McCreery	Merideth	Mosley	Nurrenbern	Person



Phifer	Proudie	Quade	Rogers	Rowland
Sauls	Sharp 36	Smith 67	Stevens 46	Turnbaugh
Unsicker	Walsh Moore 93	Weber	Windham	Young

PRESENT: 000

ABSENT WITH LEAVE: 007

Bosley	Hovis	Kidd	McDaniel	Pietzman
Tate	Terry			

VACANCIES: 001

On motion of Representative Baker, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote, the ayes and noes having been demanded by Representative Baker:

AYES: 107

Andrews	Atchison	Bailey	Baker	Basye
Billington	Black 137	Black 7	Boggs	Bromley
Brown 16	Buchheit-Courtway	Burger	Busick	Chipman
Christofanelli	Coleman 32	Coleman 97	Cook	Copeland
Cupps	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Eggleston	Evans	Falkner
Fishel	Fitzwater	Gregory 51	Gregory 96	Grier
Griesheimer	Griffith	Haden	Haffner	Haley
Hannegan	Hardwick	Henderson	Hill	Houx
Hudson	Hurlbert	Kalberloh	Kelley 127	Kelly 141
Kidd	Knight	Lewis 6	Lovasco	Mayhew
McGaugh	McGill	Morse	Murphy	O'Donnell
Owen	Patterson	Perkins	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Pouche	Railsback
Reedy	Richey	Riggs	Riley	Roberts
Roden	Roerber	Rone	Ruth	Sander
Sassmann	Schnelting	Schroer	Schwadron	Seitz
Sharpe 4	Shaul	Shields	Simmons	Smith 155
Smith 163	Stacy	Stephens 128	Taylor 139	Taylor 48
Thomas	Thompson	Toalson Reisch	Trent	Van Schoiack
Veit	Wallingford	Walsh 50	West	Wiemann
Wright	Mr. Speaker			

NOES: 046

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bland Manlove	Brown 27
Brown 70	Burnett	Burton	Butz	Clemens
Collins	Dogan	Doll	Ellebracht	Fogle
Gray	Gunby	Ingle	Johnson	Lewis 25
Mackey	McCreery	Merideth	Mosley	Nurrenbern
Person	Phifer	Price IV	Quade	Rogers
Rowland	Sauls	Sharp 36	Smith 67	Stevens 46
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham
Young				

PRESENT: 000

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ABSENT WITH LEAVE: 009

Bosley	Francis	Hicks	Hovis	McDaniel
Pietzman	Proudie	Tate	Terry	

VACANCIES: 001

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 116

Aldridge	Andrews	Atchison	Bailey	Baker
Barnes	Basye	Billington	Black 137	Black 7
Boggs	Bromley	Brown 16	Buchheit-Courtway	Burger
Busick	Chipman	Christofanelli	Coleman 32	Coleman 97
Cook	Copeland	Cupps	Davidson	Davis
Deaton	DeGroot	Derges	Dinkins	Dogan
Eggleston	Evans	Falkner	Fishel	Fitzwater
Francis	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Haden	Haffner	Haley	Hannegan
Hardwick	Henderson	Hill	Houx	Hovis
Hudson	Hurlbert	Johnson	Kalberloh	Kelley 127
Kelly 141	Kidd	Knight	Lewis 6	Lovasco
Mayhew	McGaugh	McGirl	Morse	Murphy
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche
Price IV	Proudie	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roden	Rone
Ruth	Sander	Sassmann	Schnelting	Schroer
Schwadron	Seitz	Sharp 36	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Stacy
Stephens 128	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Young
Mr. Speaker				

NOES: 040

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Bosley	Brown 27	Brown 70
Burnett	Burton	Butz	Clemens	Collins
Doll	Ellebracht	Fogle	Gray	Gunby
Ingle	Lewis 25	Mackey	McCreery	Merideth
Mosley	Nurrenbern	Person	Phifer	Quade
Rogers	Rowland	Sauls	Smith 67	Stevens 46
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham

PRESENT: 000

ABSENT WITH LEAVE: 006

Hicks	McDaniel	Pietzman	Roeber	Tate
Terry				

VACANCIES: 001

On motion of Representative Sharp (36), **House Amendment No. 3, as amended**, was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 944, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

- "70.441. 1. As used in this section, the following terms have the following meanings:
- (1) "Agency", the bi-state development agency created by compact under section 70.370;
  - (2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;
  - (3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots, and other real estate or personal property used or held for or incidental to the operation, rehabilitation, or improvement of any public mass transportation system of the agency;
  - (4) "Person", any individual, firm, copartnership, corporation, association, or company; and
  - (5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.
2. In interpreting or applying this section, the following provisions shall apply:
- (1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;
  - (2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and
  - (3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.
3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;
- (2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;
  - (3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;
  - (4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;
  - (5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;
  - (6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or ~~unsanitary~~ **insanitary** condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) **Except as otherwise provided under section 571.107**, no weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, may, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said bill, Page 6, Section 571.030, Line 184, by inserting after all of said section and line the following:

"571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision

shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry permit or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises; **or**

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

**3. Notwithstanding any provision of this chapter or chapter 70, 577, or 578 to the contrary, a person carrying a firearm concealed on or about his or her person who is lawfully in possession of a valid concealed carry permit or endorsement shall not be prohibited or impeded from accessing or using any publicly funded transportation system and shall not be harassed or detained for carrying a concealed firearm on the property, vehicles, or conveyances owned, contracted, or leased by such systems that are accessible to the public. For purposes of this subsection, "publicly funded transportation system" means the property, equipment, rights-of-way, or buildings, whether publicly or privately owned and operated, of an entity that receives public funds and holds itself out to the general public for the transportation of persons. This**

**includes portions of a public transportation system provided through a contract with a private entity but excludes any corporation that provides intercity passenger train service on railroads throughout the United States or any private partnership in which the corporation engages.**

577.703. 1. A person commits the offense of bus hijacking if he or she seizes or exercises control, by force or violence or threat of force or violence, of any bus. The offense of bus hijacking is a class B felony.

2. The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking is a class D felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. **Except as otherwise provided under section 571.107**, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his or her person or effects is guilty of the felony of "possession and concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; ~~nor shall the provisions of this subsection apply to]~~

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such bus; **or**

(3) **Persons carrying a concealed firearm who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.107.**

577.712. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself or herself and state his or her business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. **Except as otherwise provided under section 571.107**, it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class D felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers."; and

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

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

On motion of Representative Reedy, **HCS HB 944, as amended**, was adopted.

On motion of Representative Reedy, **HCS HB 944, as amended**, was ordered perfected and printed.

### **THIRD READING OF HOUSE BILLS**

**HB 370**, relating to HIV prevention, was taken up by Representative Christofanelli.

On motion of Representative Christofanelli, **HB 370** was read the third time and passed by the following vote:



AYES: 148

Adams	Aldridge	Anderson	Andrews	Appelbaum
Aune	Baker	Bangert	Baringer	Barnes
Basye	Black 137	Black 7	Bland Manlove	Bosley
Bromley	Brown 16	Brown 27	Brown 70	Buchheit-Courtway
Burger	Burnett	Burton	Busick	Butz
Chipman	Christofanelli	Clemens	Coleman 32	Coleman 97
Collins	Cook	Copeland	Cupps	Davidson
Davis	Deaton	DeGroot	Derges	Dinkins
Dogan	Doll	Eggleston	Ellebracht	Evans
Falkner	Fishel	Fitzwater	Fogle	Francis
Gray	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Gunby	Haden	Haffner	Haley
Hannegan	Hardwick	Henderson	Hill	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson
Kalberloh	Kelley 127	Kelly 141	Kidd	Knight
Lewis 25	Lewis 6	Lovasco	Mackey	Mayhew
McCreery	McGaugh	McGill	Merideth	Mosley
Murphy	Nurrenbern	O'Donnell	Owen	Patterson
Perkins	Person	Phifer	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Pouche	Price IV
Proudie	Quade	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Rogers	Rowland
Ruth	Sander	Sassmann	Sauls	Schnelting
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Smith 163
Smith 67	Stacy	Stephens 128	Stevens 46	Taylor 139
Taylor 48	Terry	Thomas	Thompson	Trent
Turnbaugh	Unsicker	Van Schoiack	Veit	Wallingford
Walsh Moore 93	Weber	West	Wiemann	Windham
Wright	Young	Mr. Speaker		

NOES: 000

PRESENT: 007

Atchison	Billington	Boggs	Morse	Rone
Toalson Reisch	Walsh 50			

ABSENT WITH LEAVE: 007

Bailey	Hicks	McDaniel	Pietzman	Roden
Roeber	Tate			

VACANCIES: 001

Representative Chipman declared the bill passed.

**HB 911**, relating to the designation of a memorial highway, was taken up by Representative Hill.

On motion of Representative Hill, **HB 911** was read the third time and passed by the following vote:

AYES: 150

Adams	Anderson	Andrews	Atchison	Aune
Bailey	Baker	Bangert	Baringer	Barnes
Basye	Billington	Black 137	Black 7	Bland Manlove
Boggs	Bosley	Bromley	Brown 16	Brown 27
Brown 70	Buchheit-Courtway	Burger	Burnett	Burton
Busick	Butz	Chipman	Christofanelli	Clemens
Coleman 32	Coleman 97	Cook	Copeland	Cupps
Davidson	Davis	Deaton	DeGroot	Derges
Dinkins	Dogan	Doll	Eggleston	Ellebracht
Evans	Falkner	Fishel	Fitzwater	Fogle
Francis	Gray	Gregory 51	Gregory 96	Grier
Griesheimer	Griffith	Gunby	Haden	Haffner
Haley	Hannegan	Hardwick	Henderson	Hill
Houx	Hovis	Hudson	Hurlbert	Ingle
Johnson	Kalberloh	Kelley 127	Kelly 141	Kidd
Knight	Lewis 6	Lovasco	Mackey	Mayhew
McCreery	McGaugh	McGirl	Morse	Mosley
Murphy	Nurrenbern	O'Donnell	Owen	Patterson
Perkins	Person	Phifer	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Pouche	Price IV
Proudie	Quade	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roden	Rogers
Rone	Ruth	Sander	Sassmann	Sauls
Schnelting	Schroer	Schwadron	Seitz	Sharp 36
Sharpe 4	Shaul	Shields	Simmons	Smith 155
Smith 163	Smith 67	Stacy	Stephens 128	Stevens 46
Taylor 139	Taylor 48	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Unsicker	Van Schoiack
Veit	Wallingford	Walsh 50	Weber	West
Wiemann	Windham	Wright	Young	Mr. Speaker

NOES: 001

Rowland

PRESENT: 005

Aldridge	Appelbaum	Collins	Lewis 25	Merideth
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ABSENT WITH LEAVE: 006

Hicks	McDaniel	Pietzman	Roeber	Tate
Walsh Moore 93				

VACANCIES: 001

Representative Chipman declared the bill passed.

Speaker Vescovo resumed the Chair.

### PERFECTION OF HOUSE BILLS - INFORMAL

**HB 1069**, relating to offenses committed against a body of the general assembly, was taken up by Representative Evans.

On motion of Representative Evans, the title of **HB 1069** was agreed to.

On motion of Representative Evans, **HB 1069** was ordered perfected and printed.

Speaker Pro Tem Wiemann assumed the Chair.

**HCS HB 922**, relating to the statute of limitations for personal injury claims, was taken up by Representative Houx.

On motion of Representative Houx, the title of **HCS HB 922** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 922, Page 2, Section B, Line 1, by inserting after the first occurrence of the word "of" the words "sections 516.120 and 516.140 of"; and

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

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

**HCS HB 922, as amended**, was laid over.

**HCS HB 475**, relating to dietitians, was taken up by Representative Grier.

On motion of Representative Grier, the title of **HCS HB 475** was agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 475, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

- "324.200. 1. Sections 324.200 to 324.225 shall be known and may be cited as the "Dietitian Practice Act".
2. As used in sections 324.200 to 324.225, the following terms shall mean:
- (1) "Accreditation Council for Education in Nutrition and Dietetics" or "ACEND", the Academy of Nutrition and Dietetics accrediting agency for education programs preparing students for professions as registered dietitians;
  - (2) "Committee", the state committee of dietitians established in section 324.203;
  - (3) "Dietetics practice", the application of principles derived from integrating knowledge of food, nutrition, biochemistry, physiology, management, and behavioral and social science to achieve and maintain the health of people by providing nutrition assessment and nutrition care services. The primary function of dietetic practice is the provision of nutrition care services that shall include, but not be limited to:
    - (a) Assessing the nutrition needs of individuals and groups and determining resources and constraints in the practice setting;
    - (b) Establishing priorities, goals, and objectives that meet nutrition needs and are consistent with available resources and constraints;
    - (c) Providing nutrition counseling or education in health and disease;

- (d) Developing, implementing, and managing nutrition care systems;
- (e) Evaluating, making changes in, and maintaining appropriate standards of quality and safety in food and in nutrition services;
- (f) Engaged in medical nutritional therapy as defined in subdivision (8) of this section;
- (4) "Dietitian", one engaged in dietetic practice as defined in subdivision (3) of this section;
- (5) "Director", the director of the division of professional registration;
- (6) "Division", the division of professional registration;
- (7) "Licensed dietitian", a person who is licensed pursuant to the provisions of sections 324.200 to 324.225 to engage in the practice of dietetics or medical nutrition therapy;
- (8) "Medical nutrition therapy", ~~[nutritional diagnostic, therapy, and counseling services which are furnished by a registered dietitian or registered dietitian nutritionist]~~ **the provision of nutrition care services for the treatment or management of a disease or medical condition;**
- (9) "Registered dietitian" or "registered dietitian nutritionist", a person who:
  - (a) Has completed a minimum of a baccalaureate degree granted by a United States regionally accredited college or university or foreign equivalent;
  - (b) Completed the academic requirements of a didactic program in dietetics, as approved by ACEND;
  - (c) Successfully completed the registration examination for dietitians; and
  - (d) Accrued seventy-five hours of approved continuing professional units every five years; as determined by the Committee on Dietetic Registration."; and

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

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

On motion of Representative Grier, **HCS HB 475, as amended**, was adopted.

On motion of Representative Grier, **HCS HB 475, as amended**, was ordered perfected and printed.

**HCS HB 922, as amended**, relating to the statute of limitations for personal injury claims, was again taken up by Representative Houx.

Representative Houx, having voted on the prevailing side, moved that the vote by which the title of **HCS HB 922, as amended**, was agreed to be reconsidered.

Which motion was adopted by the following vote:

AYES: 105

Andrews	Atchison	Baker	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Christofanelli
Coleman 32	Coleman 97	Cook	Copeland	Cupps
Davidson	Davis	Deaton	DeGroot	Derges
Dinkins	Dogan	Eggleston	Ellebracht	Evans
Falkner	Fishel	Francis	Gregory 51	Gregory 96
Grier	Griesheimer	Griffith	Haden	Haffner
Haley	Hannegan	Hardwick	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Kalberloh	Kelley 127	Kelly 141	Knight	Lewis 6
Lovasco	Mayhew	McGill	Morse	Murphy
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche

Railsback	Reedy	Richey	Riggs	Riley
Roberts	Roden	Rone	Ruth	Sander
Sassmann	Schnelting	Schroer	Schwadron	Seitz
Sharpe 4	Shaul	Shields	Simmons	Smith 155
Stacy	Stephens 128	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Wright

NOES: 039

Adams	Appelbaum	Aune	Baringer	Barnes
Bosley	Brown 27	Brown 70	Burnett	Butz
Clemens	Collins	Doll	Fogle	Gray
Gunby	Ingle	Johnson	Lewis 25	Mackey
McCreery	Merideth	Mosley	Nurrenbern	Person
Phifer	Quade	Rogers	Rowland	Sharp 36
Smith 67	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 004

Aldridge	Anderson	Proudie	Sauls
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ABSENT WITH LEAVE: 014

Bailey	Bangert	Bland Manlove	Burton	Fitzwater
Kidd	McDaniel	McGaugh	Pietzman	Price IV
Roeber	Smith 163	Tate	Mr. Speaker	

VACANCIES: 001

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 922, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words "relating to civil actions."; and

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

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

Representative Gregory (96) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 922, Page 2, Section 516.140, Line 13, by inserting after all of said section and line the following:

**"537.880. 1. The provisions of sections 537.880 to 537.890 shall apply to asbestos actions filed on or after the effective date of such sections and to pending asbestos actions in which trial has not commenced as of such date.**

**2. The provisions of sections 537.880 to 537.890 shall not apply to asbestos actions filed by or on behalf for first responders. "First responder" shall be defined as any paid, volunteer, or retired firefighter, paramedic, or emergency medical technician.**

3. As used in sections 537.880 to 537.890, unless the context clearly requires otherwise, the following words and terms shall mean:

(1) "Asbestos action", any claim for damages or other relief presented in a civil action arising out of, based on, or related to the health effects of exposure to asbestos and any derivative claim made by or on behalf of a person exposed to asbestos or a representative, spouse, parent, child, or other relative of that person, but does not include a claim for compensatory benefits under workers' compensation law or for veterans' benefits;

(2) "Asbestos trust", a government-approved or court-approved trust, qualified settlement fund, compensation fund, or claims facility created as a result of an administrative or legal action or a court-approved bankruptcy, or created under 11 U.S.C. Section 524(g), 11 U.S.C. Section 1121(a), or other applicable provision of law, that is intended to provide compensation to claimants arising out of, based on, or related to the health effects of exposure to asbestos;

(3) "Asbestos trust claim", any claim for compensation by an exposed person or the exposed person's representative against any asbestos trust;

(4) "Claimant", any person bringing an asbestos action or asserting an asbestos trust claim, including a personal representative if the asbestos action or asbestos trust claim is brought by an estate, or a conservator or next friend if the asbestos action or asbestos trust claim is brought on behalf of a minor or legally incapacitated individual. "Claimant" includes a claimant, counter-claimant, cross-claimant, or third-party claimant;

(5) "Exposed person", any person whose exposure to asbestos or to asbestos-containing products is the basis for an asbestos claim;

(6) "Trust claim materials", a final executed proof of claim and all documents and information, including copies of electronic data and emails submitted to or received from an asbestos trust by the claimant, including claim forms and supplementary materials; proofs of claim; affidavits; depositions and trial testimony of the claimant and others knowledgeable about the claimant's exposure history, work history, exposure allegations, and medical and health records; all documents that reflect the status of a claim against an asbestos trust; and, if the claim has been settled, all documents relating to the settlement of the trust claim;

(7) "Trust governance document", all documents that relate to eligibility and payment levels, including claims payment matrices, trust distribution procedures, or plans for reorganization for an asbestos trust;

(8) "Veterans' benefits", a program for benefits in connection with military service administered by the Veterans' Administration under 38 U.S.C. Title 38;

(9) "Workers' compensation", a program administered by the United States or a state to provide benefits, funded by a responsible employer or its insurance carrier, for occupational diseases or injuries or for disability or death caused by occupational diseases or injuries. "Workers' compensation" includes the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. Section 901 et seq., and the Federal Employees' Compensation Act, 5 U.S.C. Chapter 81. "Workers' compensation" does not include the Federal Employers' Liability Act of April 22, 1908, 45 U.S.C. Section 51 et seq.

537.882. 1. Within thirty days after an asbestos action is filed or within thirty days of the effective date of this section for asbestos actions that are pending on that effective date, the claimant shall:

(1) Provide the court and parties with a sworn statement signed by the claimant and claimant's counsel indicating that an investigation has been conducted and that all asbestos trust claims that can be made by the claimant or any person on the claimant's behalf have been completed and filed. A deferral or placeholder claim that is missing necessary documentation for the trust to pay the claim does not meet the requirements of this section. The sworn statement shall indicate whether there has been a request to delay, suspend, toll, withdraw, or otherwise alter the standing of any asbestos trust claim and provide the status and disposition of each asbestos trust claim;

(2) Provide all parties with all trust claim materials, including trust claim materials that relate to conditions other than those that are the basis for the asbestos action and including all trust claim materials from all law firms connected to the claimant in relation to exposure to asbestos. Documents provided under this subsection shall include an affidavit from the claimant certifying that the trust claim materials are true and complete;

(3) Produce all available trust claims filed by any individual other than the claimant if the claimant's asbestos trust claim is based on exposure to asbestos through that other individual and the materials are available to the claimant or claimant's counsel; and

(4) Provide the court and parties with a sworn statement signed by the claimant and claimant's counsel specifying the evidence that provides the basis for each claim against each defendant. The sworn information form shall include all of the following with specificity:

(a) The name, address, date of birth, marital status, occupation, smoking history, current and past worksites, and current and past employers of the exposed individual and any person through whom the exposed person was exposed to asbestos;

(b) Each individual through whom the exposed individual was exposed to asbestos and the exposed individual's relationship to each such individual;

(c) Each asbestos-containing product to which the individual, or the other person if exposure was through another person, was exposed to asbestos and each physical location at which the individual was exposed to asbestos, or the other person was exposed if exposure was through another individual;

(d) The identity of the manufacturer or seller of the specific asbestos product for each exposure;

(e) The specific location and manner of each exposure, including for any individual through whom the exposed individual was exposed to asbestos;

(f) The beginning and ending dates of each exposure, the frequency and length of the exposures, and the proximity of the asbestos-containing product or its use to the exposed person and any person through whom the exposed person was exposed to asbestos;

(g) The asbestos-related disease claimed to exist; and

(h) Any supporting documentation relating to the information required under this section.

2. The claimant shall have a continuing duty to supplement the statement and materials required to be provided under subsection 1 of this section within thirty days after the claimant files an additional asbestos trust claim, supplements an existing asbestos trust claim, receives additional trust claim materials related to any asbestos trust claim made against an asbestos trust, files an amended complaint, or receives additional information that is required to be disclosed under subdivision (4) of subsection 1 of this section.

3. The court, on motion by a defendant, shall dismiss the asbestos action without prejudice as to any defendant whose product or premises is not identified in the required disclosures set forth under subdivision (4) of subsection 1 of this section.

4. The court, on motion by a defendant, shall dismiss the asbestos action without prejudice if the claimant fails to comply with the requirements of sections 537.880 to 537.890.

537.884. 1. No less than sixty days before the date the trial in an asbestos action is set to commence, if the defendant believes the claimant has not filed all asbestos trust claims as required by section 537.882, the defendant may move the court for an order to require the claimant to file additional trust claims. The motion shall identify the asbestos trust claims the defendant believes the claimant is eligible to file and include information supporting those asbestos trust claims.

2. Within ten days after the filing of the defendant's motion, the claimant shall:

(1) File the asbestos trust claims and produce all related trust claim materials; or

(2) File a written response with the court stating why there is insufficient evidence for the claimant to file the asbestos trust claims.

3. Within ten days of the claimant filing a written response to the defendant's motion, the court shall determine whether there is a sufficient basis for the claimant to file the asbestos trust claim identified in the defendant's motion.

4. If the court determines that there is a sufficient basis for the claimant to file an asbestos trust claim identified in the defendant's motion, the court shall order the claimant to file the asbestos trust claim and produce all related trust claim materials within ten days. If the claimant does not comply with the court's order, the asbestos action shall not proceed to trial until at least ninety days after the claimant complies with the court's order.

537.886. 1. Trust claim materials and trust governance documents are presumed to be relevant and authentic and are admissible in evidence in an asbestos action. No claims of privilege apply to trust claim materials or trust governance documents.

2. A defendant in an asbestos action may seek discovery against an asbestos trust. The claimant shall not claim privilege or confidentiality to bar discovery. The claimant shall provide consent or any other expression of permission that may be required by the asbestos trust to release information and materials sought by the defendant.

3. Trust claim materials that are sufficient to entitle a claim to consideration for payment under the applicable trust governance documents may be sufficient to support a jury finding that the claimant was exposed to products for which the trust was established to provide compensation and that such exposure was a substantial contributing factor in causing the claimant's injury that is at issue in the asbestos action.

4. The parties in the asbestos action may introduce at trial any trust claim materials or trust governance documents to prove, without limitation, alternative causation for the exposed person's claimed injury, death, or loss to person; to prove that the bankrupt entity is a joint-tortfeasor, liable for the same injury or wrongful death for the purposes of section 537.060; or to prove issues relevant to an adjudication of the asbestos claim, unless the exclusion of the trust claim material is otherwise required by the rules of evidence. The jury shall not be informed of the specific amount of consideration paid by a trust to a claimant in settlement of a claim.

537.888. 1. If a claimant proceeds to trial in an asbestos action before an asbestos trust claim is resolved, there is a rebuttable presumption that the claimant is entitled to, and will receive, the compensation specified in the trust governance documents applicable to his or her claim at the time of trial. The court shall take judicial notice that the trust governance documents specify compensation amounts and payment percentages and shall establish an attributed value to the claimant's asbestos trust claims.

2. In an asbestos action in which damages are awarded and setoffs are permitted, a defendant is entitled to a setoff or credit in the amount the claimant has received from asbestos trusts and the amount of the valuation established under subsection 1 of this section. If multiple defendants are found liable for damages, the court shall distribute the amount of setoff or credit proportionally between the defendants according to the liability of each defendant.

3. In an asbestos action in which damages are awarded and a setoff is applied, the setoff or credit for an asbestos trust claim that has been resolved shall be the amount of the actual payment received by the claimant from the asbestos trust after application of any applicable payment percentages.

537.890. 1. If, subsequent to obtaining a judgment in an asbestos action, a claimant files any additional asbestos trust claim with, or submits any additional asbestos trust claim to, an asbestos trust that was in existence at the time the claimant obtained judgment, the trial court, upon the filing of a motion by a defendant or judgment debtor, has jurisdiction and shall reopen the judgment in the asbestos action and adjust the judgment by the amount of any subsequent asbestos trust payments obtained by the claimant and order any other relief that the court considers just and proper.

2. A defendant or judgment debtor shall file any motion under this section within a reasonable time and no more than three years after the judgment was entered or taken."; and

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

On motion of Representative Gregory (96), **House Amendment No. 3** was adopted.

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

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 922, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

(1) "School-sponsored activity", any activity sponsored by a school including, but not limited to, participation in a work-based learning program in which training or work activities are conducted at the premises of or under the direction of an employer participating in the program;

(2) "Work-based learning program", the same meaning given to the term in section 170.038.

2. The school board of any school district may purchase insurance contracts to insure against loss, damages, or expenses incident to a claim arising out of the sickness, bodily injury, or death by accident of any student injured on school premises or during school-sponsored activities. For purposes of this subsection, travel to and from any work-based learning program shall constitute a school-sponsored activity.



3. The school board of any school district may purchase insurance contracts for the benefit of students to insure against loss resulting from the loss of, theft of, or damage to the personal property of students while on school premises or during school-sponsored activities.

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

- (1) "Secondary education", education of students who attend secondary schools;
- (2) "Secondary school", a public school giving instruction in a grade or grades not lower than the sixth nor higher than the twelfth grade;
- (3) "Work-based learning program", a learning program in a secondary education curriculum that:
  - (a) Includes, but is not limited to, work study, on-the-job training, job shadowing, internships, clinicals, practicums, cooperative projects, and industry-led service-learning projects;
  - (b) Is incorporated into coursework or related to a specific field of study; and
  - (c) Integrates knowledge and theory learned in the classroom with the practical application and development of technical skills and proficiencies in a professional work setting.

2. An employer who accepts a secondary school student in a work-based learning program shall not be subject to civil liability for any claim arising from the student's negligent act or omission.

3. Nothing in this section shall provide immunity for gross negligence or willful misconduct."; and

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

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

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

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 922, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"287.120. 1. Every employer subject to the provisions of this chapter shall be liable, irrespective of negligence, to furnish compensation under the provisions of this chapter for personal injury or death of the employee by accident or occupational disease arising out of and in the course of the employee's employment. Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter and every employer and employees of such employer shall be released from all other liability whatsoever, whether to the employee or any other person, except that an employee shall not be released from liability for injury or death if the employee engaged in ~~[an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury]~~ **a willful act with the intent to cause bodily injury or death**. The term "accident" as used in this section shall include, but not be limited to, injury or death of the employee caused by the unprovoked violence or assault against the employee by any person.

2. The rights and remedies herein granted to an employee shall exclude all other rights and remedies of the employee, the employee's spouse, parents, personal representatives, dependents, heirs or next kin, at common law or otherwise, on account of such injury or death by accident or occupational disease, except such rights and remedies as are not provided for by this chapter.

3. No compensation shall be allowed under this chapter for the injury or death due to the employee's intentional self-inflicted injury, but the burden of proof of intentional self-inflicted injury shall be on the employer or the person contesting the claim for allowance.

4. Where the injury is caused by the failure of the employer to comply with any statute in this state or any lawful order of the division or the commission, the compensation and death benefit provided for under this chapter shall be increased fifteen percent.

5. Where the injury is caused by the failure of the employee to use safety devices where provided by the employer, or from the employee's failure to obey any reasonable rule adopted by the employer for the safety of employees, the compensation and death benefit provided for herein shall be reduced at least twenty-five but not more than fifty percent; provided, that it is shown that the employee had actual knowledge of the rule so adopted by

the employer; and provided, further, that the employer had, prior to the injury, made a reasonable effort to cause his or her employees to use the safety device or devices and to obey or follow the rule so adopted for the safety of the employees.

6. (1) Where the employee fails to obey any rule or policy adopted by the employer relating to a drug-free workplace or the use of alcohol or nonprescribed controlled drugs in the workplace, the compensation and death benefit provided for herein shall be reduced fifty percent if the injury was sustained in conjunction with the use of alcohol or nonprescribed controlled drugs.

(2) If, however, the use of alcohol or nonprescribed controlled drugs in violation of the employer's rule or policy is the proximate cause of the injury, then the benefits or compensation otherwise payable under this chapter for death or disability shall be forfeited.

(3) The voluntary use of alcohol to the percentage of blood alcohol sufficient under Missouri law to constitute legal intoxication shall give rise to a rebuttable presumption that the voluntary use of alcohol under such circumstances was the proximate cause of the injury. A preponderance of the evidence standard shall apply to rebut such presumption. An employee's refusal to take a test for alcohol or a nonprescribed controlled substance, as defined by section 195.010, at the request of the employer shall result in the forfeiture of benefits under this chapter if the employer had sufficient cause to suspect use of alcohol or a nonprescribed controlled substance by the claimant or if the employer's policy clearly authorizes post-injury testing.

(4) Any positive test result for a nonprescribed controlled drug or the metabolites of such drug from an employee shall give rise to a rebuttable presumption, which may be rebutted by a preponderance of evidence, that the tested nonprescribed controlled drug was in the employee's system at the time of the accident or injury and that the injury was sustained in conjunction with the use of the tested nonprescribed controlled drug if:

- (a) The initial testing was administered within twenty-four hours of the accident or injury;
- (b) Notice was given to the employee of the test results within fourteen calendar days of the insurer or group self-insurer receiving actual notice of the confirmatory test results;
- (c) The employee was given an opportunity to perform a second test upon the original sample; and
- (d) The initial or any subsequent testing that forms the basis of the presumption was confirmed by mass spectrometry using generally accepted medical or forensic testing procedures.

7. Where the employee's participation in a recreational activity or program is the prevailing cause of the injury, benefits or compensation otherwise payable under this chapter for death or disability shall be forfeited regardless that the employer may have promoted, sponsored or supported the recreational activity or program, expressly or impliedly, in whole or in part. The forfeiture of benefits or compensation shall not apply when:

- (1) The employee was directly ordered by the employer to participate in such recreational activity or program;
- (2) The employee was paid wages or travel expenses while participating in such recreational activity or program; or
- (3) The injury from such recreational activity or program occurs on the employer's premises due to an unsafe condition and the employer had actual knowledge of the employee's participation in the recreational activity or program and of the unsafe condition of the premises and failed to either curtail the recreational activity or program or cure the unsafe condition.

8. Mental injury resulting from work-related stress does not arise out of and in the course of the employment, unless it is demonstrated that the stress is work related and was extraordinary and unusual. The amount of work stress shall be measured by objective standards and actual events.

9. A mental injury is not considered to arise out of and in the course of the employment if it resulted from any disciplinary action, work evaluation, job transfer, layoff, demotion, termination or any similar action taken in good faith by the employer.

10. The ability of a firefighter to receive benefits for psychological stress under section 287.067 shall not be diminished by the provisions of subsections 8 and 9 of this section.

**516.099. 1. Any action to recover damages for economic loss, personal injury, property damage, or wrongful death arising out of a defective or unsafe condition of any product that is sold, leased, or otherwise placed in the stream of commerce, or arising out of the negligent design, manufacture, sale, or distribution of any such product shall be commenced within fifteen years of the date on which such product is first sold or leased to any person or otherwise placed into the stream of commerce.**

**2. This section shall apply to all actions falling within it, whether arising under the common law or by operation of statute; except that, if an action within this section is barred by another provision of law, such other provision of law shall govern.**

**3. This section shall not apply:**

- (1) To any action brought with respect to a product that is real property or an improvement to real property;
- (2) If the person against whom an action is brought has knowingly concealed any defective or unsafe condition in the product that is the subject of the action, or has knowingly concealed any negligence in the product's construction, manufacture, sale, distribution, or placing into the stream of commerce, and if any matter so concealed directly resulted in the economic loss, personal injury, property damage, or wrongful death for which the action is brought;
- (3) If a manufacturer, lessor, seller, or person who first placed a product in the stream of commerce against whom an action within this section is brought brings an action for indemnity or contribution against a person who is or may be liable to such person for all or any portion of any judgment rendered against such person, in which event such action for indemnity or contribution shall not be barred by this section;
- (4) If a manufacturer, lessor, seller, or person who first placed a product in the stream of commerce has stated in a written warranty or an advertisement to the public that the product has an expected useful life for a period certain that is greater than fifteen years, in which event any action that is otherwise within this section and is not barred by any other provision of law shall be brought no later than two years following the expiration of that period certain;
- (5) To any action regarding negligent service or negligent maintenance of a product;
- (6) To any action regarding a defective or unsafe condition of a product if the product is subject to a government mandated product recall related to consumer safety, provided that the action shall be limited to the extent that the subject of the action and the underlying reason for the recall are the same;
- (7) To any action regarding a defective or unsafe condition of a product causing a respiratory or malignant disease with a latency of more than fifteen years. No action shall be commenced under this subdivision based upon strict product liability, or negligence against a seller of a product, in which the product is alleged to contain or possess a defective condition unreasonably dangerous to the buyer, user, or consumer, unless such seller is also the manufacturer of the product claimed to be defective; or
- (8) Notwithstanding subdivision (4) of this subsection, to any action against a manufacturer of a mechanical device where the harm occurred during the useful safe life of the product. In determining whether a product's useful safe life has expired, the trier of fact may consider:
  - (a) The amount of wear and tear to which the product had been subject;
  - (b) The effect of deterioration from natural causes, and from climate and other conditions under which the product was used or stored;
  - (c) The normal practices of the user, similar users, and the product seller with respect to the circumstances, frequency, and purposes of the product's use, and with respect to repairs, renewals, and replacements;
  - (d) Any representations, instructions, or warnings made by the product manufacturer concerning proper maintenance, storage, and use of the product or the expected useful safe life of the product; and
  - (e) Any modification or alteration of the product by a user or third party.

4. This section shall apply to all civil actions commenced on or after August 28, 2021, or any new causes of action asserted in civil actions pending on that date; except that, any cause of action falling within this section that accrued on or before August 28, 2021, may, in any event, be brought no later than August 28, 2022, unless barred by another provision of law."; and

Further amend said bill, Page 2, Section 516.140, Line 13, by inserting after all of said section and line the following:

**"537.771. 1. In any civil action for personal injury, death, or property damage caused by a product, regardless of the type of claims alleged or the theory of liability asserted, the plaintiff shall prove, among other elements, that the defendant manufactured, sold, or leased the particular product the use of which is alleged to have caused the injury on which the claim is based and not a similar or equivalent product. Manufacturers, sellers, or lessors of products not identified as having been used, ingested, or encountered by an allegedly injured party shall not be held liable for any alleged injury. A person, firm, corporation, association, partnership, or other legal or business entity that designs, but does not manufacture, a product shall not be subject to liability for personal injury, death, or property damage caused by the manufacturer's product, even if use of the design is foreseeable.**

**2. This section shall not be intended to alter or affect any other principle of law, including those that apply to successor entities, distributors, component manufacturers, or manufacturers who use component parts in assembling products for sale as complete units or those that apply to the operation of a contract, including a licensing agreement.";** and

Further amend said bill and page, Section B, Line 1, by inserting after the first occurrence of the word "of" the words "section 516.120 of"; and

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

Representative Coleman (97) 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 House Bill No. 922, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

""211.261. 1. An appeal shall be allowed to the child from any final judgment, order or decree made under the provisions of this chapter and may be taken on the part of the child by its parent, guardian, legal custodian, spouse, relative or next friend. An appeal shall be allowed to a parent from any final judgment, order or decree made under the provisions of this chapter which adversely affects him. An appeal shall be allowed to the juvenile officer from any final judgment, order or decree made under this chapter, except that no such appeal shall be allowed concerning a final determination pursuant to subdivision (3) of subsection 1 of section 211.031. Notice of appeal shall be filed within thirty days after the final judgment, order or decree has been entered but neither the notice of appeal nor any motion filed subsequent to the final judgment acts as a supersedeas unless the court so orders.

2. Notwithstanding the provisions of subsection 1 of this section, an appeal shall be allowed to the:

(1) Juvenile officer from any order suppressing evidence, a confession or an admission, in proceedings under subdivision (3) of subsection 1 of section 211.031; or

**(2) Parent, guardian ad litem, or juvenile officer from any order changing or modifying the placement of a child.**

3. The appeal provided for in subsection 2 of this section shall be an interlocutory appeal, filed in the appropriate district of the Missouri court of appeals. Notice of such interlocutory appeal shall be filed within three days of the entry of the order of trial court; the time limits applicable to such appeal shall be the same as in interlocutory appeals allowed to the state in criminal cases.

287.120. 1. Every employer subject to the provisions of this chapter shall be liable,"; and

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

On motion of Representative Coleman (97), **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Trent, **House Amendment No. 5, as amended**, was adopted.

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

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 922, Page 1, Section A, Line 2, by inserting after said section and line the following:

"435.415. **1. Except as provided in subsection 2 of this section**, upon the granting of an order confirming, modifying or correcting an award, judgment or decree shall be entered in conformity therewith and be enforced as any other judgment or decree. Costs of the application and of the proceedings subsequent thereto, and disbursements may be awarded by the court.

**2. Any arbitration award or any judgment or decree entered on an arbitration award shall not be binding on any liability insurer, shall not be admissible in evidence in any lawsuit against any liability insurer for any party to an arbitration award, and shall not provide the basis for any judgment or decree, including any garnishment, against any liability insurer, unless the liability insurer has agreed in writing to the arbitration proceeding. Any arbitration award or any judgment or decree confirming, modifying, or correcting any arbitration award shall not be subject to garnishment, enforcement, or collection from any liability insurer unless the liability insurer has agreed in writing to the written arbitration agreement. Unless otherwise required by its insurance contract, a liability insurer's election not to participate in an arbitration proceeding shall not constitute, nor be construed to be, bad faith. This section shall not apply to any arbitration required by statute or arising out of an arbitration agreement preceding the date of the injury or loss that is the subject of the arbitration.**

**3. As used in this section, the term "insurer" shall include any entity authorized to transact liability insurance business in this state including, but not limited to, any liability insurance company organized, incorporated, or doing business under the provisions of chapter 379, any entity formed under section 537.620, any entity that is subject to sections 537.700 to 537.756, or any entity that provides risk management services to any public or private entity.";** and

Further amend said bill, Page 2, Section 516.140, Line 13, by inserting after said section and line the following:

"537.065. **1. Any person having an unliquidated claim for damages against a tort-feasor[;] on account of personal injuries, bodily injuries, or death[; provided that, such tort-feasor's insurer or indemnitor has the opportunity to defend the tort-feasor without reservation but refuses to do so,] may enter into a contract with such tort-feasor or any insurer on his or her behalf or both if the insurer has refused to withdraw a reservation of rights or declined coverage for such unliquidated claim**, whereby, in consideration of the payment of a specified amount, the person asserting the claim agrees that in the event of a judgment against the tort-feasor, neither such person nor any other person, firm, or corporation claiming by or through him or her will levy execution, by garnishment or as otherwise provided by law, except against the specific assets listed in the contract and except against any insurer which insures the legal liability of the tort-feasor for such damage and which insurer is not excepted from execution, garnishment or other legal procedure by such contract. Execution or garnishment proceedings in aid thereof shall lie only as to assets of the tort-feasor specifically mentioned in the contract or the insurer or insurers not excluded in such contract. Such contract, when properly acknowledged by the parties thereto, may be recorded in the office of the recorder of deeds in any county where a judgment may be rendered, or in the county of the residence of the tort-feasor, or in both such counties, and if the same is so recorded then such tort-feasor's property, except as to the assets specifically listed in the contract, shall not be subject to any judgment lien as the result of any judgment rendered against the tort-feasor, arising out of the transaction for which the contract is entered into.

**2. [Before a judgment may be entered against any tort-feasor after such tort-feasor has entered into a contract under this section, the insurer or insurers shall be provided with written notice of the execution of the contract and shall have thirty days after receipt of such notice to intervene as a matter of right in any pending lawsuit involving the claim for damages.] If any action seeking a judgment on the claim against the tort-feasor is pending at the time of the execution of any contract entered into under this section, then, within thirty days after such execution, the tort-feasor shall provide his or her insurer or insurers with a copy of the executed contract and a copy of any such action. If any action seeking a judgment on the claim against the tort-feasor is pending at the time of the execution of any contract entered into under this section but is thereafter dismissed, then, within thirty days after the refiling of that action or the filing of any subsequent action**

arising out of the claim for damages against the tort-feasor, the tort-feasor shall provide his or her insurer or insurers with a copy of the executed contract and a copy of the refiled or subsequently filed action seeking a judgment on the claim against the tort-feasor. If no action seeking a judgment on the claim against the tort-feasor is pending at the time of the execution of any contract entered into under this section, then, within thirty days after the tort-feasor receives notice of any subsequent action, by service of process or otherwise, the tort-feasor shall provide his or her insurer or insurers with a copy of the executed contract and a copy of any action seeking a judgment on the claim against the tort-feasor.

3. No judgment shall be entered against any tort-feasor after such tort-feasor has entered into a contract under this section for at least thirty days after the insurer or insurers have received written notice as provided in subsection 2 of this section.

4. Any insurer or insurers who receive notice under this section shall have the unconditional right to intervene in any pending civil action involving the claim for damages within thirty days after receipt of such notice. Upon intervention under this section, the intervenor shall have all rights afforded to defendants under the Missouri rules of civil procedure including, but not limited to, the right to conduct discovery, the right to engage in motion practice, and the right to a trial by jury. The intervenor shall also have the right to assert any rights or raise any defenses available to the tort-feasor and to assert any rights or raise any defenses that would have been available to the tort-feasor in the absence of the contract entered into under this section or other agreement between the parties to that contract. However, nothing in this section shall alter or reduce the intervening insurer's obligations to any insureds other than the tort-feasor, including any coinsureds of the defendant tort-feasor.

5. The provisions of this section shall apply to any covenant not to execute or any contract to limit recovery to specified assets, regardless of whether it is referred to as a contract under this section.

6. All terms of any covenant not to execute or of any contract to limit recovery to specified assets, regardless of whether it is referred to as a contract under this section, shall be in writing and signed by the parties to the covenant or contract. No unwritten term of any covenant not to execute or of any contract to limit recovery to specified assets, regardless of whether it is referred to as a contract under this section, shall be enforceable against any party to the covenant or contract, the liability insurer of any party to the covenant or contract, or any other person or entity.

[4-] 7. Nothing in this section shall be construed to prohibit an insured from bringing a separate action asserting that the insurer acted in bad faith. In any such action for bad faith, any agreement between the tort-feasor and insured, including any contract under this section, shall be admissible in evidence. The exercise of any rights under this section shall not constitute, nor be construed to be, bad faith.

8. As used in this section, the term "insurer" shall include any entity authorized to transact liability insurance business in this state including, but not limited to, any liability insurance company organized, incorporated, or doing business under the provisions of chapter 379, any entity formed under section 537.620, any entity that is subject to sections 537.700 to 537.756, or any entity that provides risk management services to any public or private entity."; and

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

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

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

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 922, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"490.715. 1. No evidence of collateral sources, or payments rendered under subsection 2 of this section, shall be admissible other than such evidence provided for in this section.

2. If prior to trial a defendant or his or her insurer or authorized representative, or any combination of them, pays all or any part of a plaintiff's special damages, then any portion of a plaintiff's claims for special damages that are satisfied by a payment from a defendant or the defendant's insurer or authorized representative, or any combination of them, are not recoverable from that defendant.

3. If such payments described in subsection 2 of this section are included in a plaintiff's claim for special damages at trial, the defendant who made the payment, or on whose behalf the payment was made, shall be entitled to deduct and receive a credit for such payments from any judgment as provided for in section 490.710.

4. This section does not require the exclusion of evidence admissible for another proper purpose.

5. (1) Except as provided in subsection 2 of this section, ~~[parties]~~ **in any action wherein a plaintiff seeks to recover for personal injury, bodily injury, or death, any party** may introduce evidence of the actual cost of the medical care or treatment rendered to a plaintiff, or ~~[a patient whose care is at issue]~~ **to the person for whose injury or death plaintiff seeks to recover.** Actual cost of the medical care or treatment shall be reasonable, necessary, and a proximate result of the negligence or fault of any party.

(2) For purposes of this subsection, the phrase "actual cost of the medical care or treatment" shall be defined as a sum of money not to exceed the dollar amounts paid by or on behalf of a plaintiff, or a patient whose care is at issue **in a plaintiff's case**, plus any remaining dollar amount necessary to satisfy the financial obligation, **including valid outstanding liens**, for medical care or treatment by a health care provider after adjustment for any contractual discounts, price reduction, or write-off by any person or entity.

(3) **No party shall introduce evidence of the amount billed for medical care or treatment rendered to a plaintiff or a patient whose care is at issue in a plaintiff's case if the amount billed has been discounted pursuant to any contract, price reduction, or write off by any person or entity, or satisfied by payment of an amount less than the amount billed for that medical care or treatment.**

6. **The actual cost of medical care or treatment rendered to a plaintiff, or a patient whose care is at issue in a plaintiff's case, and discounts pursuant to any contract, price reduction, or write off shall be admissible evidence relevant to the potential cost of future treatment of the same type or kind to that plaintiff or patient whose care is at issue in a plaintiff's case.**"; and

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

Representative Hudson offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for House Bill No. 922, Page 1, Line 32, by inserting the following after all of said line:

"Further amend said bill, Page 2, Section 516.140, Line 13, by inserting the following after all of said line:

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

(1) **"Camping", all aspects of visiting, staying at, using, and leaving a private campground, including lodging of all types;**

(2) **"Inherent risks of camping", those dangers, hazards, or conditions that are an integral part of camping including, but not limited to, the following:**

(a) **Features of the natural world, such as trees, tree stumps, naturally occurring infectious agents, roots, brush, rocks, mud, sand, standing and moving water, and soil;**

(b) **Uneven and unpredictable terrain;**

(c) **Natural bodies of water and accessories permitting the use of natural bodies of water, including piers, docks, swimming and aquatic sports, or recreation facilities or areas;**

(d) **A lack of lighting, including lighting at campsites;**

(e) **Campfires contained in or outside a fire pit or an enclosure provided by the private campground, bonfires, grass or brush fires, wildfires, and forest fires;**

(f) **Weather and weather-related events;**

(g) **Insects, birds, and other wildlife;**

(h) **Animals of other campers or visitors that cause injury, unless the private campground owner or an employee or officer of the private campground owner has accepted responsibility for care of the animal;**

(i) **A violation of safety rules or a disregard for signs or other methods of communicating warnings;**

- (j) Another camper or visitor at the private campground acting in a negligent manner, if the private campground owner or an employee or officer of the private campground owner is not involved;
  - (k) Actions by a camper or visitor that exceed his or her physical limitations or abilities;
  - (l) Actions by a camper or visitor involving climbing, rappelling, caving, mountaineering, or any other related activity;
  - (m) Damage caused by fireworks from a camper, visitor, or offsite entity not authorized by the private campground owner or employee or officer of a private campground owner; and
  - (n) Any person coming onto the campsite not reported to the private campground owner or an employee or officer of the private campground owner;
- (3) "Private campground", any parcel or tract of land, including buildings and other structures, that is owned or operated by a private property owner where five or more campsites are made available for use as temporary living quarters for recreational, camping, travel, or seasonal use. The term "private campground" shall also include recreational vehicle parks.

2. Except as provided in subsection 4 of this section, a private campground owner or an employee or officer of a private campground owner shall not be liable for acts or omissions related to camping at a private campground if a person is injured or killed or property is damaged as a result of an inherent risk of camping.

3. This section shall not apply to any employer-employee relationship governed by the provisions of chapter 287.

4. The provisions of subsection 2 of this section shall not prevent or limit liability of a private campground owner or an employee or officer of a private campground owner who:

- (1) Intentionally causes the injury, death, or property damage;
- (2) Acts with a willful or wanton disregard for the safety of the person or property damaged. As used in this subdivision, "willful and wanton" means conduct committed with an intentional or reckless disregard for the safety of others;
- (3) Fails to use that degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances; or
- (4) Fails to conspicuously post warning signs of a dangerous, inconspicuous condition known to the owner of the private campground, or his or her employees or officers, on the property that the owner owns, leases, rents, or is otherwise in lawful control of or in possession of if the owner, employee, or officer is aware of the condition by reason of a prior injury involving the same location or the same mechanism of injury. Such warning signs shall appear in black letters on a white background with each letter to be a minimum of one inch in height.

5. Every written contract entered into by a private campground owner or an employee or officer of a private campground owner shall contain, in clearly readable print, the warning notice specified in this subsection. The signs described in subdivision (4) of subsection 4 of this section and contracts described in this subsection shall contain the following warning notice:

"WARNING

Under Missouri law, a private campground owner or an employee or officer of a private campground owner is not liable for an injury to or the death of a person or any property damage resulting from the inherent risks of camping under the Revised Statutes of Missouri."."; and"; and

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

On motion of Representative Hudson, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Riley, **House Amendment No. 7, as amended**, was adopted.

On motion of Representative Houx, **HCS HB 922, as amended**, was adopted.

On motion of Representative Houx, **HCS HB 922, as amended**, was ordered perfected and printed.



**HB 317**, relating to reemployment rights of Missouri Task Force One members, was taken up by Representative Toalson Reisch.

On motion of Representative Toalson Reisch, the title of **HB 317** was agreed to.

On motion of Representative Toalson Reisch, **HB 317** was ordered perfected and printed.

**HB 253**, relating to an urban school board election process, was taken up by Representative Fishel.

Representative Fishel moved that the title of **HB 253** be agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 253, Page 1, In the Title, Lines 2-3, by deleting the phrase "an urban school board election process" and inserting in lieu thereof the words "elementary and secondary education"; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 253, Page 1, Section A, Line 2, by inserting after said section and line the following:

"162.261. 1. The government and control of a seven-director school district, other than an urban district, is vested in a board of education of seven members, who hold their office for three years, except as provided in section 162.241, and until their successors are duly elected and qualified. Any vacancy occurring in the board shall be filled by the remaining members of the board; except that if there are more than two vacancies at any one time, the county commission upon receiving written notice of the vacancies shall fill the vacancies by appointment. If there are more than two vacancies at any one time in a county without a county commission, the county executive upon receiving written notice of the vacancies shall fill the vacancies, with the advice and consent of the county council, by appointment. The person appointed shall hold office until the next municipal election, when a director shall be elected for the unexpired term.

2. No seven-director, urban, or metropolitan school district board of education shall hire a spouse of any member of such board for a vacant or newly created position unless the position has been advertised pursuant to board policy and the superintendent of schools submits a written recommendation for the employment of the spouse to the board of education. The names of all applicants as well as the name of the applicant hired for the position ~~are~~ **shall** be included in the board minutes.

3. The provisions of Article VII, Section 6 of the Missouri Constitution apply to school districts.

**4. (1) Any seven-director school district may divide into subdistricts and provide for the election of subdistrict board members as provided in this subsection.**

**(2) (a) Before December first of the calendar year immediately preceding the general municipal election day in the calendar year in which a vote to divide the school district into subdistricts will be held, the election authority of the county in which the school district is located shall divide the school district into seven subdistricts of contiguous and compact territory and as nearly equal in population as practicable. Within six months after each decennial census is reported to the President of the United States, the election authority**

shall reapportion the subdistricts to be as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, and as much as practicable the numbers shall be retained upon reapportionment. After the election authority divides the school district or reapportions the subdistricts, the election authority shall notify the residents of the school district as provided by law.

(b) Any resident of the school district who believes the election authority has divided the school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may petition the circuit court of the county in which the school district exists for an order directing the election authority to divide the school district or reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten business days of the election authority's notice provided under paragraph (a) of this subdivision.

(3) On the first day available for candidate filing for the first general municipal election day occurring after the subdistricts are created under this subsection, any qualified resident who has or will have resided in the subdistrict for the year immediately preceding the general municipal election day may file as a candidate for election to a subdistrict of the school board. At the end of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven additional days, and any qualified resident of the school district who has or will have resided in the school district for the year immediately preceding the general municipal election day may file as a candidate for election to that subdistrict of the school board. The election authority shall determine the validity of all declarations of candidacy.

(4) When the election is held on the general municipal election day, the seven candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a candidate as a school district resident under subdivision (3) of this subsection shall be elected by the voters of the school district. The three members representing subdistricts 2, 4, and 6 of the subdivided school district shall be elected to an initial term of two years, and the remaining four members representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to an initial term of three years. Each term thereafter shall be a three-year term.

(5) Each member shall serve until a successor is elected or the member vacates the office. Any vacancy that occurs before the end of the member's term shall be filled as provided in this section.

(6) Except for a member who is not a subdistrict resident but is elected as a school district resident to represent a subdistrict under subdivision (3) of this subsection, each member shall reside in the subdistrict the member represents during the member's term.

(7) All other provisions applicable to seven-director school districts that are not in conflict with this subsection shall apply to school districts divided into subdistricts under this subsection.

5. If any seven-director school district receives a petition, signed by at least ten percent of the number of registered voters of the school district voting in the last school board election, calling for an election to subdivide the school district into subdistricts and provide for the election of subdistrict board members as provided in subsection 4 of this section, the school district shall immediately notify the election authority of the county in which the school district is located to begin the process described in subsection 4 of this section.

162.281. Except as provided in subsection 4 of section 162.261, in all seven-director districts, including urban districts, when directors are to be elected for terms of different lengths, each candidate shall declare for a term of a specific number of years and the different terms shall be voted upon as separate propositions.

162.291. Except as provided in subsection 4 of section 162.261, the voters of each seven-director district other than urban districts shall, at municipal elections, elect two directors who are citizens of the United States and resident taxpayers of the district, who have resided in this state for one year next preceding their election or appointment, and who are at least twenty-four years of age.

162.471. 1. The government and control of an urban school district is vested in a board of seven directors.

2. Except as provided in subsection 3 of this section, each director shall be a voter of the district who has resided within this state for one year next preceding [his] the director's election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold [his] office until the next school board election, when [his] a successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

3. (1) Except as provided in section 162.492, any urban school district may divide into subdistricts and provide for the election of subdistrict board directors as provided in this subsection.

(2) (a) Before December first of the calendar year immediately preceding the general municipal election day in the calendar year in which a vote to divide the school district into subdistricts will be held, the election authority of the county in which the school district is located shall divide the school district into seven subdistricts of contiguous and compact territory and as nearly equal in population as practicable. Within six months after each decennial census is reported to the President of the United States, the election authority shall reapportion the subdistricts to be as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, and as much as practicable the numbers shall be retained upon reapportionment. After the election authority divides the school district or reapportions the subdistricts, the election authority shall notify the residents of the school district as provided by law.

(b) Any resident of the school district who believes the election authority has divided the school district or reapportioned the subdistricts in violation of paragraph (a) of this subdivision may petition the circuit court of the county in which the school district exists for an order directing the election authority to divide the school district or reapportion the subdistricts as provided in paragraph (a) of this subdivision. The petition shall be submitted to the circuit court within ten business days of the election authority's notice provided under paragraph (a) of this subdivision.

(3) On the first day available for candidate filing for the first general municipal election day occurring after the subdistricts are created under this subsection, any qualified resident who has or will have resided in the subdistrict for the year immediately preceding the general municipal election day may file as a candidate for election to a subdistrict of the school board. At the end of the time available for candidate filing, if no qualified resident of a subdistrict has filed as a candidate in that subdistrict, the election authority shall extend the time for candidate filing by seven additional days, and any qualified resident of the school district who has or will have resided in the school district for the year immediately preceding the general municipal election day may file as a candidate for election to that subdistrict of the school board. Candidates may be nominated as provided by section 162.491. The election authority shall determine the validity of all declarations of candidacy.

(4) When the election is held on the general municipal election day, the seven candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is not a subdistrict resident but qualifies as a candidate as a school district resident under subdivision (3) of this subsection shall be elected by the voters of the school district. The three directors representing subdistricts 2, 4, and 6 of the subdivided school district shall be elected to an initial term of five years, and the remaining four directors representing subdistricts 1, 3, 5, and 7 of the subdivided school district shall be elected to an initial term of six years. Each term thereafter shall be a six-year term.

(5) Each director shall serve until a successor is elected or the director vacates the office. Any vacancy that occurs before the end of the director's term shall be filled as provided in this section.

(6) Except for a director who is not a subdistrict resident but is elected as a school district resident to represent a subdistrict under subdivision (3) of this subsection, each director shall reside in the subdistrict the director represents during the director's term.

(7) All other provisions applicable to urban school districts that are not in conflict with this subsection shall apply to school districts divided into subdistricts under this subsection.

4. If any urban school district receives a petition, signed by at least ten percent of the number of registered voters of the school district voting in the last school board election, calling for an election to subdivide the school district into subdistricts and provide for the election of subdistrict board directors as provided in subsection 3 of this section, the school district shall immediately notify the election authority of the county in which the school district is located to begin the process described in subsection 3 of this section."; and

Further amend said bill and page, Section 162.481, Line 1, by deleting said line and inserting in lieu thereof the following:

"162.481. 1. Except as otherwise provided in **section 162.471**, this section, and ~~¶~~ section 162.492, all"; and

Further amend said bill and section, Page 3, Line 84, by inserting after said section and line the following:

"162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, except as provided in subsection 4 of this section.

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban **school** districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.

**5. No candidate for election as a school board director representing a subdistrict under subsection 3 of section 162.471 shall be required to file a declaration of candidacy under this section as the sole method of filing for candidacy.";** and

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

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

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

*House Amendment No. 3*

AMEND House Bill No. 253, Page 3, Section 162.481, Line 84, by inserting after said section and line the following:

"167.151. 1. The school board of any district, in its discretion, may admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as provided in sections 167.121, 167.131, 167.132, ~~and~~ 167.895, **and sections 167.1200 to 167.1230.**

2. Orphan children, children with only one parent living, and children whose parents do not contribute to their support—if the children are between the ages of six and twenty years and are unable to pay tuition—may attend the schools of any district in the state in which they have a permanent or temporary home without paying a tuition fee.

3. **(1) For all school years ending on or before June 30, 2022,** any person who pays a school tax in any other district than that in which ~~he~~ **the person** resides may send ~~his~~ **the person's** children to any public school in the district in which the tax is paid and receive as a credit on the amount charged for tuition the amount of the school tax paid to the district; except that any person who owns real estate of which eighty acres or more are used for agricultural purposes and upon which ~~his~~ **the person's** residence is situated may send ~~his~~ **the person's** children to public school in any school district in which a part of such real estate, contiguous to that upon which ~~his~~ **the person's** residence is situated, lies and shall not be charged tuition therefor; so long as thirty-five percent of the real estate is located in the school district of choice. The school district of choice shall count the children in its average daily attendance for the purpose of distribution of state aid through the foundation formula.

**(2) For all school years beginning on or after July 1, 2022, any person who owns residential real property or agricultural real property and pays a school tax in any district other than the district in which the person resides may send any of the person's children to a public school in any district in which the person pays such school tax. The school district of choice shall count a child attending under this subdivision in its average daily attendance for the purpose of distribution of state aid through the foundation formula.**

4. **(1) For all school years ending on or before June 30, 2022,** any owner of agricultural land who, ~~pursuant to~~ **under subdivision (1) of** subsection 3 of this section, has the option of sending ~~his~~ **such person's** children to the public schools of more than one district shall exercise such option as provided in this ~~subsection~~ **subdivision**. Such person shall send written notice to all school districts involved specifying to which school

district ~~[his]~~ the children will attend by June thirtieth in which such a school year begins. If notification is not received, such children shall attend the school in which the majority of ~~[his]~~ the person's property lies. Such person shall not send any of ~~[his]~~ such person's children to the public schools of any district other than the one to which ~~[he]~~ such person has sent notice pursuant to this ~~[subsection]~~ subdivision in that school year or in which the majority of ~~[his]~~ such person's property lies without paying tuition to such school district.

**(2) For all school years beginning on or after July 1, 2022, any owner of real property who elects to exercise the option provided in subdivision (2) of subsection 3 of this section shall exercise such option as provided in this subdivision. Such person shall send written notice to all school districts involved specifying which school district each child will attend thirty days prior to enrollment. When providing such notice, the person shall present proof of the person's payment of school taxes levied on the real property within such school district for the most recent two years. If a school district to which the person wishes to send a child does not receive the notification required under this subdivision, the child shall attend school in the district in which the person resides. Such person shall not send a child to the public schools of any district in which the person does not reside other than the district to which such person has sent notice under this subdivision relating to the particular child for that school year.**

5. If a pupil is attending school in a district other than the district of residence and the pupil's parent is teaching in the school district or is a regular employee of the school district which the pupil is attending, then the district in which the pupil attends school shall allow the pupil to attend school upon payment of tuition in the same manner in which the district allows other pupils not entitled to free instruction to attend school in the district. The provisions of this subsection shall apply only to pupils attending school in a district which has an enrollment in excess of thirteen thousand pupils and not in excess of fifteen thousand pupils and which district is located in a county ~~[of the first classification]~~ with a charter form of government which has a population in excess of six hundred thousand persons and not in excess of nine hundred thousand persons."; and

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

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

On motion of Representative Fishel, **HB 253, as amended**, was ordered perfected and printed.

**HB 313**, relating to victim impact programs for driving while intoxicated offenders, was taken up by Representative Bromley.

On motion of Representative Bromley, the title of **HB 313** was agreed to.

On motion of Representative Bromley, **HB 313** was ordered perfected and printed.

**HCS HB 320**, relating to computer science courses, was taken up by Representative Fitzwater.

Representative Fitzwater moved that the title of **HCS HB 320** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 320, Page 1, In the Title, Line 3, by deleting the phrase "computer science courses" and inserting in lieu thereof the phrase "elementary and secondary education"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 320, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"166.400. Sections 166.400 to 166.455 shall be known and may be cited as the "Missouri Education [Savings] Program".

166.410. [Definitions.] As used in sections 166.400 to 166.455, except where the context clearly requires another interpretation, the following terms mean:

- (1) "Beneficiary", any individual designated by a participation agreement to benefit from payments for qualified education expenses at an eligible educational institution;
- (2) "Benefits", the payment of qualified education expenses on behalf of a beneficiary from a savings account during the beneficiary's attendance at an eligible educational institution;
- (3) "Board", the Missouri education [savings] program board established in section 166.415;
- (4) "Eligible educational institution", an [institution of postsecondary education] **eligible educational institution** as defined in Section [529(e)(5)] **529** of the Internal Revenue Code, [and institutions of elementary and secondary education as provided in Sections 529(e)(7) and 529(e)(3) of the Internal Revenue Code,] as amended;
- (5) "Financial institution", a bank, insurance company or registered investment company;
- (6) "Internal Revenue Code", the Internal Revenue Code of 1986, as amended;
- (7) "Missouri education [savings] program" or "[savings] program", the program created pursuant to sections 166.400 to 166.455;
- (8) "Participant", a person who has entered into a participation agreement pursuant to sections 166.400 to 166.455 for the advance payment of qualified education expenses on behalf of a beneficiary;
- (9) "Participation agreement", an agreement between a participant and the board pursuant to and conforming with the requirements of sections 166.400 to 166.455; and
- (10) "Qualified higher education expenses" or "qualified education expenses", the qualified costs of tuition and fees and other expenses for attendance at an eligible educational institution, as defined in Section [529(e)(3)] **529** of the Internal Revenue Code, as amended.

166.415. 1. There is hereby created the "Missouri Education [Savings] Program". The program shall be administered by the Missouri education [savings] program board which shall consist of the Missouri state treasurer who shall serve as chairman, the commissioner of the department of higher education and workforce development, the commissioner of education, the commissioner of the office of administration, the director of the department of economic development, two persons having demonstrable experience and knowledge in the areas of finance or the investment and management of public funds, one of whom is selected by the president pro tem of the senate and one of whom is selected by the speaker of the house of representatives, and one person having demonstrable experience and knowledge in the area of banking or deposit rate determination and placement of depository certificates of deposit or other deposit investments. Such member shall be appointed by the governor with the advice and consent of the senate. The three appointed members shall be appointed to serve for terms of four years from the date of appointment, or until their successors shall have been appointed and shall have qualified. The members of the board shall be subject to the conflict of interest provisions of section 105.452. Any member who violates the conflict of interest provisions shall be removed from the board. In order to establish and administer the [savings] program, the board, in addition to its other powers and authority, shall have the power and authority to:

- (1) Develop and implement the Missouri education [savings] program and, notwithstanding any provision of sections 166.400 to 166.455 to the contrary, the [savings] programs and services consistent with the purposes and objectives of sections 166.400 to 166.455;
- (2) Promulgate reasonable rules and regulations and establish policies and procedures to implement sections 166.400 to 166.455, to permit the [savings] program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code and to ensure the [savings] program's compliance with all applicable laws;

(3) Develop and implement educational programs and related informational materials for participants, either directly or through a contractual arrangement with a financial institution for investment services, and their families, including special programs and materials to inform families with young children regarding methods for financing education and training;

(4) Enter into agreements with any financial institution, the state or any federal or other agency or entity as required for the operation of the [savings] program pursuant to sections 166.400 to 166.455;

(5) Enter into participation agreements with participants;

(6) Accept any grants, gifts, legislative appropriations, and other moneys from the state, any unit of federal, state, or local government or any other person, firm, partnership, or corporation for deposit to the account of the [savings] program;

(7) Invest the funds received from participants in appropriate investment instruments to achieve long-term total return through a combination of capital appreciation and current income;

(8) Make appropriate payments and distributions on behalf of beneficiaries pursuant to participation agreements;

(9) Make refunds to participants upon the termination of participation agreements pursuant to the provisions, limitations, and restrictions set forth in sections 166.400 to 166.455 and the rules adopted by the board;

(10) Make provision for the payment of costs of administration and operation of the [savings] program;

(11) Effectuate and carry out all the powers granted by sections 166.400 to 166.455, and have all other powers necessary to carry out and effectuate the purposes, objectives and provisions of sections 166.400 to 166.455 pertaining to the [savings] program; and

(12) Procure insurance, guarantees or other protections against any loss in connection with the assets or activities of the [savings] program.

2. Any member of the board may designate a proxy for that member who will enjoy the full voting privileges of that member for the one meeting so specified by that member. No more than three proxies shall be considered members of the board for the purpose of establishing a quorum.

3. Four members of the board shall constitute a quorum. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. No action shall be taken by the board except upon the affirmative vote of a majority of the members present.

4. The board shall meet within the state of Missouri at the time set at a previously scheduled meeting or by the request of any four members of the board. Notice of the meeting shall be delivered to all other trustees in person or by depositing notice in a United States post office in a properly stamped and addressed envelope not less than six days prior to the date fixed for the meeting. The board may meet at any time by unanimous mutual consent. There shall be at least one meeting in each quarter.

5. The funds shall be invested only in those investments which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims, as provided in section 105.688. For new contracts entered into after August 28, 2012, board members shall study investment plans of other states and contract with or negotiate to provide benefit options the same as or similar to other states' qualified plans for the purpose of offering additional options for members of the plan. The board may delegate to duly appointed investment counselors authority to act in place of the board in the investment and reinvestment of all or part of the moneys and may also delegate to such counselors the authority to act in place of the board in the holding, purchasing, selling, assigning, transferring or disposing of any or all of the securities and investments in which such moneys shall have been invested, as well as the proceeds of such investments and such moneys. Such investment counselors shall be registered as investment advisors with the United States Securities and Exchange Commission. In exercising or delegating its investment powers and authority, members of the board shall exercise ordinary business care and prudence under the facts and circumstances prevailing at the time of the action or decision. No member of the board shall be liable for any action taken or omitted with respect to the exercise of, or delegation of, these powers and authority if such member shall have discharged the duties of ~~his or her~~ the member's position in good faith and with that degree of diligence, care and skill which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

6. No investment transaction authorized by the board shall be handled by any company or firm in which a member of the board has a substantial interest, nor shall any member of the board profit directly or indirectly from any such investment.

7. No trustee or employee of the [savings] program shall receive any gain or profit from any funds or transaction of the [savings] program. Any trustee, employee or agent of the [savings] program accepting any gratuity or compensation for the purpose of influencing such trustee's, employee's or agent's action with respect to the investment or management of the funds of the [savings] program shall thereby forfeit the office and in addition thereto be subject to the penalties prescribed for bribery.

**8. The state treasurer may delegate any duties assigned to the state treasurer under sections 135.712 to 135.719 and 166.700 to 166.720 to the Missouri education program board established under this section.**

166.420. 1. The board may enter into [savings] program participation agreements with participants on behalf of beneficiaries pursuant to the provisions of sections 166.400 to 166.455, including the following terms and conditions:

(1) A participation agreement shall stipulate the terms and conditions of the [savings] program in which the participant makes contributions;

(2) A participation agreement shall specify the method for calculating the return on the contribution made by the participant;

(3) The execution of a participation agreement by the board shall not guarantee that the beneficiary named in any participation agreement will be admitted to an eligible educational institution, be allowed to continue to attend an eligible educational institution after having been admitted or will graduate from an eligible educational institution;

(4) A participation agreement shall clearly and prominently disclose to participants the risk associated with depositing moneys with the board;

(5) Participation agreements shall be organized and presented in a way and with language that is easily understandable by the general public; and

(6) A participation agreement shall clearly and prominently disclose to participants the existence of any load charge or similar charge assessed against the accounts of the participants for administration or services.

2. The board shall establish the maximum amount ~~[which]~~ **that** may be contributed annually ~~[by a participant]~~ with respect to a beneficiary.

3. The board shall establish a total contribution limit for savings accounts established under the [savings] program with respect to a beneficiary to permit the [savings] program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code. No contribution may be made to a savings account for a beneficiary if it would cause the balance of all savings accounts of the beneficiary to exceed the total contribution limit established by the board. The board may establish other requirements that it deems appropriate to provide adequate safeguards to prevent contributions on behalf of a beneficiary from exceeding what is necessary to provide for the qualified education expenses of the beneficiary.

4. The board shall establish the minimum length of time that contributions and earnings must be held by the [savings] program to qualify pursuant to section 166.435. Any contributions or earnings that are withdrawn or distributed from a savings account prior to the expiration of the minimum length of time, as established by the board, shall be subject to a penalty pursuant to section 166.430.

166.425. All money paid by a participant in connection with participation agreements shall be deposited as received and shall be promptly invested by the board. Contributions and earnings thereon accumulated on behalf of participants in the [savings] program may be used, as provided in the participation agreement, for qualified education expenses. Such contributions and earnings shall not be considered income for purposes of determining a participant's eligibility for financial assistance under any state student aid program.

166.435. 1. Notwithstanding any law to the contrary, the assets of the [savings] program held by the board, the assets of any deposit program authorized in section 166.500, and the assets of any qualified tuition [savings] program established pursuant to Section 529 of the Internal Revenue Code and any income therefrom shall be exempt from all taxation by the state or any of its political subdivisions. Income earned or received from the [savings] program, deposit, or other qualified tuition [savings] programs established under Section 529 of the Internal Revenue Code, or refunds of qualified education expenses received by a beneficiary from an eligible educational institution in connection with withdrawal from enrollment at such institution which are contributed within sixty days of withdrawal to a qualified tuition [savings] program of which such individual is a beneficiary shall not be subject to state income tax imposed pursuant to chapter 143 and shall be eligible for any benefits provided in accordance with Section 529 of the Internal Revenue Code. The exemption from taxation pursuant to this section shall apply only to assets and income maintained, accrued, or expended pursuant to the requirements of the [savings] program established pursuant to sections 166.400 to 166.455, the deposit program established pursuant to sections 166.500 to 166.529, and other qualified tuition [savings] programs established under Section 529 of the Internal Revenue Code, and no exemption shall apply to assets and income expended for any other purposes.



Annual contributions made to the [savings] program held by the board, the deposit program, and any qualified tuition [savings] program established under Section 529 of the Internal Revenue Code up to and including eight thousand dollars per [participating] taxpayer, and up to sixteen thousand dollars for married individuals filing a joint tax return, shall be subtracted in determining Missouri adjusted gross income pursuant to section 143.121.

2. If any deductible contributions to or earnings from any such program referred to in this section are distributed and not used to pay qualified education expenses, not transferred as allowed by 26 U.S.C. Section 529(c)(3)(C)(i), as amended, and any Internal Revenue Service regulations or guidance issued in relation thereto, or are not held for the minimum length of time established by the appropriate Missouri board, then the amount so distributed shall be included in the Missouri adjusted gross income of the participant, or, if the participant is not living, the beneficiary.

3. The provisions of this section shall apply to tax years beginning on or after January 1, 2008, and the provisions of this section with regard to sections 166.500 to 166.529 shall apply to tax years beginning on or after January 1, 2004.

166.440. The assets of the [savings] program shall at all times be preserved, invested and expended only for the purposes set forth in this section and in accordance with the participation agreements, and no property rights therein shall exist in favor of the state.

166.456. All personally identifiable information concerning participants and beneficiaries of accounts established within the Missouri education [savings] program pursuant to sections 166.400 to 166.456 shall be confidential, and any disclosure of such information shall be restricted to purposes directly connected with the administration of the program.

166.502. As used in sections 166.500 to 166.529, except where the context clearly requires another interpretation, the following terms mean:

(1) "Beneficiary", any individual designated by a participation agreement to benefit from payments for qualified higher education expenses at an eligible educational institution;

(2) "Benefits", the payment of qualified higher education expenses on behalf of a beneficiary from a deposit account during the beneficiary's attendance at an eligible educational institution;

(3) "Board", the Missouri education [savings] program board established in section 166.415;

(4) "Eligible educational institution", an institution of postsecondary education as defined in Section 529(e)(5) of the Internal Revenue Code;

(5) "Financial institution", a depository institution and any intermediary that brokers certificates of deposits;

(6) "Internal Revenue Code", the Internal Revenue Code of 1986, as amended;

(7) "Missouri higher education deposit program" or "deposit program", the program created pursuant to sections 166.500 to 166.529;

(8) "Participant", a person who has entered into a participation agreement pursuant to sections 166.500 to 166.529 for the advance payment of qualified higher education expenses on behalf of a beneficiary;

(9) "Participation agreement", an agreement between a participant and the board pursuant to and conforming with the requirements of sections 166.500 to 166.529;

(10) "Qualified higher education expenses", the qualified costs of tuition and fees and other expenses for attendance at an eligible educational institution, as defined in Section 529(e)(3) of the Internal Revenue Code of 1986, as amended."; and

Further amend said bill, Page 7, Section 170.036, Line 59, by inserting after all of said section and line the following:

"209.610. 1. The board may enter into ABLÉ program participation agreements with participants on behalf of designated beneficiaries pursuant to the provisions of sections 209.600 to 209.645, including the following terms and conditions:

(1) A participation agreement shall stipulate the terms and conditions of the ABLÉ program in which the participant makes contributions;

(2) A participation agreement shall specify the method for calculating the return on the contribution made by the participant;

(3) A participation agreement shall clearly and prominently disclose to participants the risk associated with depositing moneys with the board;

(4) Participation agreements shall be organized and presented in a way and with language that is easily understandable by the general public; and

(5) A participation agreement shall clearly and prominently disclose to participants the existence of any load charge or similar charge assessed against the accounts of the participants for administration or services.

2. The board shall establish the maximum amount of contributions which may be made annually to an ABLE account, which shall be the same as the amount allowed by 26 U.S.C. Section 529A of the Internal Revenue Code of 1986, as amended.

3. The board shall establish a total contribution limit for savings accounts established under the ABLE program with respect to a designated beneficiary which shall in no event be less than the amount established as the contribution limit by the Missouri education [savings] program board for qualified tuition [savings] programs established under sections 166.400 to 166.450. No contribution shall be made to an ABLE account for a designated beneficiary if it would cause the balance of the ABLE account of the designated beneficiary to exceed the total contribution limit established by the board. The board may establish other requirements that it deems appropriate to provide adequate safeguards to prevent contributions on behalf of a designated beneficiary from exceeding what is necessary to provide for the qualified disability expenses of the designated beneficiary.

4. The board shall establish the minimum length of time that contributions and earnings must be held by the ABLE program to qualify as tax exempt pursuant to section 209.625. Any contributions or earnings that are withdrawn or distributed from an ABLE account prior to the expiration of the minimum length of time, as established by the board, shall be subject to a penalty pursuant to section 209.620."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 320, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

**"162.052. 1. The registered voters of a school district may file a petition with the district's school board asking that an item be placed on a board meeting agenda. If the school board of a school district receives a petition, signed by at least five percent of the registered voters of the school district voting in the last school board election, calling for an item to be placed on the agenda for the school board's next meeting, the school board shall place the requested item on the next meeting's agenda and shall take a vote on the petitioned item. The petition shall include each signer's printed or typed name, registered voting address, signature, and the date signed.**

**2. The school board shall follow all relevant board policies in regards to the placement of the item on the agenda, time allowed for discussion, testimony allowed, quorum requirements, the process by which a vote is taken, and the required number of votes for approval.**

**3. The petition shall contain a concise statement of what the school board is being requested to discuss and vote upon. Such statement shall consist of no more than one hundred words. The item requested by the petition shall be presented to the board in its exact form and shall not be modified by the board.**

**4. A petition to request an item to be placed on the school board's agenda shall not be submitted for the same item more than once every six months.**

**5. Items that may be presented to the board by petition shall include, but shall not be limited to:**

**(1) Implementing, changing, or repealing a board policy;**

**(2) Modifying or reversing an action by school administration or requesting that certain action be taken by school administration;**

**(3) Implementing, changing, or discontinuing the use of any curriculum or course of instruction; or**

**(4) Modifying the school calendar.**

**6. The petition process under this section shall not be used to recall board members, change district boundaries, authorize any bonding, impose any additional tax, or for any other purpose that would require an issue be placed on the ballot to be voted upon by residents at an election. However, a petition may be used**

**under this section to request that any of the issues described under this subsection be discussed at an upcoming school board meeting and voted upon by the school board for further consideration by the district's voters.";** and

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

Representative Shaul 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 House Bill No. 320, Page 1, Lines 9 to 10, by deleting all of said lines and inserting in lieu thereof the following:

**"within the next three board meetings. The petition shall include each signer's printed or typed name, registered voting address, signature, and the date signed. The school district shall verify the petition requirements with the local election authority of the district.";** and

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

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

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

On motion of Representative Fitzwater, **HCS HB 320, as amended**, was adopted.

On motion of Representative Fitzwater, **HCS HB 320, as amended**, was ordered perfected and printed.

**HCS HB 589**, relating to the confiscation of animals, was taken up by Representative Knight.

Representative Knight moved that the title of **HCS HB 589** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 589, Page 1, In the Title, Line 3, by deleting the words "the confiscation of animals" and inserting in lieu thereof the words "public health"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 589, Page 4, Section 578.030, Line 32, by inserting the following after all of said section and line:

**"Section 1. 1. No entity in this state shall require documentation of an individual having received a vaccination against any disease in order for the individual to access transportation systems or services, including but not limited to buses, air travel, rail travel, taxicab or limousine services, prearranged rides as defined in section 387.400, other public transportation, or any public transportation facilities, including but not limited to bus and airport facilities.**

**2. No Missouri government entity, subdivision, agency, or agent, is authorized to issue vaccine passports, vaccine passes, or other standardized documentation for the purpose of certifying an individual's COVID-19 vaccination status to a third party, or otherwise publish or share any individual's COVID-19 vaccination record or similar health information.**

**3. Missouri business entities are prohibited from requiring patrons or customers to provide any documentation certifying COVID-19 vaccination or post-transmission recovery to gain access to, entry upon, or service from the business entity.**

**4. All businesses must comply with this act to be eligible for grants or contracts funded through state revenue.**

**5. The requirements in this act do not otherwise restrict businesses from instituting COVID-19 screening protocols in accordance with state and federal law to protect public health, and nothing herein shall be construed to interfere with individuals' rights to access their own personal health information under federal law.";** and

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

Speaker Vescovo resumed the Chair.

Representative Eggleston 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 House Bill No. 589, Page 1, Line 13, by deleting the words "**patrons or customers**" and inserting in lieu thereof the words "**patrons, customers, or employees**"; and

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Andrews	Atchison	Bailey	Baker	Basye
Billington	Black 137	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Coleman 32
Coleman 97	Cook	Copeland	Cupps	Davidson
Davis	Deaton	DeGroot	Derges	Dinkins
Dogan	Eggleston	Evans	Falkner	Fishel
Francis	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Haden	Haffner	Haley	Hannegan

Hardwick	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurlbert	Kalberloh	Kelley 127
Kelly 141	Knight	Lewis 6	Lovasco	Mayhew
McGill	Morse	Murphy	O'Donnell	Owen
Patterson	Perkins	Pike	Plocher	Pollitt 52
Pollock 123	Porter	Pouche	Price IV	Railsback
Reedy	Richey	Riggs	Riley	Roberts
Roden	Rone	Ruth	Sander	Sassmann
Schnelting	Schroer	Schwadron	Seitz	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Stacy
Tate	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Mr. Speaker

NOES: 036

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bland Manlove	Bosley	Brown 27
Brown 70	Burton	Butz	Clemens	Collins
Doll	Ellebracht	Fogle	Gunby	Johnson
Lewis 25	Mackey	McCreery	Merideth	Mosley
Phifer	Proudie	Quade	Rogers	Rowland
Sharp 36	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Young				

PRESENT: 000

ABSENT WITH LEAVE: 021

Aldridge	Black 7	Burnett	Christofanelli	Fitzwater
Gray	Ingle	Kidd	McDaniel	McGaugh
Nurrenbern	Person	Pietzman	Roeber	Sauls
Smith 163	Smith 67	Stephens 128	Stevens 46	Terry
Windham				

VACANCIES: 001

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

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

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

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 589, Page 1, Line 1, by inserting after the number "589," the following:

"Page 1, Section A, Line 2, by inserting after all of the said section and line the following:

"566.111. 1. A person commits the offense of sex with an animal if he or she engages in sexual conduct with an animal.

2. The offense of sex with an animal is a class A misdemeanor unless the person has previously been found guilty of an offense under this section or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this section, in which case the offense is a class E felony.

3. In addition to any penalty imposed or as a condition of probation the court may:

(1) Prohibit the offender from harboring animals or residing in any household where animals are present during the period of probation; or

(2) Order all animals in the offender's possession subject to a civil forfeiture action under chapter 513; or

(3) Order psychological evaluation and counseling of the offender at the offender's expense.

4. **(1) In addition to any other penalty imposed by this section, the court shall order a person found guilty under this section to submit to a comprehensive evaluation to be conducted by a licensed mental health professional prior to sentencing. The court shall use the evaluation's findings in determining the appropriate sentence.**

**(2) The costs of the comprehensive evaluation shall be paid by the defendant. If the court determines that the defendant is indigent, the cost of such evaluation shall be paid by the state. If the evaluation results in a recommendation of treatment and if the court so finds, the defendant shall be ordered to complete, as a condition of any jail or prison sentence, deferred judgment, suspended execution of sentence, suspended imposition of sentence, or probation, an appropriate treatment program designed to address the underlying causative factors for a violation under this section, as determined by the court after reviewing the comprehensive evaluation.**

5. Nothing in this section shall be construed to prohibit generally accepted animal husbandry, farming and ranching practices or generally accepted veterinary medical practices.

~~[5-]~~ 6. For purposes of this section, the following terms mean:

(1) "Animal", every creature, either alive or dead, other than a human being;

(2) **"Comprehensive evaluation", an evaluation that collects information on cognitive functioning; personality and mental health; social/developmental history; individual functioning/developmental competence; current family functioning; sexual and deviance issues; employment/academic functioning, delinquency, and behavioral issues; protective and risk factors; empathy and awareness of victim impact; substance abuse; offense and abuse characteristics; supervision and legal issues; and risk assessment;**

(3) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying the person's sexual desire.

578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

(1) "Adequate care", normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;

(2) "Adequate control", to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;

(3) "Animal", every living vertebrate except a human being;

(4) "Animal shelter", a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of animals;

(5) **"Comprehensive evaluation", an evaluation that collects information on cognitive functioning; personality and mental health; social/developmental history; individual functioning/developmental competence; current family functioning; sexual and deviance issues; employment/academic functioning, delinquency, and behavioral issues; protective and risk factors; empathy and awareness of victim impact; substance abuse; offense and abuse characteristics; supervision and legal issues; and risk assessment;**

(6) "Farm animal", an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;

~~[(6)]~~ (7) "Farm animal professional", any individual employed at a location where farm animals are harbored;

~~[(7)]~~ (8) "Harbor", to feed or shelter an animal at the same location for three or more consecutive days;

(9) **"Hoarding disorder", a behavioral pattern characterized by excessive acquisition of and an inability or unwillingness to discard large numbers of animals that results in inadequate care of the animals, has a negative impact on the animals' health and well-being, and often impacts the health and well-being of the collector;**

~~[(8)]~~ (10) "Humane killing", the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association's Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;

~~[(9)]~~ (11) "Owner", in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;

~~[(10)]~~ (12) "Person", any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

~~[(11)]~~ (13) "Pests", birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

578.009. 1. A person commits the offense of animal neglect if he or she:

- (1) Has custody or ownership of an animal and fails to provide adequate care; ~~[or]~~
- (2) Knowingly abandons an animal in any place without making provisions for its adequate care; **or**
- (3) Has a hoarding disorder causing the accumulation of custody or ownership of animals.**

2. The offense of animal neglect **under subdivision (1) or (2) of subsection 1 of this section** is a class C misdemeanor unless the person has previously been found guilty of an offense under **subdivision (1) or (2) of subsection 1 of this section**, or an offense in another jurisdiction which would constitute an offense under **subdivision (1) or (2) of subsection 1 of this section**, in which case it is a class B misdemeanor.

3. **The offense of animal neglect under subdivision (3) of subsection 1 of this section is a class C misdemeanor unless the person has previously been found guilty of an offense under subdivision (3) of subsection 1 of this section, or an offense in another jurisdiction that would constitute an offense under subdivision (3) of subsection 1 of this section, in which case it is a class E felony.**

4. All fines and penalties for a first finding of guilt under this section may be waived by the court if the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived. This section shall not apply to the provisions of section 578.007 or chapter 272.

5. **(1) Any person who pleads guilty to or is convicted of an offense under subsection 3 of this section shall undergo a court-ordered comprehensive evaluation to be conducted by a licensed mental health professional prior to sentencing. The court shall use the evaluation's findings in determining the appropriate sentence.**

**(2) The costs of the comprehensive evaluation shall be paid by the defendant. If the court determines that the defendant is indigent, the cost of such evaluation shall be paid by the state. If the evaluation results in a recommendation of treatment and if the court so finds, the defendant shall be ordered to complete, as a condition of any jail or prison sentence, deferred judgment, suspended execution of sentence, suspended imposition of sentence, or probation, an appropriate treatment program designed to address the underlying causative factors for a violation under this section, as determined by the court after reviewing the comprehensive evaluation.**

~~[4-]~~ 6. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect; and
- (4) The avoidance or minimization of any public health risks created by the neglect of the animals.

578.012. 1. A person commits the offense of animal abuse if he or she:

(1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care which results in substantial harm to the animal.

2. Animal abuse is a class A misdemeanor, unless the defendant has previously been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation consciously inflicted while the animal was alive, in which case it is a class E felony.

3. **(1) In addition to any other penalty imposed by this section, the court shall order a person found guilty under this section to submit to a comprehensive evaluation to be conducted by a licensed mental health professional prior to sentencing. The court shall use the evaluation's findings in determining the appropriate sentence.**

**(2) The costs of the comprehensive evaluation shall be paid by the defendant. If the court determines that the defendant is indigent, the cost of such evaluation shall be paid by the state. If the evaluation results in a recommendation of treatment and if the court so finds, the defendant shall be ordered**

to complete, as a condition of any jail or prison sentence, deferred judgment, suspended execution of sentence, suspended imposition of sentence, or probation, an appropriate treatment program designed to address the underlying causative factors for a violation under this section, as determined by the court after reviewing the comprehensive evaluation."; and

Further amend said bill,"; and

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

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

Representative Billington offered **House Amendment No. 3 to House Amendment No. 2.**

*House Amendment No. 3  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 589, Page 1, Line 21, by inserting after all of said line the following:

"Further amend said bill, Page 4, Section 578.030, Line 32, by inserting after all of said line the following:

**"Section 2. At all times, including during declared emergencies, religious services and activities of a religious organization shall be considered essential services and no rule, order, declaration, or direction of the state government shall treat any religious organization less favorably or more strictly than any other similarly situated organization in terms of function, service, assembly, size, or conduct. Any restriction of this right shall be subject to strict scrutiny."; and"; and**

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

On motion of Representative Billington, **House Amendment No. 3 to House Amendment No. 2** was adopted.

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Andrews	Atchison	Bailey	Baker	Basye
Billington	Black 137	Black 7	Boggs	Bromley
Brown 16	Buchheit-Courtway	Burger	Busick	Chipman
Christofanelli	Coleman 32	Coleman 97	Cook	Copeland
Cupps	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Dogan	Eggleston	Falkner
Fitzwater	Francis	Gregory 51	Gregory 96	Grier
Griesheimer	Griffith	Haden	Haffner	Haley
Hannegan	Hardwick	Henderson	Hicks	Hill
Houx	Hovis	Hudson	Hurlbert	Kalberloh
Kelley 127	Kelly 141	Knight	Lewis 6	Lovasco
Mayhew	McGirl	Morse	Murphy	O'Donnell
Owen	Patterson	Perkins	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Pouche	Railsback



Reedy	Richey	Riggs	Riley	Roberts
Roden	Rone	Ruth	Sander	Sassmann
Schnelting	Schroer	Schwadron	Seitz	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Smith 163
Stacy	Tate	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Wright
Mr. Speaker				

NOES: 034

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Burnett	Burton	Butz
Clemens	Collins	Doll	Fogle	Gunby
Johnson	Lewis 25	McCreery	Merideth	Mosley
Nurrenbern	Phifer	Proudie	Quade	Rowland
Sharp 36	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 000

ABSENT WITH LEAVE: 022

Aldridge	Bland Manlove	Bosley	Brown 27	Brown 70
Ellebracht	Evans	Fishel	Gray	Ingle
Kidd	Mackey	McDaniel	McGaugh	Person
Pietzman	Price IV	Roeber	Rogers	Sauls
Smith 67	Stephens 128			

VACANCIES: 001

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

AYES: 088

Andrews	Atchison	Bailey	Baker	Basye
Billington	Boggs	Brown 16	Buchheit-Courtway	Burger
Busick	Christofanelli	Coleman 32	Coleman 97	Cook
Copeland	Cupps	Deaton	DeGroot	Derges
Dinkins	Eggleston	Fitzwater	Francis	Gregory 51
Gregory 96	Grier	Griesheimer	Griffith	Haden
Haffner	Haley	Hannegan	Hardwick	Henderson
Hicks	Hill	Houx	Hovis	Hudson
Hurlbert	Kalberloh	Kelley 127	Kelly 141	Knight
Lewis 6	Mayhew	McGill	Morse	O'Donnell
Owen	Perkins	Pike	Plocher	Pollitt 52
Pollock 123	Porter	Pouche	Price IV	Proudie
Railsback	Reedy	Richey	Riggs	Roden
Rone	Ruth	Sassmann	Schnelting	Schroer
Seitz	Shaul	Simmons	Smith 155	Smith 163
Stacy	Tate	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Wallingford	Walsh 50
Wiemann	Wright	Mr. Speaker		

NOES: 056

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Black 137	Black 7	Bromley
Burnett	Burton	Butz	Chipman	Clemens
Collins	Davidson	Davis	Dogan	Doll
Falkner	Fogle	Gray	Gunby	Ingle
Johnson	Lewis 25	Lovasco	McCreery	Merideth
Mosley	Murphy	Nurrenbern	Patterson	Person
Phifer	Quade	Riley	Roberts	Rowland
Sander	Sauls	Schwadron	Sharp 36	Sharpe 4
Shields	Smith 67	Stephens 128	Taylor 139	Turnbaugh
Unsicker	Veit	Walsh Moore 93	Weber	West
Young				

PRESENT: 002

Terry                      Windham

ABSENT WITH LEAVE: 016

Aldridge	Bland Manlove	Bosley	Brown 27	Brown 70
Ellebracht	Evans	Fishel	Kidd	Mackey
McDaniel	McGaugh	Pietzman	Roeber	Rogers
Stevens 46				

VACANCIES: 001

On motion of Representative Knight, **HCS HB 589, as amended**, was adopted.

On motion of Representative Knight, **HCS HB 589, as amended**, was ordered perfected and printed.

**HCS HB 29**, relating to the Missouri accountability portal, was taken up by Representative Walsh (50).

Representative Walsh (50) moved that the title of **HCS HB 29** be agreed to.

Representative Walsh (50) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 29, Page 1, In the Title, Lines 2 and 3, by deleting the words, "the Missouri accountability portal" and inserting in lieu thereof the words, "government accountability"; and

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

On motion of Representative Walsh (50), **House Amendment No. 1** was adopted.

Representative Walsh (50) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 29, Page 1, Section A, Line 2, by inserting after all of said line the following:

- "29.420. 1. This section shall be known as the "Government Lending Transparency Act".
2. As used in this section, the following terms mean:
- (1) "Administering agency", a department, office, board, commission, bureau, institution, or any other agency of the state charged by statute, regulation, or order with administering a credit support program or lending program;
- (2) "Credit support program", any state program that guarantees or provides credit enhancements, such as state support for interest or principal payments, to the debt of private parties or municipalities, under which the state would be required to provide moneys if the borrower failed to pay;
- (3) "Lending program", any state program that offers moneys to private parties or municipalities that come with the expectation of repayment.
3. Each administering agency shall report annually to the state auditor by August thirtieth the following information:
- (1) The name and statutory authority for each lending program and credit support program administered by the agency;
- (2) For the immediately preceding fiscal year, the total dollar amount of all lending for each lending program administered by the agency and the total amount of debt supported by each credit support program administered by the agency; and
- (3) For the immediately preceding fiscal year, the reasonable estimates of the costs of likely defaults for each lending program and credit support program administered by the agency, using private sector accounting standards to evaluate the likelihood and costs of defaults.
4. The state auditor shall make an annual report compiling the data received from the administering agencies under this section, and shall submit the report to the general assembly annually by December fifteenth.
5. Intentional or knowing failure to comply with any reporting requirement contained in this section shall be punishable by a fine of up to two thousand dollars."; and

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

On motion of Representative Walsh (50), **House Amendment No. 2** was adopted.

On motion of Representative Walsh (50), **HCS HB 29, as amended**, was adopted.

On motion of Representative Walsh (50), **HCS HB 29, as amended**, was ordered perfected and printed.

**HCS HBs 165 & 196**, relating to county commissioners, was taken up by Representative Richey.

Representative Richey moved that the title of **HCS HBs 165 & 196** be agreed to.

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

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 165 & 196, Page 1, In the Title, Lines 2-3, by deleting the words "county commissioners" and inserting in lieu thereof the word "counties"; and

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

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

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

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 165 & 196, Page 2, Section 49.057, Line 13, by inserting after all of said line the following:

"49.310. 1. Except as provided in sections 221.400 to 221.420 and subsection 2 of this section, the county commission in each county in this state shall erect and maintain at the established seat of justice a good and sufficient courthouse, jail and necessary fireproof buildings for the preservation of the records of the county; except that in counties having a special charter, the jail or workhouse may be located at any place within the county. In pursuance of the authority herein delegated to the county commission, the county commission may acquire a site, construct, reconstruct, remodel, repair, maintain and equip the courthouse and jail, and in counties wherein more than one place is provided by law for holding of court, the county commission may buy and equip or acquire a site and construct a building or buildings to be used as a courthouse and jail, and may remodel, repair, maintain and equip buildings in both places. The county commission may issue bonds as provided by the general law covering the issuance of bonds by counties for the purposes set forth in this section. In bond elections for these purposes in counties wherein more than one place is provided by law for holding of court, a separate ballot question may be submitted covering proposed expenditures in each separate site described therein, or a single ballot question may be submitted covering proposed expenditures at more than one site, if the amount of the proposed expenditures at each of the sites is specifically set out therein.

2. The county commission in all counties of the fourth classification and any county of the third, second, or first classification may provide for the erection and maintenance of a good and sufficient jail or holding cell facility at a site in the county other than at the established seat of justice.

**3. In the absence of a local agreement otherwise, for any courthouse that contains both county offices and court facilities, the presiding judge of the circuit may establish rules and procedures for court facilities and areas necessary for court-related ingress, court-related egress and other reasonable court-related usage, but the county commission shall have authority over all other areas of the courthouse.**

476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates or containing, as of January 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS) may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of ~~the courthouse,~~ **court facilities, including courtrooms, jury rooms, and chambers or offices of the court;** serving court-generated papers and orders[-]; and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

- (1) Serve process;
- (2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit."; and

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

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

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

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 165 & 196, Page 2, Section 49.057, Line 13, by inserting after all of said line the following:

"137.275. Every person who thinks himself aggrieved by the assessment of his property may appeal to the county board of equalization, in person, by attorney or agent, or in writing. Such appeals shall be lodged with the county board of equalization on or before the second Monday in July. **Upon receiving an appeal, the county board of equalization or its representative shall promptly issue a receipt to the person lodging the appeal, confirming that the appeal has been received. If the appeal is lodged in person, such receipt shall be issued immediately. If the appeal is lodged via mail or electronically, such receipt shall be issued within two business days.**"; and

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Andrews	Atchison	Bailey	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Christofanelli
Coleman 32	Coleman 97	Cook	Copeland	Cupps
Davidson	Davis	Deaton	DeGroot	Derges
Dinkins	Dogan	Eggleston	Evans	Falkner
Fitzwater	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Haden	Haffner	Haley	Hannegan
Hardwick	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurlbert	Kalberloh	Kelley 127
Kelly 141	Lewis 6	Mayhew	McGaugh	Morse
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche
Proudie	Railsback	Reedy	Richey	Riggs
Riley	Roberts	Rone	Ruth	Sander
Sassmann	Schnelting	Schwadron	Seitz	Sharpe 4
Shaul	Shields	Smith 155	Smith 163	Stacy
Stephens 128	Tate	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Mr. Speaker

NOES: 041

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bland Manlove	Brown 27	Brown 70
Burnett	Burton	Butz	Clemens	Collins

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Doll	Ellebracht	Fogle	Gray	Gunby
Ingle	Johnson	Lewis 25	Mackey	McCreery
Merideth	Mosley	Nurrenbern	Person	Phifer
Quade	Rogers	Rowland	Sauls	Terry
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham
Young				

PRESENT: 002

Roden                      Smith 67

ABSENT WITH LEAVE: 019

Aldridge	Baker	Bosley	Fishel	Francis
Kidd	Knight	Lovasco	McDaniel	McGill
Murphy	Pietzman	Price IV	Roeber	Schroer
Sharp 36	Simmons	Stevens 46	Wright	

VACANCIES: 001

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

On motion of Representative Richey, **HCS HBs 165 & 196, as amended**, was adopted.

On motion of Representative Richey, **HCS HBs 165 & 196, as amended**, was ordered perfected and printed.

**HB 1070**, relating to immunity from liability for inherent risks of camping, was taken up by Representative Hudson.

Representative Hudson moved that the title of **HB 1070** be agreed to.

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

*House Amendment No. 1*

AMEND House Bill No. 1070, Page 1, In the Title, Lines 2-3, by deleting the words "immunity from liability for inherent risks of camping" and inserting in lieu thereof the words "landowner liability"; and

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

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

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

*House Amendment No. 2*

AMEND House Bill No. 1070, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"316.250. 1. This section shall be known and may be cited as "Ethan's Law".

2. Every owner of a for-profit private swimming pool or facility shall maintain adequate insurance coverage in an amount of not less than one million dollars per occurrence for any liability incurred in the event of injury or death of a patron to such swimming pool or facility, including any liability incurred under paragraph ~~[(b)]~~ (a) of subdivision (3) of section 537.348. Such owners shall be required to register with the department of public safety and provide proof of such insurance coverage at the time of registration and when requested by any state or local governmental agency responsible for the enforcement of this section.

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

(1) "Owner", the owner of the land, including but not limited to a lessee, tenant, mortgagee in possession and the person in charge of the land on which a swimming pool is located;

(2) "Swimming pool or facility", any for-profit privately owned tank or body of water with a capacity of less than five hundred patrons which charges a fee per admission and is used and maintained for swimming or bathing purposes which has a maximum depth of greater than twenty-four inches. "Swimming pool or facility" shall include, but not be limited to, a swimming pool on lands in connection with the operation of any type of for-profit privately owned amusement or recreational park. "Swimming pool or facility" does not include a swimming pool or facility owned by a hotel, motel, public or governmental body, agency, or authority, a naturally occurring body of water or stream, or a body of water established by a person or persons and used for watering livestock, irrigation, or storm water management.

4. Any owner who violates the provisions of this section shall not be permitted to remain in operation until such owner meets the requirements of this section. Any such owner who allows operation of a swimming pool or facility in violation of this section shall be subject to a civil penalty of two hundred fifty dollars per day for each day of continued violation up to a maximum of ten thousand dollars and may be subject to liability for the costs incurred by the state or a political subdivision for enforcing the provisions of this section. In a separate court action, the attorney general may seek reimbursement on behalf of the state and a political subdivision may seek reimbursement on behalf of the political subdivision for costs incurred as a result of enforcing the provisions of this section. For purposes of this section, "each day of the violation" means each day that the swimming pool is operational and open for business and remains in violation of this section. It shall not include days that the swimming pool is not operational and open for business.

5. In addition, any owner who intentionally violates the provisions of this section is guilty of a class A misdemeanor. It shall be the duty of each prosecuting attorney and circuit attorney in their respective jurisdictions to commence any criminal actions under this section, and the attorney general shall have concurrent original jurisdiction to commence such criminal actions throughout the state where such violations have occurred.

6. The department of public safety shall implement and, with the assistance of local law enforcement agencies, enforce the provisions of this section.

7. An insurance company providing insurance coverage under this section shall notify the department of public safety if any owner of a swimming pool or facility as defined in this section terminates, cancels, or fails to renew such coverage. The department may utilize local law enforcement agencies to enforce the provisions of this section."; and

Further amend said bill, Page 3, Section 537.328, Line 70, by inserting after all of said section and line the following:

"537.346. 1. Except as provided in sections 537.345 to 537.348, and section 537.351, an owner of land owes no duty of care to any person who enters on the land without charge to keep his **or her** land safe for recreational use or to give any general or specific warning with respect to any natural or artificial condition, structure, or personal property thereon.

2. **No owner of land shall be liable for injuries of a trespasser occurring on his or her residential area or noncovered land, as those terms are defined in section 537.348, if such area or land is adjacent to a park as defined in section 253.010 or a trail as defined in section 258.100 if such trespasser is accessing or accessed the owner's property from the adjacent park or trail.**

537.347. Except as provided in sections 537.345 to 537.348, an owner of land who directly or indirectly invites or permits any person to enter his or her land for recreational use, without charge, whether or not the land is posted, or who directly or indirectly invites or permits any person to enter his or her land for recreational use in compliance with a state-administered recreational access **or wildlife management program**, does not thereby:

(1) Extend any assurance that the premises are safe for any purpose;

(2) Confer upon such person the status of an invitee, or any other status requiring of the owner a duty of special or reasonable care;

(3) Assume responsibility for or incur liability for any injury to such person or property caused by any natural or artificial condition, structure or personal property on the premises; or

(4) Assume responsibility for any damage or injury to any other person or property caused by an act or omission of such person.

537.348. Nothing in this act shall be construed to create liability, but it does not limit liability that otherwise would be incurred by those who use the land of others, or by owners of land for:

(1) Malicious or grossly negligent failure to guard or warn against a dangerous condition, structure, personal property which the owner knew or should have known to be dangerous, or negligent failure to guard or warn against an ultrahazardous condition which the owner knew or should have known to be dangerous;

(2) Injury suffered by a person who has paid a charge for entry to the land; or

(3) Injuries occurring on or in:

(a) ~~[Any land within the corporate boundaries of any city, municipality, town, or village in this state;~~

~~\_\_\_\_\_ (b)]~~ Any swimming pool. "Swimming pool" means a pool or tank, especially an artificial pool or tank, intended and adapted for swimming and held out as a swimming pool;

~~[(c)]~~ (b) Any residential area. "Residential area" as used ~~[herein]~~ **in this section** means ~~[a tract of land of one acre or less predominately used for residential purposes, or a tract of land of any size used for multifamily residential services]~~ **land used for residential purposes in an area in which housing predominates, as opposed to industrial and commercial areas, and any land used for farming or agricultural purposes;** or

~~[(d)]~~ (c) Any noncovered land. "Noncovered land" as used herein means any portion of any land, the surface of which portion is actually used primarily for commercial, industrial, mining or manufacturing purposes; provided, however, that use of any portion of any land primarily for agricultural, grazing, forestry, conservation, natural area, owner's recreation or similar or related uses or purposes shall not under any circumstances be deemed to be use of such portion for commercial, industrial, mining or manufacturing purposes."; and

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

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

On motion of Representative Hudson, **HB 1070, as amended**, was ordered perfected and printed.

## **PERFECTION OF HOUSE JOINT RESOLUTIONS - INFORMAL**

**HCS HJR 22**, relating to initiative petitions proposing amendments to the constitution, was placed back on the House Joint Resolutions for Perfection Calendar.

## **REFERRAL OF HOUSE BILLS**

The following House Bill was referred to the Committee indicated:

**HS HB 297** - Fiscal Review

## **REFERRAL OF SENATE BILLS**

The following Senate Bill was referred to the Committee indicated:

**HCS SS#2 SB 26** - Fiscal Review



## COMMITTEE REPORTS

### **Committee on Crime Prevention**, Chairman Roberts reporting:

Mr. Speaker: Your Committee on Crime Prevention, to which was referred **HB 166**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (6): Copeland, Hovis, Kelley (127), Roberts, Sauls and West

Noes (2): Davis and Sharp (36)

Absent (2): Aldridge and Seitz

### **Committee on Economic Development**, Chairman Grier reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 88**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (6): Baker, Boggs, Deaton, Grier, Smith (155) and Trent

Noes (3): Barnes, Gunby and Johnson

Absent (2): Cupps and Riggs

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 690**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (8): Baker, Barnes, Boggs, Grier, Gunby, Johnson, Smith (155) and Trent

Noes (1): Deaton

Absent (2): Cupps and Riggs

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1339** and **HB 1324**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (9): Baker, Barnes, Boggs, Deaton, Grier, Gunby, Johnson, Smith (155) and Trent

Noes (0)

Absent (2): Cupps and Riggs

**Committee on Health and Mental Health Policy**, Chairman Stephens (128) reporting:

Mr. Speaker: Your Committee on Health and Mental Health Policy, to which was referred **HB 989**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (11): Appelbaum, Buchheit-Courtway, Cook, Lewis (25), Seitz, Smith (155), Stephens (128), Stevens (46), Thomas, Wallingford and Wright

Noes (0)

Absent (5): Collins, Haden, Johnson, O'Donnell and Pollock (123)

**Committee on Judiciary**, Chairman Evans reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1003**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (9): Anderson, Coleman (97), Davis, Ellebracht, Evans, Reedy, Sauls, Veit and Walsh (50)

Noes (0)

Absent (3): Mackey, Schroer and Wiemann

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1415**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Anderson, Coleman (97), Davis, Evans, Reedy, Veit and Walsh (50)

Noes (2): Ellebracht and Sauls

Absent (3): Mackey, Schroer and Wiemann

**Committee on Transportation**, Chairman Ruth reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1259** and **HB 1230**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (10): Bromley, Buchheit-Courtway, Burger, Busick, Griesheimer, Hurlbert, Porter, Pouche, Ruth and Taylor (48)

Noes (4): Bangert, Butz, Mosley and Smith (67)

Absent (0)

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 49**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(28)(c) be referred to the Committee on Rules - Legislative Oversight by the following vote:

Ayes (14): Bangert, Bromley, Buchheit-Courtway, Burger, Busick, Butz, Griesheimer, Hurlbert, Mosley, Porter, Pouche, Ruth, Smith (67) and Taylor (48)

Noes (0)

Absent (0)

**Committee on Legislative Review**, Chairman Houx reporting:

Mr. Speaker: Your Committee on Legislative Review, to which was committed **HCS HB 441, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass with House Substitute** by the following vote:

Ayes (9): Burnett, Hicks, Houx, Kelly (141), McCreery, Shaul, Taylor (139), Veit and Wiemann

Noes (0)

Absent (0)

**COMMITTEE APPOINTMENTS**

April 12, 2021

Dana Rademan Miller  
Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 310  
Jefferson City, MO 65101

Dear Ms. Miller:

I hereby appoint Representative Rusty Black to the Career Technical Education Advisory Committee.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Rob Vescovo  
Speaker of the House

**ADJOURNMENT**

On motion of Representative Plocher, the House adjourned until 10:00 a.m., Tuesday, April 13, 2021.

## COMMITTEE HEARINGS

### ADMINISTRATION AND ACCOUNTS

Wednesday, April 14, 2021, 1:00 PM, House Hearing Room 1.

Public hearing will be held: HB 1183

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

Discussion of House policy changes.

Room change.

CORRECTED

### AGRICULTURE POLICY

Tuesday, April 13, 2021, 8:30 AM, House Hearing Room 1.

Public hearing will be held: HB 1411

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

### BUDGET

Tuesday, April 13, 2021, 8:15 AM, House Hearing Room 3.

Executive session will be held: HB 21

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

CORRECTED

### CHILDREN AND FAMILIES

Wednesday, April 14, 2021, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 431

Executive session will be held: HB 852, HB 1276

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

### DOWNSIZING STATE GOVERNMENT

Wednesday, April 14, 2021, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 5.

Public hearing will be held: HB 517

Executive session will be held: HB 1203, HB 1177

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

### ELECTIONS AND ELECTED OFFICIALS

Wednesday, April 14, 2021, 12:00 PM or upon morning recess (whichever is later),  
House Hearing Room 6.

Public hearing will be held: HB 917, HB 886, HB 1303, HB 1399, HB 1362

Executive session will be held: HJR 48

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

Added HB 1362.

AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 13, 2021, 8:00 AM, House Hearing Room 7.  
Public hearing will be held: SB 86, SS SCS SB 152, HB 421  
Executive session will be held: HB 743, HB 1381, HB 254, HB 368  
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES

Tuesday, April 13, 2021, 4:00 PM or upon afternoon recess (whichever is later), House Hearing Room 7.  
Public hearing will be held: SCS SB 403, SS SB 64, SS SB 176, SCS SB 457, SCR 7  
Executive session will be held: HB 1335  
Executive session may be held on any matter referred to the committee.

CORRECTED

ETHICS

Tuesday, April 13, 2021, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Portions of this meeting may be closed under the authority of Article III, Section 18 of the Missouri Constitution, House Rule 37, House Resolution 70, and RSMo 610.21(3) (personnel matters).

FISCAL REVIEW

Tuesday, April 13, 2021, 9:45 AM, House Hearing Room 4.  
Executive session may be held on any matter referred to the committee.  
Pending referral of HB 297.

INSURANCE

Tuesday, April 13, 2021, 4:00 PM or upon afternoon recess (whichever is later), House Hearing Room 6.  
Public hearing will be held: HB 907, SS SB 6  
Executive session will be held: HB 240  
Executive session may be held on any matter referred to the committee.  
Please Note: Time change.

CORRECTED

LOCAL GOVERNMENT

Thursday, April 15, 2021, 8:30 AM, House Hearing Room 7.  
Public hearing will be held: HB 607, HB 1365  
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 14, 2021, 9:00 AM, House Hearing Room 1.  
Public hearing will be held: SB 9  
Executive session may be held on any matter referred to the committee.

**PUBLIC SAFETY**

Tuesday, April 13, 2021, 9:00 AM, House Hearing Room 5.

Public hearing will be held: HB 863, HB 290

Executive session will be held: HB 1086, HB 1161, HB 955

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

**RULES - LEGISLATIVE OVERSIGHT**

Tuesday, April 13, 2021, upon adjournment, House Hearing Room 4.

Executive session will be held: HCS HB 86, HCS HBs 291 & 286, HCS HB 760, HB 971,

HB 1008, HCS HB 1023, HCS HB 1212, HCS HB 1239, HCS HB 1291, HB 851, SS SB 22,

HB 544, HB 605, HB 606, HB 626, HB 662, HB 930, HB 1111, HB 1217, HB 1238, HB 1306,

HB 1367, HB 1413, HB 1437

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

**SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT**

Tuesday, April 13, 2021, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 3.

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

Follow-up discussion with the Department of Labor on the unemployment overpayments.

**SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT**

Wednesday, April 14, 2021, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 3.

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

Portions of this meeting may be closed under the authority of Article III, Section 18 of the Missouri Constitution and RSMo 610.021.

This hearing will be open to public testimony to discuss the operations within the Department of Social Services.

Please Note: Comment change.

CORRECTED

**SPECIAL COMMITTEE ON REDISTRICTING**

Tuesday, April 13, 2021, 8:30 AM, House Hearing Room 6.

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

Public input for redistricting of MO Congressional District 5. In person and written testimony will be accepted.

**SPECIAL COMMITTEE ON REDISTRICTING**

Thursday, April 15, 2021, 8:30 AM, House Hearing Room 6.

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

Public input for redistricting of MO Congressional District 4. In person and written testimony will be accepted.

SPECIAL COMMITTEE ON REDISTRICTING

Tuesday, April 20, 2021, 8:30 AM, House Hearing Room 6.

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

Public input for redistricting of MO Congressional District 3. In person and written testimony will be accepted.

SPECIAL COMMITTEE ON REDISTRICTING

Thursday, April 22, 2021, 8:30 AM, House Hearing Room 6.

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

Public input for redistricting of MO Congressional District 2. In person and written testimony will be accepted.

SPECIAL COMMITTEE ON REDISTRICTING

Tuesday, April 27, 2021, 8:30 AM, House Hearing Room 6.

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

Public input for redistricting of MO Congressional District 1. In person and written testimony will be accepted.

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 14, 2021, 4:30 PM or upon adjournment (whichever is later), House Hearing Room 5.

Public hearing will be held: SB 72

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

TRANSPORTATION

Wednesday, April 14, 2021, 4:00 PM or upon adjournment (whichever is later), House Hearing Room 1.

Public hearing will be held: SCS SB 520

Executive session will be held: HB 569, HB 1319, HB 1205, HB 1355

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

VETERANS

Tuesday, April 13, 2021, 4:00 PM or upon afternoon recess (whichever is later), House Hearing Room 5.

Public hearing will be held: SS SB 258

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

Please Note: Time change.

CORRECTED

**WAYS AND MEANS**

Wednesday, April 14, 2021, 12:00 PM or upon morning recess (whichever is later), House Hearing Room 7.

Public hearing will be held: SS SCS SBs 153 & 97, SB 226, HJR 10

Executive session will be held: HB 688, SCR 2

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

Added SCR 2.

**AMENDED**

*Please note additional procedures will be in place due to the COVID-19 pandemic. All entrants to the capitol building may be required to submit to screening questions and physical screening. Members of the public must enter the building using the south entrance. Public seating in committees will be socially distanced and therefore limited. Committee hearings will be streamed. Links may be found at <https://www.house.mo.gov>.*

**HOUSE CALENDAR**

FIFTY-SECOND DAY, TUESDAY, APRIL 13, 2021

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

HJR 26 - Falkner

HJR 47 - Bailey

HJR 13 - Coleman (32)

HJR 17 - Kidd

HCS HJR 24 - Hardwick

HJR 43 - Hill

HJR 60 - Hill

HCS HJR 22 - Eggleston

**HOUSE BILLS FOR PERFECTION**

HB 37 - Pollock (123)

HCS HB 217 - Perkins

HB 451 - Bailey

HB 461 - Dogan

HCS HB 494 - Hurlbert

HCS HB 499 - Schroer

HCS HB 541 - Lewis (6)

HCS HB 549 - Christofanelli

HCS HBs 647 & 841 - Pollitt (52)

HB 652 - Stevens (46)

HB 750 - Lovasco

HCS HB 842 - Hill

HCS HBs 848, 617 & 822 - Sander

HCS HB 849 - Griffith



HCS HBs 1141 & 1067 - Shaul  
HCS HBs 1222 & 1342 - Van Schoiack  
HB 1349 - Porter  
HB 1363 - Dogan

**HOUSE BILLS FOR PERFECTION - INFORMAL**

HCS HB 876, as amended (Legislative Review 3/31/21) - Dogan  
HCS HB 1095 - Deaton  
HCS HB 66 - Pike  
HB 143 - DeGroot  
HB 161 - Hudson  
HCS HB 214 - Hill  
HCS HB 229 - Basye  
HB 261 - Black (137)  
HB 318 - DeGroot  
HCS HB 394 - Reedy  
HB 395 - Reedy  
HS HCS HB 441 - Falkner  
HB 469 - Dinkins  
HCS HB 512 - Lovasco  
HCS HB 553 - Hicks  
HCS HB 555 - Eggleston  
HCS HB 682 - Chipman  
HCS HB 825 - Schwadron  
HCS HB 1016 - Griesheimer  
HB 1200 - Billington  
HCS HB 1030 - Taylor (139)  
HCS HB 556 - Eggleston  
HCS HB 577 - Riley  
HB 92 - Taylor (139)  
HB 158 - Hudson  
HB 177 - Ellebracht  
HB 491 - Grier  
HCS HB 782 - Trent  
HB 920 - Baker  
HCS HB 307 - Griesheimer  
HB 316 - Toalson Reisch  
HB 894 - Riggs  
HS HB 513 - Smith (155)  
HS HB 152 - Rone  
HB 474 - Trent  
HCS HB 785 - Hicks  
HB 212 - Hill  
HB 708 - Trent

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HCS HB 27 - Walsh (50)  
HB 259 - Evans  
HCS HB 402 - Mosley  
HB 1088 - Hovis  
HCS HB 1202 - Fitzwater  
HCS HB 439 - Davidson  
HCS HB 472 - Griesheimer  
HB 478 - Christofanelli  
HCS HB 303 - Wiemann  
HCS HB 602 - Grier  
HCS HB 137 - Richey  
HCS HB 1408 - Plocher  
HB 1416 - Black (137)  
HCS HB 689 - Shields  
HCS HB 649 - Shaul

#### **HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING**

HCR 29 - Riggs

#### **HOUSE BILLS FOR THIRD READING**

HS HB 297, (Fiscal Review 4/12/21) - Wallingford

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

HCS HB 946 - Hill  
HB 500 - Schroer  
HCS HB 248, (Fiscal Review 4/7/21) - Coleman (32)

#### **SENATE BILLS FOR THIRD READING**

SB 189 - Sharp (36)  
HCS SS#2 SB 26, (Fiscal Review 4/12/21) - Schroer

#### **ACTIONS PURSUANT TO ARTICLE IV, SECTION 27**

HCS HB 2001 - Smith (163)  
CCS SCS HS HCS HB 2002 - Smith (163)  
CCS SCS HS HCS HB 2003 - Smith (163)  
CCS SCS HS HCS HB 2004 - Smith (163)  
CCS SCS HS HCS HB 2005 - Smith (163)  
CCS SS SCS HS HCS HB 2006 - Smith (163)  
CCS SCS HS HCS HB 2007 - Smith (163)  
CCS SCS HS HCS HB 2008 - Smith (163)  
CCS SCS HS HCS HB 2009 - Smith (163)

CCS SCS HS HCS HB 2010 - Smith (163)  
CCS SCS HS HCS HB 2011 - Smith (163)  
CCS SCS HS HCS HB 2012 - Smith (163)  
SCS HCS HB 2013 - Smith (163)  
HCS HB 2017 - Smith (163)  
HCS HB 2018 - Smith (163)  
HCS HB 2019 - Smith (163)  
HCS HB 14, (2020, 2nd Extra) - Smith (163)

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