

JOURNAL OF THE HOUSE

First Regular Session, 101st GENERAL ASSEMBLY

SIXTY-FIFTH DAY, WEDNESDAY, MAY 5, 2021

The House met pursuant to adjournment.

Speaker Vescovo in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicki, Chaplain.

Blessed is everyone that feareth the Lord; that walketh in His ways. (Psalm 128:1)

O God, who is the sustainer of all living things, without whose blessings our labor would be in vain and with whose blessing we walk the way to life and light, we pause before You this moment in the People's House seeking strength, peace and guidance from You.

Strengthen us when we are weak. May the peace of Your presence quiet the stress in our hearts, and when we would doubt or stumble on the way, make our paths straight before us and give us courage to walk with You in our Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hattie Ingle, Blake Frevert, Haley Frevert, Crew Gurley, and Coy Gurley.

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

AYES: 116

Anderson	Andrews	Atchison	Aune	Bailey
Baker	Baringer	Barnes	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Brown 27	Buchheit-Courtway	Burger	Busick	Chipman
Christofanelli	Coleman 32	Collins	Cook	Copeland
Cupps	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Eggleston	Ellebracht	Falkner
Fishel	Fitzwater	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	Knight	Lewis 6	Mackey	Mayhew
McGaugh	McGill	Murphy	Nurrenbern	O'Donnell
Owen	Perkins	Person	Phifer	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche

2282 *Journal of the House*

Railsback	Reedy	Riggs	Riley	Roberts
Roden	Rone	Ruth	Sander	Sassmann
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Stacy
Stephens 128	Taylor 139	Taylor 48	Terry	Thompson
Toalson Reisch	Trent	Turnbaugh	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Wright
Mr. Speaker				

NOES: 019

Adams	Appelbaum	Bland Manlove	Bosley	Butz
Coleman 97	Doll	Fogle	Lewis 25	McCreery
McDaniel	Merideth	Quade	Rowland	Smith 45
Stevens 46	Unsicker	Weber	Young	

PRESENT: 003

Rogers	Smith 67	Windham
--------	----------	---------

ABSENT WITH LEAVE: 024

Aldridge	Bangert	Brown 70	Burnett	Burton
Clemens	Dogan	Evans	Hicks	Kidd
Lovasco	Morse	Mosley	Patterson	Pietzman
Price IV	Proudie	Richey	Sauls	Schnelting
Sharp 36	Tate	Thomas	Walsh Moore 93	

VACANCIES: 001

MOTION

Representative Plocher moved that Rule 22 be suspended.

Which motion was adopted by the following vote:

AYES: 101

Andrews	Atchison	Bailey	Baker	Basye
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Christofanelli
Coleman 32	Coleman 97	Cook	Copeland	Cupps
Davidson	Davis	DeGroot	Derges	Dinkins
Dogan	Eggleston	Falkner	Fishel	Fitzwater
Francis	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Haden	Haffner	Haley	Hannegan
Hardwick	Henderson	Hill	Houx	Hovis
Hudson	Hurlbert	Kalberloh	Kelley 127	Kelly 141
Kidd	Knight	Lewis 6	Mayhew	McGaugh
McGill	Murphy	O'Donnell	Owen	Patterson
Perkins	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Railsback	Reedy	Riggs
Riley	Roberts	Roden	Rone	Ruth
Sander	Sassmann	Schroer	Schwadron	Seitz
Sharpe 4	Shaul	Shields	Simmons	Smith 155

Smith 163	Stacy	Stephens 128	Taylor 139	Taylor 48
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Wright

NOES: 035

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Bosley	Brown 27	Butz
Collins	Doll	Ellebracht	Fogle	Gray
Gunby	Johnson	Lewis 25	Mackey	McCreery
Merideth	Mosley	Nurrenbern	Phifer	Quade
Rogers	Rowland	Smith 45	Smith 67	Terry
Turnbaugh	Unsicker	Weber	Windham	Young

PRESENT: 002

Barnes	McDaniel
--------	----------

ABSENT WITH LEAVE: 024

Aldridge	Billington	Brown 70	Burnett	Burton
Clemens	Deaton	Evans	Hicks	Ingle
Lovasco	Morse	Person	Pietzman	Price IV
Proudie	Richey	Sauls	Schnelting	Sharp 36
Stevens 46	Tate	Thomas	Walsh Moore 93	

VACANCIES: 001

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Fitzwater reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS HCS HB 362, as amended**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Baringer, Eggleston, Fitzwater, Griesheimer, Richey, Terry, Walsh (50) and Wiemann

Noes (0)

Absent (0)

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 152**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Baringer, Eggleston, Fitzwater, Griesheimer, Richey, Terry, Walsh (50) and Wiemann

Noes (0)

Absent (0)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 685** entitled:

An act to repeal sections 27.010, 50.166, 51.050, 55.060, 58.030, 59.021, 59.100, 60.010, 77.230, 79.080, 105.465, 162.291, 190.050, 204.610, 247.060, 249.140, 321.130, 451.040, and 483.010, RSMo, and to enact in lieu thereof twenty new sections relating to certain public officers, with an existing penalty provision.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 685, Page 3, Section 50.166, Line 29, by inserting after all of said line the following:

"50.530. As used in sections 50.530 to 50.745:

(1) "Accounting officer" means county auditor in counties of the first and second classifications and the county clerks in counties of the third and fourth classifications;

(2) "Budget officer" means such person, as may, from time to time, be appointed by the county commission of counties of the first classification except in counties of the first classification with a population of less than one hundred thousand inhabitants according to the official United States Census of 1970 the county auditor shall be the chief budget officer, the presiding commissioner of the county commission in counties of the second classification, unless the county commission designates the county clerk as budget officer, and the county clerk in counties of the third and fourth classification. [~~Notwithstanding the provisions of this subdivision to the contrary, in any county of the first classification with more than eighty two thousand but fewer than eighty two thousand one hundred inhabitants, the presiding commissioner shall be the budget officer unless the county commission designates the county clerk as the budget officer.~~]; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE BILLS

The following House Bill was referred to the Committee indicated:

SCS HCS HB 685, as amended - Fiscal Review

THIRD READING OF SENATE BILLS - INFORMAL

HCS SB 226, relating to sales tax, was taken up by Representative Christofanelli.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, In the Title, Lines 2-3, by deleting the words "sales tax" and inserting in lieu thereof the word "taxation"; and

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

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

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

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit. The amount added pursuant to this subdivision shall not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax liability pursuant to Public Law 116-136, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, and deducted from Missouri adjusted gross income pursuant to section 143.171;

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

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

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

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

(6) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section 163, as amended, in the current taxable year by reason of the carryforward of disallowed business interest provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist.

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

(1) Interest received on deposits held at a federal reserve bank or interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the

described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

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

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

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

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

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

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

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

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

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

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

(11) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in the current taxable year, but not deducted as a result of the limitation imposed under 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as amended, did not exist; **and**

(12) For taxpayers authorized to conduct business under Article XIV of the Constitution of Missouri, the amount that would have been deducted from the computation of the taxpayer's federal taxable income if such a deduction were not disallowed under 26 U.S.C. Section 280E, as in effect on January 1, 2021, because of the status of marijuana as a controlled substance under federal law.

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

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

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

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

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

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

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

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

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

9. The provisions of subsection 8 of this section shall expire on December 31, 2020."; 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 Grier offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"32.110. Any business firm which engages in the activities of providing physical revitalization, economic development, job training or education for individuals, community services, or crime prevention in the state of Missouri shall receive a tax credit as provided in section 32.115 if the director of the department of economic development annually approves the proposal of the business firm; except that, no proposal shall be approved which does not have the endorsement of the agency of local government within the area in which the business firm is engaging in such activities which has adopted an overall community or neighborhood development plan that the proposal is consistent with such plan. The proposal shall set forth the program to be conducted, the neighborhood area to be served, why the program is needed, the estimated amount to be contributed to the program and the plans for implementing the program. If, in the opinion of the director of the department of economic development, a business firm's contribution can more consistently with the purposes of sections 32.100 to 32.125 be made through contributions to a neighborhood organization as defined in subdivision (13) of section 32.105, tax credits may be allowed as provided in section 32.115. The director of the department of economic development is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval and for establishing priorities for approval or disapproval of such proposals by business firms with the assistance and approval of the director of the department of revenue. The total amount of tax credit granted for programs approved pursuant to sections 32.100 to 32.125 shall not exceed fourteen million dollars in fiscal year 1999 ~~and~~; twenty-six million dollars in fiscal year 2000, and ~~any subsequent~~ **each fiscal year ending on or before June 30, 2021; and thirty million dollars in each fiscal year beginning on or after July 1, 2021**, except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117. All tax credits authorized pursuant to the provisions of sections 32.100 to 32.125 may be used as a state match to secure additional federal funding.

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

- (a) An area that is not part of a standard metropolitan statistical area;
- (b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or
- (c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture.

Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 ~~and~~, six million dollars in fiscal year 2000, **and ten million dollars in fiscal year 2022** and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first

month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed ~~thirty-two~~ **thirty-six** million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year;

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.

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

(1) "CASA", an entity which receives funding from the court-appointed special advocate fund established under section 476.777, including an association based in this state, affiliated with a national association, organized to provide support to entities receiving funding from the court-appointed special advocate fund;

(2) "Child advocacy centers", the regional child assessment centers listed in subsection 2 of section 210.001, including an association based in this state, affiliated with a national association, and organized to provide support to entities listed in subsection 2 of section 210.001;

(3) "Contribution", the amount of donation to a qualified agency;

(4) "Crisis care center", entities contracted with this state which provide temporary care for children whose age ranges from birth through seventeen years of age whose parents or guardian are experiencing an unexpected and unstable or serious condition that requires immediate action resulting in short-term care, usually three to five continuous, uninterrupted days, for children who may be at risk for child abuse, neglect, or in an emergency situation;

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

(6) "Director", the director of the department of revenue;

(7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

(8) "Tax liability", the tax due under chapter 143 other than taxes withheld under sections 143.191 to 143.265.

2. For all tax years beginning on or after January 1, 2013, a tax credit may be claimed in an amount equal to up to fifty percent of a verified contribution to a qualified agency and shall be named the champion for children tax credit. The minimum amount of any tax credit issued shall not be less than fifty dollars and shall be applied to taxes due under chapter 143, excluding sections 143.191 to 143.265. A contribution verification shall be issued to the taxpayer by the agency receiving the contribution. Such contribution verification shall include the taxpayer's name, Social Security number, amount of tax credit, amount of contribution, the name and address of the agency receiving the credit, and the date the contribution was made. The tax credit provided under this subsection shall be initially filed for the year in which the verified contribution is made.

3. The cumulative amount of the tax credits redeemed shall not exceed one million dollars for all fiscal years ending on or before June 30, 2019~~[-and]~~ ; one million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2019, **and ending on or before June 30, 2021; and three million dollars for all fiscal years beginning on or after July 1, 2021.** The amount available shall be equally divided among the three qualified agencies: CASA, child advocacy centers, or crisis care centers, to be used towards tax credits issued. In the event tax credits claimed under one agency do not total the allocated amount for that agency, the unused portion for that agency will be made available to the remaining agencies equally. In the event the total amount of tax credits claimed for any one agency exceeds the amount available for that agency, the amount redeemed shall and will be apportioned equally to all eligible taxpayers claiming the credit under that agency.

4. Prior to December thirty-first of each year, each qualified agency shall apply to the department of social services in order to verify their qualified agency status. Upon a determination that the agency is eligible to be a qualified agency, the department of social services shall provide a letter of eligibility to such agency. No later than February first of each year, the department of social services shall provide a list of qualified agencies to the department of revenue. All tax credit applications to claim the champion for children tax credit shall be filed between July first and April fifteenth of each fiscal year. A taxpayer shall apply for the champion for children tax credit by attaching a copy of the contribution verification provided by a qualified agency to such taxpayer's income tax return.

5. Any amount of tax credit which exceeds the tax due or which is applied for and otherwise eligible for issuance but not issued shall not be refunded but may be carried over to any subsequent tax year, not to exceed a total of five years.

6. Tax credits may not be assigned, transferred or sold.

7. (1) In the event a credit denial, due to lack of available funds, causes a balance-due notice to be generated by the department of revenue, or any other redeeming agency, the taxpayer will not be held liable for any penalty or interest, provided the balance is paid, or approved payment arrangements have been made, within sixty days from the notice of denial.

(2) In the event the balance is not paid within sixty days from the notice of denial, the remaining balance shall be due and payable under the provisions of chapter 143.

8. The department may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

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

(1) The program authorized under this section shall be reauthorized as of December 31, 2019, and shall expire on December 31, 2025, unless reauthorized by the general assembly; and

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

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to redeem tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such credits.

10. Beginning on March 29, 2013, any verified contribution to a qualified agency made on or after January 1, 2013, shall be eligible for tax credits as provided by this section.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of ~~subsection~~ **subsections 3 and 4** of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project. **The amount of Missouri low-income housing tax credits allocated with respect to a qualified project shall be available to a taxpayer each year for five consecutive tax years beginning with the tax year in which a qualified project is placed into service.**

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. For all fiscal years beginning on or after July 1, 2021, the aggregate amount of tax credits authorized in a fiscal year for projects not financed through tax-exempt bond issuance shall not exceed eighty million dollars.

4. For all fiscal years ending on or before June 30, 2021, no more than six million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance. For all fiscal years beginning on or after July 1, 2021, no more than two million dollars in tax credits shall be authorized each fiscal year for projects financed through tax-exempt bond issuance.

~~[4-]~~ **5.** The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years.

~~[5-]~~ **6.** All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

~~[6-]~~ **7.** In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

[7-] 8. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

9. To aid in awarding credits under this section, the commission shall establish an evaluation rubric and score applicants for qualified Missouri projects against the rubric. The evaluation rubric shall include a component and score for applications that provide documentation to the commission demonstrating the applicant received competitive bids for the tax credits. The commission may authorize a preference for minority groups or women as part of a point system or rubric. The commission shall publish the rubric before it accepts applications and shall publish the scored rubric for each application.

135.365. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under sections 135.350 to 135.363 shall automatically sunset on December thirty-first six years after August 28, 2021, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under sections 135.350 to 135.363 shall automatically sunset on December thirty-first six years after the effective date of the reauthorization of sections 135.350 to 135.363;

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 135.350 to 135.363 is sunset; and

(4) The provisions of this section shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under sections 135.350 to 135.363 expires or a taxpayer's ability to redeem such tax credits.

135.460. 1. This section and sections 620.1100 and 620.1103 shall be known and may be cited as the "Youth Opportunities and Violence Prevention Act".

2. As used in this section, the term "taxpayer" shall include corporations as defined in section 143.441 or 143.471, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, and individuals, individual proprietorships and partnerships.

3. A taxpayer shall be allowed a tax credit against the tax otherwise due pursuant to chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, chapter 147, chapter 148, or chapter 153 in an amount equal to thirty percent for property contributions and fifty percent for monetary contributions of the amount such taxpayer contributed to the programs described in subsection 5 of this section, not to exceed two hundred thousand dollars per taxable year, per taxpayer, **for each fiscal year ending on or before June 30, 2021, and five hundred thousand dollars per tax year, per taxpayer, for each fiscal year beginning on or after July 1, 2021;** except as otherwise provided in subdivision (5) of subsection 5 of this section. The department of economic development shall prescribe the method for claiming the tax credits allowed in this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

4. The tax credits allowed by this section shall be claimed by the taxpayer to offset the taxes that become due in the taxpayer's tax period in which the contribution was made. Any tax credit not used in such tax period may be carried over the next five succeeding tax periods.

5. The tax credit allowed by this section may only be claimed for monetary or property contributions to public or private programs authorized to participate pursuant to this section by the department of economic development and may be claimed for the development, establishment, implementation, operation, and expansion of the following activities and programs:

(1) An adopt-a-school program. Components of the adopt-a-school program shall include donations for school activities, seminars, and functions; school-business employment programs; and the donation of property and equipment of the corporation to the school;

(2) Expansion of programs to encourage school dropouts to reenter and complete high school or to complete a graduate equivalency degree program;

(3) Employment programs. Such programs shall initially, but not exclusively, target unemployed youth living in poverty and youth living in areas with a high incidence of crime;

(4) New or existing youth clubs or associations;

(5) Employment/internship/apprenticeship programs in business or trades for persons less than twenty years of age, in which case the tax credit claimed pursuant to this section shall be equal to one-half of the amount paid to the intern or apprentice in that tax year, except that such credit shall not exceed ten thousand dollars per person **for each fiscal year ending on or before June 30, 2021, and twenty thousand dollars per person for each fiscal year beginning on or after July 1, 2021;**

(6) Mentor and role model programs;

(7) Drug and alcohol abuse prevention training programs for youth;

(8) Donation of property or equipment of the taxpayer to schools, including schools which primarily educate children who have been expelled from other schools, or donation of the same to municipalities, or not-for-profit corporations or other not-for-profit organizations which offer programs dedicated to youth violence prevention as authorized by the department;

(9) Not-for-profit, private or public youth activity centers;

(10) Nonviolent conflict resolution and mediation programs;

(11) Youth outreach and counseling programs.

6. Any program authorized in subsection 5 of this section shall, at least annually, submit a report to the department of economic development outlining the purpose and objectives of such program, the number of youth served, the specific activities provided pursuant to such program, the duration of such program and recorded youth attendance where applicable.

7. The department of economic development shall, at least annually submit a report to the Missouri general assembly listing the organizations participating, services offered and the number of youth served as the result of the implementation of this section.

8. The tax credit allowed by this section shall apply to all taxable years beginning after December 31, 1995.

9. For the purposes of the credits described in this section, in the case of a corporation described in section 143.471, partnership, limited liability company described in section 347.015, cooperative, marketing enterprise, or partnership, in computing Missouri's tax liability, such credits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership;

(3) The members of the limited liability company; and

(4) Individual members of the cooperative or marketing enterprise.

Such credits shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

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

(1) "Contribution", a donation of cash, stock, bonds, other marketable securities, or real property;

(2) "Department", the department of social services;

(3) "Diaper bank", a nonprofit entity located in this state established and operating primarily for the purpose of collecting or purchasing disposable diapers or other hygiene products for infants, children, or incontinent adults and that regularly distributes such diapers or other hygiene products through two or more schools, health care facilities, governmental agencies, or other nonprofit entities for eventual distribution to individuals free of charge;

(4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 148 or 153;

(5) "Taxpayer", a person, firm, partner in a firm, corporation, or shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143; an insurance company paying an annual tax on its gross premium receipts in this state; any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148; an express company that pays an annual tax on its gross receipts in this state under chapter 153; an individual subject to the state income tax under chapter 143; or any charitable organization that is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all fiscal years beginning on or after July 1, 2019, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount of such taxpayer's contributions to a diaper bank.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per tax year. However, any tax credit that cannot be claimed in the tax year the contribution was made may be carried over only to the next subsequent tax year. No tax credit issued under this section shall be assigned, transferred, or sold.

4. Except for any excess credit that is carried over under subsection 3 of this section, no taxpayer shall be allowed to claim a tax credit unless the taxpayer contributes at least one hundred dollars to one or more diaper banks during the tax year for which the credit is claimed.

5. The department shall determine, at least annually, which entities in this state qualify as diaper banks. The department may require of an entity seeking to be classified as a diaper bank any information which is reasonably necessary to make such a determination. The department shall classify an entity as a diaper bank if such entity satisfies the definition under subsection 1 of this section.

6. The department shall establish a procedure by which a taxpayer can determine if an entity has been classified as a diaper bank.

7. Diaper banks may decline a contribution from a taxpayer.

8. The cumulative amount of tax credits that may be claimed by all the taxpayers contributing to diaper banks ~~in any one~~ **for each fiscal year ending on or before June 30, 2021**, shall not exceed five hundred thousand dollars. **The cumulative amount of tax credits that may be claimed by all the taxpayers contributing to diaper banks for each fiscal year beginning on or after July 1, 2021, shall not exceed two million dollars.** Tax credits shall be issued in the order contributions are received. If the amount of tax credits redeemed in a tax year is less than ~~five hundred thousand dollars~~ **the cumulative amount allowed under this subsection**, the difference shall be added to the cumulative limit created under this subsection for the next fiscal year and carried over to subsequent fiscal years until claimed.

9. The department shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the department, the cumulative amount of tax credits are equally apportioned among all entities classified as diaper banks. If a diaper bank fails to use all, or some percentage to be determined by the department, of its apportioned tax credits during this predetermined period of time, the department may reapportion such unused tax credits to diaper banks that have used all, or some percentage to be determined by the department, of their apportioned tax credits during this predetermined period of time. The department may establish multiple periods each fiscal year and reapportion accordingly. To the maximum extent possible, the department shall establish the procedure described under this subsection in such a manner as to ensure that taxpayers can claim as many of the tax credits as possible, up to the cumulative limit created under subsection 8 of this section.

10. Each diaper bank shall provide information to the department concerning the identity of each taxpayer making a contribution and the amount of the contribution. The department shall provide the information to the department of revenue. The department shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2018, unless reauthorized by an act of the general assembly;

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

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

(4) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.

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

(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women and families with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services or by offering services as described under subsection 2 of section 188.325, to encourage and assist such women and families in carrying their pregnancies to term; and

- (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.
2. (1) Beginning on March 29, 2013, any contribution to a pregnancy resource center made on or after January 1, 2013, shall be eligible for tax credits as provided by this section.
- (2) For all tax years beginning on or after January 1, 2007, and ending on or before December 31, 2020, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center. For all tax years beginning on or after January 1, 2021, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to seventy percent of the amount such taxpayer contributed to a pregnancy resource center.
3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per tax year **for each fiscal year ending on or before June 30, 2021, and one hundred thousand dollars per tax year for each fiscal year beginning on or after July 1, 2021**. However, any tax credit that cannot be claimed in the tax year the contribution was made may be carried over only to the next succeeding tax year. No tax credit issued under this section shall be assigned, transferred, or sold.
4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's tax year has a value of at least one hundred dollars.
5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.
6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars for all fiscal years ending on or before June 30, 2014, and two million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2014, and ending on or before June 30, 2019, and three million five hundred thousand dollars for all fiscal years beginning on or after July 1, 2019, and ending on or before June 30, 2021. For all fiscal years beginning on or after July 1, 2021, there shall be no limit imposed on the cumulative amount of tax credits that may be claimed by all taxpayers contributing to pregnancy resource centers under the provisions of this section. Tax credits shall be issued in the order contributions are received. If the amount of tax credits redeemed in a fiscal year is less than the cumulative amount authorized under this subsection, the difference shall be carried over to a subsequent fiscal year or years and shall be added to the cumulative amount of tax credits that may be authorized in that fiscal year or years.

7. For all fiscal years ending on or before June 30, 2021, the director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. The provisions of section 23.253 shall not apply to this section.

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

- (1) "Local food pantry", any food pantry that is:
 - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
 - (b) Distributing emergency food supplies to Missouri low-income people who would otherwise not have access to food supplies in the area in which the taxpayer claiming the tax credit under this section resides;
- (2) "Local homeless shelter", any homeless shelter that is:
 - (a) Exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
 - (b) Providing temporary living arrangements, in the area in which the taxpayer claiming the tax credit under this section resides, for individuals and families who otherwise lack a fixed, regular, and adequate nighttime residence and lack the resources or support networks to obtain other permanent housing;
- (3) "Local soup kitchen", any soup kitchen that is:
 - (a) Exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
 - (b) Providing prepared meals through an established congregate feeding operation to needy, low-income persons including, but not limited to, homeless persons in the area in which the taxpayer claiming the tax credit under this section resides;
- (4) "Taxpayer", an individual, a firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in this state and subject to the state income tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

2. (1) Beginning on March 29, 2013, any donation of cash or food made to a local food pantry on or after January 1, 2013, unless such food is donated after the food's expiration date, shall be eligible for tax credits as provided by this section.

(2) Beginning on August 28, 2018, any donation of cash or food made to a local soup kitchen or local homeless shelter on or after January 1, 2018, unless such food is donated after the food's expiration date, shall be eligible for a tax credit as provided under this section.

(3) Any taxpayer who makes a donation that is eligible for a tax credit under this section shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the value of the donations made to the extent such amounts that have been subtracted from federal adjusted gross income or federal taxable income are added back in the determination of Missouri adjusted gross income or Missouri taxable income before the credit can be claimed. Each taxpayer claiming a tax credit under this section shall file an affidavit with the income tax return verifying the amount of their contributions. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year that the credit is claimed and shall not exceed two thousand five hundred dollars per taxpayer claiming the credit. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's three subsequent tax years. No tax credit granted under this section shall be transferred, sold, or assigned. No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law. No taxpayer shall be able to claim more than one credit under this section for a single donation.

3. The cumulative amount of tax credits under this section which may be allocated to all taxpayers contributing to a local food pantry, local soup kitchen, or local homeless shelter ~~[in any one]~~ **for each** fiscal year **ending on or before June 30, 2021**, shall not exceed one million seven hundred fifty thousand dollars.

The cumulative amount of tax credits under this section that may be allocated to all taxpayers contributing to a local food pantry, local soup kitchen, or local homeless shelter for each fiscal year beginning on or after July 1, 2021, shall not exceed four million dollars. The director of revenue shall establish a procedure by which the cumulative amount of tax credits is apportioned among all taxpayers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

4. Any local food pantry, local soup kitchen, or local homeless shelter may accept or reject any donation of food made under this section for any reason. For purposes of this section, any donations of food accepted by a local food pantry, local soup kitchen, or local homeless shelter shall be valued at fair market value, or at wholesale value if the taxpayer making the donation of food is a retail grocery store, food broker, wholesaler, or restaurant.

5. The department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of August 28, 2018, and shall expire on December 31, 2026, unless reauthorized by the general assembly; and

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

(3) The provisions of this subsection shall not be construed to limit or in any way impair a taxpayer's ability to redeem tax credits authorized on or before the date the program authorized under this section expires.

135.679. 1. This section shall be known and may be cited as the "Qualified Beef Tax Credit Act".

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

(1) "Agricultural property", any real and personal property, including but not limited to buildings, structures, improvements, equipment, and livestock, that is used in or is to be used in this state by residents of this state for:

(a) The operation of a farm or ranch; and

(b) Grazing, feeding, or the care of livestock;

(2) "Authority", the agricultural and small business development authority established in chapter 348;

(3) "Backgrounded", any additional weight at the time of the first qualifying sale, before being finished, above the established baseline weight;

(4) "Baseline weight", the average weight in the immediate past two years of all beef animals sold that are thirty months of age or younger, categorized by sex. Baseline weight for qualified beef animals that are physically out-of-state but whose ownership is retained by a resident of this state shall be established by the average transfer weight in the immediate past two years of all beef animals that are thirty months of age or younger and that are transferred out-of-state but whose ownership is retained by a resident of this state, categorized by sex. The established baseline weight shall be effective for a period of three years. If the taxpayer is a qualifying beef animal producer with fewer than two years of production, the baseline weight shall be established by the available average weight in the immediate past year of all beef animals sold that are thirty months of age or younger, categorized by sex. If the qualifying beef animal producer has no previous production, the baseline weight shall be established by the authority;

(5) "Finished", the period from backgrounded to harvest;

(6) "Qualifying beef animal", any beef animal that is certified by the authority, that was born in this state after August 28, 2008, that was raised and backgrounded or finished in this state by the taxpayer, excluding any beef animal more than thirty months of age as verified by certified written birth records;

(7) "Qualifying sale", the first time a qualifying beef animal is sold in this state after the qualifying beef animal is backgrounded, and a subsequent sale if the weight of the qualifying beef animal at the time of the subsequent sale is greater than the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal;

(8) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or otherwise due under chapter 147;

- (9) "Taxpayer", any individual or entity who:
- (a) Is subject to the tax imposed in chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax imposed in chapter 147;
 - (b) In the case of an individual, is a resident of this state as verified by a 911 address or in the absence of a 911 system, a physical address; and
 - (c) Owns or rents agricultural property and principal place of business is located in this state.
3. (1) For all tax years beginning on or after January 1, 2009, but ending on or before December 31, 2021, a taxpayer shall be allowed a tax credit for the first qualifying sale and for a subsequent qualifying sale of all qualifying beef animals.
- (2) The tax credit amount for the first qualifying sale shall be ten cents per pound for qualifying sale weights under six hundred pounds and twenty-five cents per pound for qualifying sale weights of six hundred pounds or greater, shall be based on the backgrounded weight of all qualifying beef animals at the time of the first qualifying sale, and shall be calculated as follows:
- (a) If the qualifying sale weight is under six hundred pounds, the qualifying sale weight minus the baseline weight multiplied by ten cents, as long as the qualifying sale weight is equal to or greater than one hundred pounds above the baseline weight; or
 - (b) If the qualifying sale weight is six hundred pounds or greater, the qualifying sale weight minus the baseline weight multiplied by twenty-five cents, as long as the qualifying sale weight is equal to or greater than one hundred pounds above the baseline weight.
- (3) The tax credit amount for each subsequent qualifying sale shall be ten cents per pound for qualifying sale weights under six hundred pounds and twenty-five cents per pound for qualifying sale weights of six hundred pounds or greater, shall be based on the backgrounded weight of all qualifying beef animals at the time of the subsequent qualifying sale, and shall be calculated as follows:
- (a) If the qualifying sale weight is under six hundred pounds, the qualifying sale weight minus the baseline weight multiplied by ten cents, as long as the qualifying sale weight is equal to or greater than one hundred pounds above the baseline weight; or
 - (b) If the qualifying sale weight is six hundred pounds or greater, the qualifying sale weight minus the baseline weight multiplied by twenty-five cents, as long as the qualifying sale weight is equal to or greater than one hundred pounds above the baseline weight.

The authority may waive no more than twenty-five percent of the one-hundred-pound weight gain requirement, but any such waiver shall be based on a disaster declaration issued by the U.S. Department of Agriculture.

4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the tax year in which the qualifying sale of the qualifying beef occurred, but any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year may be carried forward to any of the taxpayer's four subsequent tax years. The total amount of tax credits that any taxpayer may claim shall not exceed fifteen thousand dollars per year. No taxpayer shall be allowed to claim tax credits under this section for more than three years. The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section and section 135.686 ~~in a calendar~~ **for each fiscal year ending on or before June 30, 2021**, shall not exceed two million dollars. **The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section and section 135.686 for each fiscal year beginning on or after July 1, 2021, shall not exceed four million dollars.** Tax credits shall be issued on an as-received application basis until the calendar year limit is reached. Any credits not issued in any calendar year shall expire and shall not be issued in any subsequent years.

5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority and any application fee imposed by the authority. The application shall be filed with the authority at the end of each calendar year in which a qualified sale was made and for which a tax credit is claimed under this section. The application shall include any certified documentation and information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order, subpoena, or as otherwise provided by law. If the taxpayer and the qualified sale meet all criteria required by this section and approval is granted by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. Whenever a tax credit certificate is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate or the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, except as provided in subsection 5 of this section.

7. The authority shall, at least annually, submit a report to the Missouri general assembly reviewing the costs and benefits of the program established under this section.

8. The authority may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

9. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298.

135.686. 1. This section shall be known and may be cited as the "Meat Processing Facility Investment Tax Credit Act".

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

- (1) "Authority", the agricultural and small business development authority established in chapter 348;
 - (2) "Meat processing facility", any commercial plant, as defined under section 265.300, at which livestock are slaughtered or at which meat or meat products are processed for sale commercially and for human consumption;
 - (3) "Meat processing modernization or expansion", constructing, improving, or acquiring buildings or facilities, or acquiring equipment for meat processing including the following, if used exclusively for meat processing and if acquired and placed in service in this state during tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~2024~~ **2027**:
 - (a) Building construction including livestock handling, product intake, storage, and warehouse facilities;
 - (b) Building additions;
 - (c) Upgrades to utilities including water, electric, heat, refrigeration, freezing, and waste facilities;
 - (d) Livestock intake and storage equipment;
 - (e) Processing and manufacturing equipment including cutting equipment, mixers, grinders, sausage stuffers, meat smokers, curing equipment, cooking equipment, pipes, motors, pumps, and valves;
 - (f) Packaging and handling equipment including sealing, bagging, boxing, labeling, conveying, and product movement equipment;
 - (g) Warehouse equipment including storage and curing racks;
 - (h) Waste treatment and waste management equipment including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products;
 - (i) Computer software and hardware used for managing the claimant's meat processing operation including software and hardware related to logistics, inventory management, production plant controls, and temperature monitoring controls; and
 - (j) Construction or expansion of retail facilities or the purchase or upgrade of retail equipment for the commercial sale of meat products if the retail facility is located at the same location as the meat processing facility;
 - (4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 147;
 - (5) "Taxpayer", any individual or entity who:
 - (a) Is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or the tax imposed under chapter 147;
 - (b) In the case of an individual, is a resident of this state as verified by a 911 address or, in the absence of a 911 system, a physical address; and
 - (c) Owns a meat processing facility located in this state;
 - (6) "Used exclusively", used to the exclusion of all other uses except for use not exceeding five percent of total use.
3. For all tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~2024~~ **2027**, a taxpayer shall be allowed a tax credit for meat processing modernization or expansion related to the taxpayer's meat processing facility. The tax credit amount shall be equal to twenty-five percent of the amount the taxpayer paid in the tax year for meat processing modernization or expansion.

4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the tax year in which the meat processing modernization or expansion expenses were paid, but any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year may be carried forward to any of the taxpayer's four subsequent tax years. The total amount of tax credits that any taxpayer may claim shall not exceed seventy-five thousand dollars per year. If two or more persons own and operate the meat processing facility, each person may claim a credit under this section in proportion to his or her ownership interest; except that, the aggregate amount of the credits claimed by all persons who own and operate the meat processing facility shall not exceed seventy-five thousand dollars per year. The amount of tax credits authorized in this section and section 135.679 ~~[in a calendar]~~ **for each fiscal year ending on or before June 30, 2021**, shall not exceed two million dollars. **The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section and section 135.679 for each fiscal year beginning on or after July 1, 2021, shall not exceed four million dollars.** Tax credits shall be issued on an as-received application basis until the calendar year limit is reached. Any credits not issued in any calendar year shall expire and shall not be issued in any subsequent year.

5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority and any application fee imposed by the authority. The application shall be filed with the authority at the end of each calendar year in which a meat processing modernization or expansion project was completed and for which a tax credit is claimed under this section. The application shall include any certified documentation, proof of meat processing modernization or expansion, and any other information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order, subpoena, or as otherwise provided by law. If the taxpayer and the meat processing modernization or expansion meet all criteria required by this section and approval is granted by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. If a tax credit certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate and the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, except as provided in subsection 5 of this section.

7. The authority shall promulgate rules establishing a process for verifying that a facility's modernization or expansion for which tax credits were allowed under this section has in fact expanded the facility's production within three years of the issuance of the tax credit and if not, the authority shall promulgate through rulemaking a process by which the taxpayer shall repay the authority an amount equal to that of the tax credit allowed.

8. The authority shall, at least annually, submit a report to the Missouri general assembly reviewing the costs and benefits of the program established under this section.

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

10. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298."; and

Further amend said bill, Page 3, Section 144.142, Line 26, by inserting after all of said section and line the following:

"348.505. 1. As used in this section, "state tax liability", any state tax liability incurred by a taxpayer under the provisions of chapters 143, 147, and 148, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.

2. Any eligible lender under the family farm livestock loan program under section 348.500 shall be entitled to receive a tax credit equal to one hundred percent of the amount of interest waived by the lender under section 348.500 on a qualifying loan for the first year of the loan only. The tax credit shall be evidenced by a tax credit certificate issued by the agricultural and small business development authority and may be used to satisfy the state tax liability of the owner of such certificate that becomes due in the tax year in which the interest on a qualified loan is waived by the lender under section 348.500. No lender may receive a tax credit under this section unless such

person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section ~~in~~ **a] for each fiscal year ending on or before June 30, 2021**, shall not exceed three hundred thousand dollars. **The amount of the tax credits that may be issued to all eligible lenders claiming tax credits authorized in this section for each fiscal year beginning on or after July 1, 2021, shall not exceed two million dollars.**

3. The agricultural and small business development authority shall be responsible for the administration and issuance of the certificate of tax credits authorized by this section. The authority shall issue a certificate of tax credit at the request of any lender. Each request shall include a true copy of the loan documents, the name of the lender who is to receive a certificate of tax credit, the type of state tax liability against which the tax credit is to be used, and the amount of the certificate of tax credit to be issued to the lender based on the interest waived by the lender under section 348.500 on the loan for the first year.

4. The Missouri department of revenue shall accept a certificate of tax credit in lieu of other payment in such amount as is equal to the lesser of the amount of the tax or the remaining unused amount of the credit as indicated on the certificate of tax credit, and shall indicate on the certificate of tax credit the amount of tax thereby paid and the date of such payment.

5. The following provisions shall apply to tax credits authorized under this section:

(1) Tax credits claimed in a taxable year may be claimed on a quarterly basis and applied to the estimated quarterly tax of the lender;

(2) Any amount of tax credit which exceeds the tax due, including any estimated quarterly taxes paid by the lender under subdivision (1) of this subsection which results in an overpayment of taxes for a taxable year, shall not be refunded but may be carried over to any subsequent taxable year, not to exceed a total of three years for which a tax credit may be taken for a qualified family farm livestock loan;

(3) Notwithstanding any provision of law to the contrary, a lender may assign, transfer or sell tax credits authorized under this section, with the new owner of the tax credit receiving the same rights in the tax credit as the lender. For any tax credits assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed by the lender with the authority specifying the name and address of the new owner of the tax credit and the value of such tax credit; and

(4) Notwithstanding any other provision of this section to the contrary, any commercial bank may use tax credits created under this section as provided in section 148.064 and receive a net tax credit against taxes actually paid in the amount of the first year's interest on loans made under this section. If such first year tax credits reduce taxes due as provided in section 148.064 to zero, the remaining tax credits may be carried over as otherwise provided in this section and utilized as provided in section 148.064 in subsequent years."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, Section A, Line 2, by inserting after said section and line the following:

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

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

- (4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;
- (5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;
- (6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;
- (7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;
- (8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;
- (9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;
- (10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;
- (11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;
- (12) The transfer of a manufactured home other than:
 - (a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;
 - (b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;
 - (c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; [☞]
- (13) Charges for initiation fees or dues to:
 - (a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes;
 - (b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or
 - (c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended[-]; or
- (14) The purchase by a grocery store of food that is intended for resale but that cannot be resold because of theft or because the food has become spoiled and would not be safe for consumption.**

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

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

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

NOES: 046

Adams	Aldridge	Anderson	Aune	Bangert
Baringer	Barnes	Bland Manlove	Brown 27	Brown 70
Burton	Butz	Clemens	Collins	Davis
Dinkins	Doll	Ellebracht	Gray	Gunby
Ingle	Johnson	Lewis 25	Mackey	McCreery
Mosley	Nurrenbern	Person	Phifer	Proudie
Quade	Rogers	Rowland	Sauls	Sharp 36
Shaul	Smith 45	Smith 67	Stevens 46	Taylor 139
Terry	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Young				

PRESENT: 000

ABSENT WITH LEAVE: 027

Appelbaum	Black 7	Bosley	Burnett	Cupps
Deaton	Dogan	Evans	Fogle	Gregory 96
Hicks	Hill	McDaniel	Merideth	Morse
Patterson	Pietzman	Pike	Pollitt 52	Price IV
Richey	Roden	Schnelting	Smith 163	Tate
Walsh 50	Windham			

VACANCIES: 001

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 226, Page 3, Section 144.142, Line 26, by inserting after all of 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.

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 or public school 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 at least three thousand dollars of school taxes levied on the real property within such school district and ownership of the real property for no less than three years. Such proof may be determined by taking the school taxes paid on the most recent property tax receipt multiplied by the years of property ownership. 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.

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

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 226, Page 1, Line 1, by inserting after the number "226," the following:

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

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2020] 2027. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed six million dollars in any given fiscal year. There shall be no tax credits authorized under sections 135.300 to 135.311 unless an appropriation is made for such tax credits.

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

- (1) "Department", the Missouri department of revenue;
- (2) "Higher ethanol blend", a fuel capable of being dispensed directly into motor vehicle fuel tanks for consumption that is comprised of at least fifteen percent but not more than eighty-five percent ethanol;
- (3) "Retail dealer", a person that owns or operates a retail service station;
- (4) "Retail service station", a location from which higher ethanol blend is sold to the general public and is dispensed directly into motor vehicle fuel tanks for consumption.

2. For all tax years beginning on or after January 1, 2022, a retail dealer that sells higher ethanol blend at such retail dealer's retail service station shall be allowed a tax credit to be taken against the retail dealer's state income tax liability. The amount of the credit shall equal five cents per gallon of higher ethanol blend sold by the retail dealer and dispensed through metered pumps at the retail dealer's retail service station during the tax year in which the tax credit is claimed. Tax credits authorized pursuant to this section shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall not be refundable, but may be carried forward to any of the five subsequent tax years. The total amount of tax credits authorized pursuant to this section for any given fiscal year shall not exceed four million dollars.

3. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. The department may require any documentation it deems necessary to implement the provisions of this section.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

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

(1) The provisions of this section shall automatically sunset on December 31, 2027, unless reauthorized by an act of the general assembly; and

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

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

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

(1) "Biodiesel blend", a blend of diesel fuel and biodiesel fuel between five percent and twenty percent for on-road and off-road diesel-fueled vehicle use. Biodiesel blend shall comply with the ASTM International specification D7467-19, or the most recent specifications;

(2) "Biodiesel fuel", a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets the ASTM International specification D6751-19, or the most recent specification, for Biodiesel Fuel (B100) or (B99) Blend Stock for Distillate Fuels. Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section, unless the palm oil is contained within waste oil and grease collected within the United States;

(3) "Department", the Missouri department of revenue;

(4) "Retail dealer", a person that owns or operates a retail service station;

(5) "Retail service station", a location from which biodiesel blend is sold to the general public and is dispensed directly into motor vehicle fuel tanks for consumption.

2. For all tax years beginning on or after January 1, 2022, a retail dealer that sells a biodiesel blend at a retail service station shall be allowed a tax credit to be taken against the retail dealer's state income tax liability. The amount of the tax credit shall be as follows:

(1) Two cents per gallon of biodiesel blend of at least five percent but not more than ten percent sold by a retail dealer at a retail service station during the tax year for which the tax credit is claimed; or

(2) Five cents per gallon of biodiesel blend in excess of ten percent sold by a retail dealer at a retail service station during the tax year for which the tax credit is claimed.

Tax credits authorized pursuant to this section shall not be transferred, sold, or assigned. If the amount of the tax credit exceeds the taxpayer's state tax liability, the difference shall be refundable. The total amount of tax credits authorized pursuant to this section for any given fiscal year shall not exceed twenty million dollars.

3. In the event the total amount of tax credits claimed under this section exceeds the amount of available tax credits, the tax credits shall be apportioned equally to all eligible retail dealers claiming the credit by April fifteenth of the fiscal year in which the tax credit is claimed.

4. The tax credit allowed by this section shall be claimed by such taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. The department may require any documentation it deems necessary to implement the provisions of this section.

5. The department may work with the division of weights and measures within the department of agriculture to validate that the biodiesel blend a retail dealer claims for the tax credit authorized under this section contains a sufficient percentage of biodiesel fuel.

6. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

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

(1) The provisions of this section shall automatically sunset on December 31, 2027, unless reauthorized by an act of the general assembly; and

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

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

135.686. 1. This section shall be known and may be cited as the "Meat Processing Facility Investment Tax Credit Act".

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

(1) "Authority", the agricultural and small business development authority established in chapter 348;

(2) "Meat processing facility", any commercial plant, as defined under section 265.300, at which livestock are slaughtered or at which meat or meat products are processed for sale commercially and for human consumption;

(3) "Meat processing modernization or expansion", constructing, improving, or acquiring buildings or facilities, or acquiring equipment for meat processing including the following, if used exclusively for meat processing and if acquired and placed in service in this state during tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~2021~~ **2027**:

- (a) Building construction including livestock handling, product intake, storage, and warehouse facilities;
- (b) Building additions;
- (c) Upgrades to utilities including water, electric, heat, refrigeration, freezing, and waste facilities;
- (d) Livestock intake and storage equipment;
- (e) Processing and manufacturing equipment including cutting equipment, mixers, grinders, sausage stuffers, meat smokers, curing equipment, cooking equipment, pipes, motors, pumps, and valves;
- (f) Packaging and handling equipment including sealing, bagging, boxing, labeling, conveying, and product movement equipment;
- (g) Warehouse equipment including storage and curing racks;
- (h) Waste treatment and waste management equipment including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products;
- (i) Computer software and hardware used for managing the claimant's meat processing operation including software and hardware related to logistics, inventory management, production plant controls, and temperature monitoring controls; and
- (j) Construction or expansion of retail facilities or the purchase or upgrade of retail equipment for the commercial sale of meat products if the retail facility is located at the same location as the meat processing facility;

(4) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or otherwise due under chapter 147;

(5) "Taxpayer", any individual or entity who:

(a) Is subject to the tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265, or the tax imposed under chapter 147;

(b) In the case of an individual, is a resident of this state as verified by a 911 address or, in the absence of a 911 system, a physical address; and

(c) Owns a meat processing facility located in this state;

(6) "Used exclusively", used to the exclusion of all other uses except for use not exceeding five percent of total use.

3. For all tax years beginning on or after January 1, 2017, but ending on or before December 31, ~~2021~~ **2027**, a taxpayer shall be allowed a tax credit for meat processing modernization or expansion related to the taxpayer's meat processing facility. The tax credit amount shall be equal to twenty-five percent of the amount the taxpayer paid in the tax year for meat processing modernization or expansion.

4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the tax year in which the meat processing modernization or expansion expenses were paid, but any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year may be carried forward to any of the taxpayer's four subsequent tax years. The total amount of tax credits that any taxpayer may claim shall not exceed seventy-five thousand dollars per year. If two or more persons own and operate the meat processing facility, each person may claim a credit under this section in proportion to his or her ownership interest; except that, the aggregate amount of the credits claimed by all persons who own and operate the meat processing facility shall not exceed seventy-five thousand dollars per year. The amount of tax credits authorized in this section and section 135.679 in a calendar year shall not exceed two million dollars. Tax credits shall be issued on an as-received application basis until the calendar year limit is reached. Any credits not issued in any calendar year shall expire and shall not be issued in any subsequent year.

5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority and any application fee imposed by the authority. The application shall be filed with the authority at the end of each calendar year in which a meat processing modernization or expansion project was completed and for which a tax credit is claimed under this section. The application shall include any certified documentation, proof of meat processing modernization or expansion, and any other information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order, subpoena, or as otherwise provided by law. If the taxpayer and the meat processing modernization or expansion meet all criteria required by this section and approval is granted by the

authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. If a tax credit certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate and the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, except as provided in subsection 5 of this section.

7. The authority shall promulgate rules establishing a process for verifying that a facility's modernization or expansion for which tax credits were allowed under this section has in fact expanded the facility's production within three years of the issuance of the tax credit and if not, the authority shall promulgate through rulemaking a process by which the taxpayer shall repay the authority an amount equal to that of the tax credit allowed.

8. The authority shall, at least annually, submit a report to the Missouri general assembly reviewing the costs and benefits of the program established under this section.

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

10. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298.

137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall, subject to appropriation, be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) Subject to appropriation, the state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this subsection.

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

(1) The program authorized under **subsection 4** of this section shall expire on August 28, [2020] **2027**; and

(2) **Subsection 4** of this section shall terminate on September 1, [2021] **2028**."; and

Further amend said bill,"; and

Further amend said amendment, Page 2, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"hundred thousand persons and not in excess of nine hundred thousand persons.
348.436. The provisions of sections 348.430 to 348.436 shall expire December 31, [~~2021~~] 2027."; and";
and

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

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 226, Page 3, Section 144.142, Line 26, by inserting after all of said section and line the following:

"144.813. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales of class III medical devices described in section 513(a)(a)(C) of the Federal Food, Drug, and Cosmetic Act as codified in 21 U.S.C. 360(c)(1)(C) that use electric fields for the purposes of the treatment of cancer including components and repair parts and the disposable or single patient use supplies required for the use of such devices."; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"143.081. 1. A resident individual, resident estate, and resident trust shall be allowed a credit against the tax otherwise due pursuant to sections 143.005 to 143.998 for the amount of any income tax imposed for the taxable year by another state of the United States (or a political subdivision thereof) or the District of Columbia on income derived from sources therein and which is also subject to tax pursuant to sections 143.005 to 143.998. For purposes of this subsection, the phrase "income tax imposed" shall be that amount of tax before any income tax credit allowed by such other state or the District of Columbia if the other state or the District of Columbia authorizes a reciprocal benefit for residents of this state.

2. The credit provided pursuant to this section shall not exceed an amount which bears the same ratio to the tax otherwise due pursuant to sections 143.005 to 143.998 as the amount of the taxpayer's Missouri adjusted gross income derived from sources in the other taxing jurisdiction bears to the taxpayer's Missouri adjusted gross income

derived from all sources. In applying the limitation of the previous sentence to an estate or trust, Missouri taxable income shall be substituted for Missouri adjusted gross income. If the tax of more than one other taxing jurisdiction is imposed on the same item of income, the credit shall not exceed the limitation that would result if the taxes of all the other jurisdictions applicable to the item were deemed to be of a single jurisdiction.

3. (1) For the purposes of this section, in the case of an S corporation, each resident S shareholder shall be considered to have paid a tax imposed on the shareholder in an amount equal to the shareholder's pro rata share of any net income tax paid by the S corporation to a state which does not measure the income of shareholders on an S corporation by reference to the income of the S corporation or where a composite return and composite payments are made in such state on behalf of the S shareholders by the S corporation.

(2) **A resident S shareholder shall be eligible for a credit issued pursuant to this section in an amount equal to the shareholder's pro rata share of any income tax imposed pursuant to chapter 143 on income derived from sources in another state of the United States, or a political subdivision thereof, or the District of Columbia, and which is subject to tax pursuant to chapter 143 but is not subject to tax in such other jurisdiction.**

4. For purposes of subsection 3 of this section, in the case of an S corporation that is a bank chartered by a state, the Office of Thrift Supervision, or the comptroller of currency, each Missouri resident S shareholder of such out-of-state bank shall qualify for the shareholder's pro rata share of any net tax paid, including a bank franchise tax based on the income of the bank, by such S corporation where bank payment of taxes are made in such state on behalf of the S shareholders by the S bank to the extent of the tax paid."; and

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

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

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 226, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

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

(1) **"Real property", any real property that is not residential property, as such term is defined in section 137.016;**

(2) **"Restrictive order", any city-wide or county-wide ordinance or order imposed by a city or county that prohibits or otherwise restricts the use of a taxpayer's real property, including, but not limited to, occupancy restrictions. Such term shall not include any ordinance or order prohibiting or restricting the use of a taxpayer's real property due to a violation of a public health or safety code.**

2. **Notwithstanding any provision of law to the contrary, beginning January 1, 2021, any taxpayer who is a resident of a city or county that imposes one or more restrictive orders for a combined total in excess of fifteen days during a calendar year shall receive a credit on property taxes owed on such affected real property.**

3. **The amount of the credit authorized by this section shall be a percentage of the property tax liability that is equal to the percentage of the calendar year that the taxpayer was subject to restrictions on the use of his or her real property, provided that the first fifteen total combined days that restrictive orders are in effect during a calendar year shall not count toward the calculation of the tax credit pursuant to this subsection.**

4. (1) **A taxpayer eligible for a credit pursuant to this section shall timely pay all property tax owed prior to any credit applied pursuant to this section, and shall, no later than December thirty-first, submit a written statement to the city or county requesting the amount of property tax owed to such taxpayer. The city or county shall, by no later than thirty days following the receipt of such a statement, issue a refund to the taxpayer for the amount of property tax owed to such taxpayer pursuant to this section.**

(2) **Notwithstanding the provisions of this section to the contrary, a taxpayer receiving a tax credit pursuant to this section that leases or rents all or a portion of his or her affected real property to one or more other taxpayers shall distribute such tax credit on a pro rata basis to the taxpayers who are current on all lease or rental payments owed to the taxpayer receiving the credit pursuant to this section.**

5. The provisions of this section shall only apply to real property tax liabilities owed to a city or county imposing a restrictive order, and shall not apply to property tax liabilities owed to any other taxing jurisdiction or to property tax liabilities owed on tangible personal property."; and

Further amend said bill, Page 3, Section 144.142, Line 26, by inserting after all of said section and line the following:

"Section B. Because of the importance of property tax relief, the enactment of section 139.305 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 139.305 of this act shall be in full force and effect upon its passage and approval.";

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

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

*House Amendment No. 1
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 226, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

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

(1) "Blighted area", an area which, by reason of the predominance of [~~defective or inadequate street layout,~~] insanitary or unsafe conditions, [~~deterioration of site improvements, improper subdivision or obsolete platting,~~] or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, [~~morals,~~] or welfare in its present condition and use, and, for redevelopment areas located in a city not within a county, which has a median household income less than or equal to two hundred percent of the federal poverty level, as determined by the most current five-year figures published by the American Community Survey conducted by the United States Census Bureau;

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

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

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

activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

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

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

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

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

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

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

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

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

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

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

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

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

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

- (c) Property assembly costs, including, but not limited to:
 - a. Acquisition of land and other property, real or personal, or rights or interests therein;
 - b. Demolition of buildings; and
 - c. The clearing and grading of land;
 - (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
 - (e) ~~Initial costs for an economic development area;~~
 - ~~(f)~~ (f) Costs of construction of public works or improvements;
 - ~~(g)~~ (f) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
 - ~~(h)~~ (g) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
 - ~~(i)~~ (h) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
 - ~~(j)~~ (i) Payments in lieu of taxes;
 - ~~(14)~~ (14) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;
 - ~~(15)~~ (15) "Taxing districts", any political subdivision of this state having the power to levy taxes;
 - ~~(16)~~ (16) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and
 - ~~(17)~~ (17) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

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

- (1) The redevelopment area on the whole is a blighted area~~, a conservation area, or an economic development area,~~ and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a study conducted by a third party which includes a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;
- (2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;
- (3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;
- (4) A plan has been developed for relocation assistance for businesses and residences;
- (5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if

the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

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

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

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

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

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

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

139.305. 1. For the purposes of this section, the following terms shall mean:"; and

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

Representative Bosley moved that **House Amendment No. 1 to House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Pike offered **House Amendment No. 2 to House Amendment No. 8.**

*House Amendment No. 2
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 226, Page 1, Line 4, by inserting immediately before the number "139.305" on said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the City of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any

such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than ~~[fifty]~~ **two hundred** hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(a) For real property in subclass (1), nineteen percent;

(b) For real property in subclass (2), twelve percent; and

(c) For real property in subclass (3), thirty-two percent.

(2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property is changed after such property is assessed under the provisions of this chapter. If the assessor determines that such property shall be reclassified, he or she shall determine the assessment under this subsection based on the percentage of the tax year that such property was classified in each subclassification.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

14. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

15. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 14 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

16. Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444."; and

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

On motion of Representative Pike, **House Amendment No. 2 to House Amendment No. 8** was adopted.

Representative Taylor (139) offered **House Amendment No. 3 to House Amendment No. 8**.

House Amendment No. 3
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 226, Page 1, Line 33, by deleting all of said line and inserting in lieu thereof the following:

"other taxing jurisdiction or to property tax liabilities owned on tangible personal property.

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

- (1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;
- (2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;
- (3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;
- (4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;
- (5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;
- (6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;
- (7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;
- (8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; [ø]

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes;

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(c) Nonprofit organizations exempt from taxation under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended[-]; or

(14) The purchase by a retailer of products that are intended for resale but that cannot be resold because of theft or because the product is damaged and cannot be resold.

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

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

On motion of Representative Taylor (139), **House Amendment No. 3 to House Amendment No. 8** was adopted.

On motion of Representative Murphy, **House Amendment No. 8, as amended**, was adopted.

On motion of Representative Christofanelli, **HCS SB 226, as amended**, was adopted.

On motion of Representative Christofanelli, **HCS SB 226, as amended**, was read the third time and passed by the following vote:

2320 *Journal of the House*

AYES: 125

Adams	Anderson	Andrews	Atchison	Aune
Bailey	Baker	Bangert	Baringer	Basye
Billington	Boggs	Bromley	Brown 70	Buchheit-Courtway
Burger	Burnett	Busick	Butz	Chipman
Christofanelli	Coleman 32	Coleman 97	Collins	Cook
Copeland	Davidson	Davis	Derges	Dinkins
Dogan	Doll	Eggleston	Ellebracht	Evans
Falkner	Fishel	Fitzwater	Francis	Gray
Gregory 51	Gregory 96	Grier	Griffith	Haden
Haffner	Haley	Hannegan	Hardwick	Henderson
Hicks	Hill	Houx	Hovis	Hurlbert
Ingle	Kalberloh	Kelley 127	Kelly 141	Kidd
Knight	Lewis 6	Mackey	Mayhew	McGaugh
McGill	Mosley	Murphy	O'Donnell	Owen
Patterson	Perkins	Person	Phifer	Pietzman
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Price IV	Proudie	Quade	Railsback	Reedy
Riggs	Riley	Roberts	Rogers	Rone
Rowland	Ruth	Sander	Sassmann	Sauls
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 45	Smith 67
Stacy	Stephens 128	Stevens 46	Tate	Taylor 139
Taylor 48	Thomas	Thompson	Toalson Reisch	Trent
Turnbaugh	Unsicker	Van Schoiack	Veit	Wallingford
Walsh Moore 93	West	Wiemann	Young	Mr. Speaker

NOES: 011

Barnes	Clemens	DeGroot	Gunby	Johnson
Lewis 25	Lovasco	McCreery	McDaniel	Sharp 36
Weber				

PRESENT: 003

Bland Manlove	Terry	Windham
---------------	-------	---------

ABSENT WITH LEAVE: 023

Aldridge	Appelbaum	Black 137	Black 7	Bosley
Brown 16	Brown 27	Burton	Cupps	Deaton
Fogle	Griesheimer	Hudson	Merideth	Morse
Nurrenbern	Pouche	Richey	Roden	Schnelting
Smith 163	Walsh 50	Wright		

VACANCIES: 001

Speaker Vescovo declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Anderson	Andrews	Appelbaum	Atchison	Aune
Bailey	Baker	Bangert	Baringer	Basye
Billington	Black 137	Black 7	Bland Manlove	Boggs
Bromley	Brown 16	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Chipman	Christofanelli
Coleman 32	Coleman 97	Collins	Cook	Copeland

Cupps	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Dogan	Eggleston	Ellebracht
Evans	Falkner	Fishel	Fitzwater	Fogle
Francis	Gregory 51	Gregory 96	Grier	Griesheimer
Griffith	Haden	Haffner	Haley	Hannegan
Hardwick	Henderson	Hicks	Hill	Houx
Hovis	Hudson	Hurlbert	Ingle	Kalberloh
Kelley 127	Kelly 141	Kidd	Knight	Lewis 25
Lewis 6	Lovasco	Mackey	Mayhew	McCreery
McGaugh	McGill	Murphy	Nurrenbern	O'Donnell
Owen	Patterson	Perkins	Person	Phifer
Pietzman	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Price IV	Proudie	Quade
Railsback	Richey	Riggs	Riley	Roberts
Rogers	Ruth	Sander	Sassmann	Sauls
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Smith 45
Stacy	Stevens 46	Tate	Taylor 139	Taylor 48
Thomas	Thompson	Toalson Reisch	Trent	Turnbaugh
Van Schoiack	Veit	Wallingford	Walsh 50	Weber
West	Wiemann	Wright	Young	Mr. Speaker

NOES: 012

Adams	Barnes	Clemens	Doll	Gray
Gunby	Johnson	McDaniel	Rowland	Sharp 36
Unsicker	Walsh Moore 93			

PRESENT: 010

Aldridge	Bosley	Brown 70	Merideth	Mosley
Reedy	Rone	Smith 67	Terry	Windham

ABSENT WITH LEAVE: 005

Brown 27	Morse	Roden	Schnelting	Stephens 128
----------	-------	-------	------------	--------------

VACANCIES: 001

APPOINTMENT OF CONFERENCE COMMITTEES

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

SS#2 SCS HCS HB 271, as amended: Representatives Wiemann, Chipman, Taylor (139), McCreery, and Baringer

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

AFTERNOON SESSION

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

Representative Plocher suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 035

Anderson	Atchison	Bailey	Baker	Basye
Brown 27	Burton	Busick	Cook	Davis
Evans	Francis	Gregory 51	Haffner	Hardwick
Kelley 127	Kelly 141	Lewis 6	Lovasco	McGill
Murphy	Owen	Perkins	Pollock 123	Riggs
Rone	Seitz	Shields	Taylor 139	Terry
Turnbaugh	Van Schoiack	Veit	West	Wright

NOES: 001

Rowland

PRESENT: 082

Andrews	Appelbaum	Aune	Barnes	Billington
Black 137	Boggs	Bromley	Buchheit-Courtway	Burger
Burnett	Butz	Chipman	Christofanelli	Clemens
Copeland	Davidson	Dinkins	Dogan	Doll
Eggleston	Ellebracht	Falkner	Fishel	Fitzwater
Gregory 96	Grier	Griesheimer	Griffith	Gunby
Haden	Haley	Hannegan	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Kalberloh	Knight	Lewis 25	Mayhew	McCreery
McGaugh	Nurrenbern	O'Donnell	Person	Pike
Plocher	Pollitt 52	Porter	Pouche	Proudie
Quade	Railsback	Reedy	Riley	Roberts
Rogers	Ruth	Sander	Sassmann	Schwadron
Sharpe 4	Shaul	Smith 155	Smith 45	Smith 67
Stacy	Stephens 128	Tate	Taylor 48	Thompson
Toalson Reisch	Wallingford	Walsh Moore 93	Weber	Wiemann
Young	Mr. Speaker			

ABSENT WITH LEAVE: 044

Adams	Aldridge	Bangert	Baringer	Black 7
Bland Manlove	Bosley	Brown 16	Brown 70	Coleman 32
Coleman 97	Collins	Cupps	Deaton	DeGroot
Derges	Fogle	Gray	Ingle	Johnson
Kidd	Mackey	McDaniel	Merideth	Morse
Mosley	Patterson	Phifer	Pietzman	Price IV
Richey	Roden	Sauls	Schnelting	Schroer
Sharp 36	Simmons	Smith 163	Stevens 46	Thomas
Trent	Unsicker	Walsh 50	Windham	

VACANCIES: 001

THIRD READING OF SENATE BILLS

HCS SS SCS SB 43, HCS SS SCS SBs 53 & 60, HCS SB 72, SS SCS SB 120, HCS SS SB 141, HCS SS SCS SB 152, HCS SS SCS SB 289, HCS SB 303, HCS SB 330, HCS SS SB 333, and HCS SCS SB 403 were placed on the Informal Calendar.

THIRD READING OF SENATE BILLS - INFORMAL

HCS SS SB 141, relating to utilities, was taken up by Representative Black (137).

On motion of Representative Black (137), the title of **HCS SS SB 141** was agreed to.

Representative Black (137) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Pages 1-3, Section 386.895, Lines 1-57, by deleting all of said lines and inserting in lieu thereof the following:

- "386.895. 1. As used in this section, the following terms shall mean:**
- (1) "Biogas", a mixture of carbon dioxide and hydrocarbons, primarily methane gas, released from the biological decomposition of organic materials;
 - (2) "Biomass", has the meaning given the term "qualified biomass" in section 142.028;
 - (3) "Gas corporation", the same as defined in section 386.020;
 - (4) "Qualified investment", any capital investment in renewable natural gas infrastructure incurred by a gas corporation for the purpose of providing natural gas service under a renewable natural gas program;
 - (5) "Renewable energy sources", hydroelectric, geothermal, solar photovoltaic, wind, tidal, wave, biomass, or biogas energy sources;
 - (6) "Renewable natural gas", any of the following products processed to meet pipeline quality standards or transportation fuel grade requirements:
 - (a) Biogas that is upgraded to meet natural gas pipeline quality standards such that it may blend with, or substitute for, geologic natural gas;
 - (b) Hydrogen gas; or
 - (c) Methane gas derived from any combination of:
 - a. Biogas;
 - b. Hydrogen gas or carbon oxides derived from renewable energy sources; or
 - c. Waste carbon dioxide;
 - (7) "Renewable natural gas infrastructure", all equipment and facilities for the production, processing, pipeline interconnection, and distribution of renewable natural gas to be furnished to Missouri customers.
- 2. The commission shall adopt rules for gas corporations to offer a voluntary renewable natural gas program. Rules adopted by the commission under this section shall include:**
- (1) Rules for reporting requirements; and
 - (2) Rules for establishing a process for gas corporations to fully recover incurred costs that are prudent, just, and reasonable associated with a renewable natural gas program. Such recovery shall not be permitted until the project is operational and produces renewable natural gas for customer use.
- 3. A filing by a gas corporation pursuant to the renewable natural gas program created in subsection 2 of this section shall include, but is not limited to:**
- (1) A proposal to procure a total volume of renewable natural gas over a specific period; and
 - (2) Identification of the qualified investments that the gas corporation may make in renewable natural gas infrastructure.
- 4. A gas corporation may from time to time revise the filing submitted to the commission under this section no more than one time per year.**
- 5. Any costs incurred by a gas corporation for a qualified investment that are prudent, just, and reasonable may be recovered by means of an automatic rate adjustment clause.**
- 6. When a gas corporation makes a qualified investment in the production of renewable natural gas, the costs associated with such qualified investment shall include the cost of capital established by the commission in the gas corporation's most recent general rate case.**

7. On or before January 1, 2023, the division of energy within the department of natural resources shall provide to the chair of the public service commission, the speaker of the house of representatives, the president pro tempore of the senate, the chair of the senate committee on commerce, consumer protection, energy, and the environment, and the chair of the house of representatives utility committee, a report on the renewable natural gas program established under this section. Such report shall include, but not be limited to, the following:

- (1) The number of projects submitted for the renewable natural gas program and the number of projects approved for the renewable natural gas program;
- (2) The number of projects that are operational, and the costs, projected and actual, of such projects and other key metrics the division of energy deems important;
- (3) The volume of renewable natural gas produced in the state through projects that were approved by the renewable natural gas program as well as the percentage of renewable natural gas produced in relation to the total volume of natural gas sold in the state;
- (4) The environmental benefits of renewable natural gas, including but not limited to greenhouse gas reduction as a result of the production of renewable natural gas;
- (5) The economic benefits of the renewable natural gas program, including but not limited to local employment, value-added production for the agricultural sector, and other economic development; and
- (6) Any economic benefits or other costs to ratepayers.

8. Rules adopted by the commission under this section shall not prohibit an affiliate of a gas corporation from making a capital investment in a biogas production project if the affiliate is not a public utility as defined in section 386.020.

9. The public service commission may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

10. Pursuant to section 23.253 of the Missouri sunset act, this section and any rules enacted under this section shall expire nine years from the date the renewable natural gas program is established, unless reauthorized by the general assembly; provided that any rate adjustment authorized by this section shall continue so long as the renewable natural gas program remains in operation and produces renewable natural gas for customer use."; and

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

On motion of Representative Black (137), **House Amendment No. 1** was adopted.

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 1, Section 67.309, Line 6, by inserting after all of said section and line the following:

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

- (1) "Municipally owned or operated electric power system", a system for the distribution of electrical power and energy to the inhabitants of a municipality which is owned and operated by the municipality itself, whether operated under authority pursuant to this chapter or under a charter form of government;
- (2) "Permanent service", electrical service provided through facilities which have been permanently installed on a structure and which are designed to provide electric service for the structure's anticipated needs for the indefinite future, as contrasted with facilities installed temporarily to provide electrical service during construction. Service provided temporarily shall be at the risk of the electrical supplier and shall not be determinative of the rights of the provider or recipient of permanent service;

(3) "Structure" or "structures", an agricultural, residential, commercial, industrial or other building or a mechanical installation, machinery or apparatus at which retail electric energy is being delivered through a metering device which is located on or adjacent to the structure and connected to the lines of an electrical corporation, rural electric cooperative, municipally owned or operated electric power system, or joint municipal utility commission. Such terms shall include any contiguous or adjacent additions to or expansions of a particular structure. Nothing in this section shall be construed to confer any right on an electric supplier to serve new structures on a particular tract of land because it was serving an existing structure on that tract.

2. Once a municipally owned or operated electrical system, or its predecessor in interest, lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 or pursuant to a territorial agreement approved under section 394.312. The public service commission, upon application made by a customer, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential, and the commission is hereby given jurisdiction over municipally owned or operated electric systems to accomplish the purpose of this section. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction. Except as provided in this section, nothing in this section shall be construed as otherwise conferring upon the commission jurisdiction over the service, rates, financing, accounting or management of any such municipally owned or operated electrical system, and nothing in this section, section 393.106, and section 394.315 shall affect the rights, privileges or duties of any municipality to form or operate municipally owned or operated electrical systems. Nothing in this section shall be construed to make lawful any provision of service which was unlawful prior to July 11, 1991. Nothing in this section shall be construed to make unlawful the continued lawful provision of service to any structure which may have had a different supplier in the past, if such a change in supplier was lawful at the time it occurred.

3. Notwithstanding the provisions of this section and sections 393.106, 394.080, and 394.315 to the contrary, in the event that a retail electric supplier is providing service to a structure located within a city, town, or village that has ceased to be a rural area, and such structure is demolished and replaced by a new structure, such retail electric service supplier may provide permanent service to the new structure upon the request of the owner of the new structure.

386.800. 1. No municipally owned electric utility may provide electric energy at retail to any structure located outside the municipality's corporate boundaries after July 11, 1991, unless:

(1) The structure was lawfully receiving permanent service from the municipally owned electric utility prior to July 11, 1991; ~~or~~

(2) The service is provided pursuant to an approved territorial agreement under section 394.312;

(3) The service is provided pursuant to lawful municipal annexation and subject to the provisions of this section; or

(4) The structure is located in an area which was previously served by an electrical corporation regulated under chapter 386, and chapter 393, and the electrical corporation's authorized service territory was contiguous to or inclusive of the municipality's previous corporate boundaries, and the electrical corporation's ownership or operating rights within the area were acquired in total by the municipally owned electrical system prior to July 11, 1991. In the event that a municipally owned electric utility in a city with a population of more than one hundred twenty-five thousand located in a county of the first class not having a charter form of government and not adjacent to any other county of the first class desires to serve customers beyond the authorized service territory in an area which was previously served by an electrical corporation regulated under the provisions of chapter 386, and chapter 393, as provided in this subdivision, **in the absence of an approved territorial agreement under section 394.312**, the municipally owned utility shall apply to the public service commission for an order assigning nonexclusive service territories **and concurrently shall provide written notice of the application to other electric service suppliers with electric facilities located in or within one mile outside of the boundaries of the proposed expanded service territory**. The proposed service area shall be contiguous to the authorized service territory which was previously served by an electrical corporation regulated under the provisions of chapter 386, and chapter 393, as a condition precedent to the granting of the application. The commission shall have one hundred twenty days from the date of application to grant or deny the requested order. The commission, **after a hearing**, may grant the order upon a finding that granting of the applicant's request is not detrimental to the public interest. In granting the applicant's request the commission shall give due regard to territories previously granted to **or served by other electric service suppliers and the wasteful duplication of electric service facilities**.

2. Any municipally owned electric utility may extend, pursuant to lawful annexation, its **electric** service territory to include ~~[any structure located within a newly annexed area which has not received permanent service from another supplier within ninety days prior to the effective date of the annexation]~~ areas where another electric supplier currently is not providing permanent service to a structure. If a rural electric cooperative has existing electric service facilities with adequate and necessary service capability located in or within one mile outside the boundaries of the area proposed to be annexed, a majority of the existing developers, landowners, or prospective electric customers in the area proposed to be annexed may, anytime within forty five days prior to the effective date of the annexation, submit a written request to the governing body of the annexing municipality to invoke mandatory good faith negotiations under section 394.312 to determine which electric service supplier is best suited to serve all or portions of the newly annexed area. In such negotiations the following factors shall be considered, at a minimum:

- (1) The preference of landowners and prospective electric customers;
- (2) The rates, terms and conditions of service of the electric service suppliers;
- (3) The economic impact on the electric service suppliers;
- (4) Each electric service supplier's operational ability to serve all or portions of the annexed area within three years of the date the annexation becomes effective;
- (5) Avoiding the wasteful duplication of electric facilities;
- (6) Minimizing unnecessary encumbrances on the property and landscape within the area to be annexed; and
- (7) Preventing the waste of materials and natural resources.

If the municipally owned electric utility and rural electric cooperative are unable to negotiate a territorial agreement pursuant to section 394.312 within forty five days, then they may submit proposals to those submitting the original written request, whose preference shall control, section 394.080 to the contrary notwithstanding, and the governing body of the annexing municipality shall not reject the petition requesting annexation based on such preference. This subsection shall not apply to municipally-owned property in any newly annexed area.

3. In the event an electrical corporation rather than a municipally owned electric utility lawfully is providing electric service in the municipality, all the provisions of subsection 2 shall apply equally as if the electrical corporation were a municipally owned electric utility, except that if the electrical corporation and the rural electric cooperative are unable to negotiate a territorial agreement pursuant to section 394.312 within forty five days, then either electric supplier may file an application with the commission for an order determining which electric supplier should serve, in whole or in part, the area to be annexed. The application shall be made pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. The commission after the opportunity for hearing shall make its determination after consideration of the factors set forth in subdivisions (1) through (7) of subsection 2 of this section, and section 394.080 to the contrary notwithstanding, may grant its order upon a finding that granting of the applicant's request is not detrimental to the public interest. The commission shall issue its decision by report and order no later than one hundred twenty days from the date of the application unless otherwise ordered by the commission for good cause shown. Review of such commission decisions shall be governed by sections 386.500 to 386.550. If the applicant is a rural electric cooperative, the commission shall charge to the rural electric cooperative the appropriate fees as set forth in subsection 9 of this section.

~~[3-]~~ 4. When a municipally owned electric utility desires to extend its service territory to include any structure located within a newly annexed area which has received permanent service from another **electric service** supplier within ninety days prior to the effective date of the annexation, it shall:

- (1) Notify by publication in a newspaper of general circulation the record owner of said structure, and notify in writing any affected electric **service** supplier and the public service commission, within sixty days after the effective date of the annexation its desire to extend its service territory to include said structure; and
- (2) Within six months after the effective date of the annexation receive the approval of the municipality's governing body to begin negotiations pursuant to section 394.312 with ~~[any]~~ the affected electric **service** supplier.

~~[4-]~~ 5. Upon receiving approval from the municipality's governing body pursuant to subsection 3 of this section, the municipally owned electric utility and the affected electric **service** supplier shall meet and negotiate in good faith the terms of the territorial agreement and any transfers or acquisitions, including, as an alternative, granting the affected electric **service** supplier a franchise or authority to continue providing service in the annexed area. In the event that the affected electric **service** supplier does not provide wholesale electric power to the municipality, if the affected electric **service** supplier so desires, the parties ~~[shall]~~ **may** also negotiate, consistent

with applicable law, regulations and existing power supply agreements, for power contracts which would provide for the purchase of power by the municipality from the affected electric **service** supplier for an amount of power equivalent to the loss of any sales to customers receiving permanent service at structures within the annexed areas which are being sought by the municipally owned electric utility. The parties shall have no more than one hundred eighty days from the date of receiving approval from the municipality's governing body within which to conclude their negotiations and file their territorial agreement with the commission for approval under the provisions of section 394.312. The time period for negotiations allowed under this subsection may be extended for a period not to exceed one hundred eighty days by a mutual agreement of the parties and a written request with the public service commission.

~~[5-]~~ **6.** For purposes of this section, the term "fair and reasonable compensation" shall mean the following:

(1) The present-day reproduction cost, new, of the properties and facilities serving the annexed areas, less depreciation computed on a straight-line basis; and

(2) An amount equal to the reasonable and prudent cost of detaching the facilities in the annexed areas and the reasonable and prudent cost of constructing any necessary facilities to reintegrate the system of the affected electric **service** supplier outside the annexed area after detaching the portion to be transferred to the municipally owned electric utility; and

(3) ~~[Four]~~ **Two** hundred percent of gross revenues less gross receipts taxes received by the affected electric **service** supplier from the twelve-month period preceding the approval of the municipality's governing body under the provisions of subdivision (2) of subsection ~~[3]~~ **4** of this section, normalized to produce a representative usage from customers at the subject structures in the annexed area; and

(4) Any federal, state and local taxes which may be incurred as a result of the transaction, including the recapture of any deduction or credit; and

(5) Any other costs reasonably incurred by the affected electric supplier in connection with the transaction.

~~[6-]~~ **7.** In the event the parties are unable to reach an agreement under subsection ~~[4]~~ **5** of this section, within sixty days after the expiration of the time specified for negotiations, the municipally owned electric utility **or the affected electric service supplier** may apply to the commission for an order assigning exclusive service territories within the annexed area and a determination of the fair and reasonable compensation amount to be paid to the affected electric **service** supplier under subsection ~~[5]~~ **6** of this section. Applications shall be made and notice of such filing shall be given to all affected parties pursuant to the rules and regulations of the commission governing applications for certificates of public convenience and necessity. Unless otherwise ordered by the commission for good cause shown, the commission shall rule on such applications not later than one hundred twenty days after the application is properly filed with the secretary of the commission. The commission shall hold evidentiary hearings to assign service territory between **the** affected electric **service** suppliers inside the annexed area and to determine the amount of compensation due any affected electric **service** supplier for the transfer of plant, facilities or associated lost revenues between electric **service** suppliers in the annexed area. The commission shall make such determinations based on findings of what best serves the public interest and shall issue its decision by report and order. Review of such commission decisions shall be governed by sections 386.500 to 386.550. The payment of compensation and transfer of title and operation of the facilities shall occur within ninety days after the order and any appeal therefrom becomes final unless the order provides otherwise.

~~[7-]~~ **8.** In reaching its decision under subsection ~~[6]~~ **7** of this section, the commission shall consider the following factors:

(1) Whether the acquisition or transfers sought by the municipally owned electric utility within the annexed area from the affected electric **service** supplier are, in total, in the public interest, including **the preference of the owner of any affected structure**, consideration of rate disparities between the competing electric **service** suppliers, and issues of unjust rate discrimination among customers of a single electric **service** supplier if the rates to be charged in the annexed areas are lower than those charged to other system customers; and

(2) The fair and reasonable compensation to be paid by the municipally owned electric utility, to the affected electric **service** supplier with existing system operations within the annexed area, for any proposed acquisitions or transfers; and

(3) Any effect on system operation, including, but not limited to, loss of load and loss of revenue; and

(4) Any other issues upon which the municipally owned electric utility and the affected electric **service** supplier might otherwise agree, including, but not limited to, the valuation formulas and factors contained in subsections ~~[4-]~~ **5, 6 and [6]** **7**, of this section, even if the parties could not voluntarily reach an agreement thereon under those subsections.

[8-] 9. The commission is hereby given all necessary jurisdiction over municipally owned electric utilities and rural electric cooperatives to carry out the purposes of this section consistent with other applicable law; provided, however, the commission shall not have jurisdiction to compel the transfer of customers or structures with a connected load greater than one thousand kilowatts. The commission shall by rule set appropriate fees to be charged on a case-by-case basis to municipally owned electric utilities and rural electric cooperatives to cover all necessary costs incurred by the commission in carrying out its duties under this section. **Nothing in this section shall be construed as otherwise conferring upon the public service commission jurisdiction over the service, rates, financing, accounting, or management of any rural electric cooperative or municipally-owned electric utility, except as provided in this section.**

10. Notwithstanding sections 394.020 and 394.080 to the contrary, a rural electric cooperative may provide electric service within the corporate boundaries of a municipality if such service is provided:

- (1) Pursuant to subsections 2 through 9 of this section; and**
- (2) Such service is conditioned upon the execution of the appropriate territorial and municipal franchise agreements, which may include a nondiscriminatory requirement, consistent with other applicable law, that the rural electric cooperative collect and remit a sales tax based on the amount of electricity sold by the rural electric cooperative within the municipality."; and**

Further amend said bill, Page 3, Section 386.895, Line 57, by inserting after all of said section and line the following:

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

(1) "Permanent service", electrical service provided through facilities which have been permanently installed on a structure and which are designed to provide electric service for the structure's anticipated needs for the indefinite future, as contrasted with facilities installed temporarily to provide electrical service during construction. Service provided temporarily shall be at the risk of the electrical supplier and shall not be determinative of the rights of the provider or recipient of permanent service;

(2) "Structure" or "structures", an agricultural, residential, commercial, industrial or other building or a mechanical installation, machinery or apparatus at which retail electric energy is being delivered through a metering device which is located on or adjacent to the structure and connected to the lines of an electrical supplier. Such terms shall include any contiguous or adjacent additions to or expansions of a particular structure. Nothing in this section shall be construed to confer any right on an electric supplier to serve new structures on a particular tract of land because it was serving an existing structure on that tract.

2. Once an electrical corporation or joint municipal utility commission, or its predecessor in interest, lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 and section 394.080, or pursuant to a territorial agreement approved under section 394.312. The public service commission, upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction. Except as provided in this section, nothing contained herein shall affect the rights, privileges or duties of existing corporations pursuant to this chapter. Nothing in this section shall be construed to make lawful any provision of service which was unlawful prior to July 11, 1991. Nothing in this section shall be construed to make unlawful the continued lawful provision of service to any structure which may have had a different supplier in the past, if such a change in supplier was lawful at the time it occurred. However, those customers who had cancelled service with their previous supplier or had requested cancellation by May 1, 1991, shall be eligible to change suppliers as per previous procedures. No customer shall be allowed to change electric suppliers by disconnecting service between May 1, 1991, and July 11, 1991.

3. Notwithstanding the provisions of this section and sections 91.025, 394.080, and 394.315 to the contrary, in the event that a retail electric supplier is providing service to a structure located within a city, town, or village that has ceased to be a rural area, and such structure is demolished and replaced by a new structure, such retail electric service supplier may provide permanent service to the new structure upon the request of the owner of the new structure."; and

Further amend said bill, Page 5, Section 393.1250, Line 41, by inserting after all of said section and line the following:

"394.020. In this chapter, unless the context otherwise requires,

(1) "Member" means each incorporator of a cooperative and each person admitted to and retaining membership therein, and shall include a husband and wife admitted to joint membership;

(2) "Person" includes any natural person, firm, association, corporation, business trust, partnership, federal agency, state or political subdivision or agency thereof, or any body politic; and

(3) "Rural area" shall be deemed to mean any area of the United States not included within the boundaries of any city, town or village having a population in excess of ~~fifteen~~ **sixteen** hundred inhabitants, and such term shall be deemed to include both the farm and nonfarm population thereof. **The number of inhabitants specified in this subdivision shall be increased by six percent every ten years after each decennial census beginning in 2030.**"; and

Further amend said bill, Page 7, Section 394.120, Line 38, by inserting after all of said section and line the following:

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

(1) "Permanent service", electrical service provided through facilities which have been permanently installed on a structure and which are designed to provide electric service for the structure's anticipated needs for the indefinite future, as contrasted with facilities installed temporarily to provide electrical service during construction. Service provided temporarily shall be at the risk of the electrical supplier and shall not be determinative of the rights of the provider or recipient of permanent service;

(2) "Structure" or "structures", an agricultural, residential, commercial, industrial or other building or a mechanical installation, machinery or apparatus at which retail electric energy is being delivered through a metering device which is located on or adjacent to the structure and connected to the lines of an electrical supplier. Such terms shall include any contiguous or adjacent additions to or expansions of a particular structure. Nothing in this section shall be construed to confer any right on ~~[a rural electric cooperative]~~ **an electric supplier** to serve new structures on a particular tract of land because it was serving an existing structure on that tract.

2. Once a rural electric cooperative, or its predecessor in interest, lawfully commences supplying retail electric energy to a structure through permanent service facilities, it shall have the right to continue serving such structure, and other suppliers of electrical energy shall not have the right to provide service to the structure except as might be otherwise permitted in the context of municipal annexation, pursuant to section 386.800 and section 394.080, or pursuant to a territorial agreement approved under section 394.312. The public service commission, upon application made by an affected party, may order a change of suppliers on the basis that it is in the public interest for a reason other than a rate differential, and the commission is hereby given jurisdiction over rural electric cooperatives to accomplish the purpose of this section. The commission's jurisdiction under this section is limited to public interest determinations and excludes questions as to the lawfulness of the provision of service, such questions being reserved to courts of competent jurisdiction. Except as provided herein, nothing in this section shall be construed as otherwise conferring upon the commission jurisdiction over the service, rates, financing, accounting or management of any such cooperative, and except as provided in this section, nothing contained herein shall affect the rights, privileges or duties of existing cooperatives pursuant to this chapter. Nothing in this section shall be construed to make lawful any provision of service which was unlawful prior to July 11, 1991. Nothing in this section shall be construed to make unlawful the continued lawful provision of service to any structure which may have had a different supplier in the past, if such a change in supplier was lawful at the time it occurred. However, those customers who had cancelled service with their previous supplier or had requested cancellation by May 1, 1991, shall be eligible to change suppliers as per previous procedures. No customer shall be allowed to change electric suppliers by disconnecting service between May 1, 1991, and July 11, 1991.

3. **Notwithstanding the provisions of this section and sections 91.025, 393.106, and 394.080 to the contrary, in the event that a retail electric supplier is providing service to a structure located within a city, town, or village that has ceased to be a rural area, and such structure is demolished and replaced by a new structure, such retail electric service supplier may provide permanent service to the new structure upon the request of the owner of the new structure.**"; and

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

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

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

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 1, Section 67.309, Line 1, by inserting after the number "**67.309**" the number "**1.**"; and

Further amend said bill, page, and section, Line 6, by inserting after said line the following:

"2. For purposes of this section, utility services shall include natural gas, propane gas, electricity, and any other form of energy provided to an end user customer."; and

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

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

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 8, Section 523.262, Line 40, by inserting after all of said section and line the following:

"640.136. 1. **Any public water system, as defined in section 640.102, or public water supply district, as described in chapter 247, that intends to start or stop fluoridation of its water supply on a continuing basis shall seek and receive information about the impact of public water fluoridation from the local health department.**

2. Any public water system or public water supply district that receives information under subsection 1 of this section shall notify the department of natural resources and the department of health and senior services in order to certify that the public water system or public water supply district has sought and received information about the impact of public water fluoridation from the local health department prior to submitting notification of the public water system's or public water supply district's intention to start or stop public water fluoridation on a continuing basis. Any public water system, as defined in section 640.102, or public water supply district, as defined in chapter 247, which intends to ~~make modifications to~~ **start or stop** fluoridation of its water supply **on a continuing basis** shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section.

~~[2-]~~ **3. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this section and all costs associated with compliance.";** and

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

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 4, Section 393.170, Line 32, by inserting after all of said section and line the following:

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

(1) "Electrical corporation", the same meaning given to the term in section 386.020, but shall not include an electrical corporation as described in subsection 2 of section 393.110;

(2) "Facility", a:

(a) Facility whose primary industry is the ~~smelting~~ **processing of [aluminum and]** primary metals [~~Standard Industrial Classification Code 3334~~];

(b) Facility whose primary industry is the production or fabrication of steel, North American Industrial Classification System 331110; or

(c) Facility with a new or incremental increase in load equal to or in excess of a monthly demand of fifty megawatts.

2. Notwithstanding section 393.130 or any other provision of law to the contrary, the public service commission shall have the authority to approve a special rate, outside a general rate proceeding, that is not based on the electrical corporation's cost of service for a facility if:

(1) The commission determines, but for the authorization of the special rate the facility would not commence operations, the special rate is in the interest of the state of Missouri when considering the interests of the customers of the electrical corporation serving the facility, considering the incremental cost of serving the facility to receive the special rate, and the interests of the citizens of the state generally in promoting economic development, improving the tax base, providing employment opportunities in the state, and promoting such other benefits to the state as the commission may determine are created by approval of the special rate;

(2) After approval of the special rate, the commission allocates in each general rate proceeding of the electrical corporation serving the facility the reduced revenues from the special rate as compared to the revenues that would have been generated at the rate the facility would have paid without the special rate to the electrical corporation's other customers through a uniform percentage adjustment to all components of the base rates of all customer classes; and

(3) The commission approves a tracking mechanism meeting the requirements of subsection 3 of this section.

3. Any commission order approving a special rate authorized by this section to provide service to a facility in the manner specified under subsection 4 of this section shall establish, as part of the commission's approval of a special rate, a tracking mechanism to track changes in the net margin experienced by the electrical corporation serving the facility with the tracker to apply retroactively to the date the electrical corporation's base rates were last set in its last general rate proceeding concluded prior to June 14, 2017. The commission shall ensure that the changes in net margin experienced by the electrical corporation between the general rate proceedings as a result of serving the facility are calculated in such a manner that the electrical corporation's net income is neither increased nor decreased. The changes in net margin shall be deferred to a regulatory liability or regulatory asset, as applicable, with the balance of such regulatory asset or liability to be included in the revenue requirement of the electrical corporation in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully returned to or collected from the electrical corporation's customers.

4. Notwithstanding the provisions of section 393.170, an electrical corporation is authorized to provide electric service to a facility at a special rate for the new or incremental load authorized by the commission:

(1) Under a rate schedule reflecting the special rate approved by the commission; or

(2) If the facility is located outside the electrical corporation's certificated service territory, the facility shall be treated as if it is in the electrical corporation's certified service territory, subject to a commission-approved rate schedule incorporating the special rate under the contract.

5. To receive a special rate, the electrical corporation serving the facility, or facility if the facility is located outside of the electrical corporation's certified service territory, shall file a written application with the commission specifying the requested special rate and any terms or conditions proposed by the facility respecting the requested special rate and provide information regarding how the requested special rate meets the criteria specified in subdivision (1) of subsection 2 of this section. A special rate provided for by this section shall be effective for no

longer than ten years from the date such special rate is authorized. The commission may impose such conditions, including but not limited to any conditions in a memorandum of understanding between the facility and the electrical corporation, on the special rate as it deems appropriate so long as it otherwise complies with the provisions of this section.

6. Any entity which has been granted a special rate under this section may reapply to the commission for a special rate under this section."; and

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

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 3, Section 393.135, Line 6, by inserting after all of said section and line the following:

~~"393.137. 1. [This section applies to electrical corporations that do not have a general rate proceeding pending before the commission as of the later of February 1, 2018, or June 1, 2018.~~

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

- ~~(1) "Commission", the public service commission;~~
- ~~(2) "Tax legislation", additions, deletions, or amendments to the Internal Revenue Code, Title 26 of the United States Code, to the Missouri income tax code, or regulations adopted under chapter 143;~~
- ~~(3) ["Electrical corporation", the same as] "Utility", an electrical corporation, gas corporation, water corporation, or sewer corporation, as defined in section 386.020[~~but~~]. "Utility" shall not include an electrical corporation as described in subsection 2 of section 393.110.~~

~~[3. If the rates of any electrical corporation to which this section applies have not already been adjusted to reflect the effects of the federal 2017 Tax Cut and Jobs Act, Pub. L. No. 115-97, 94 Stat. 2390, the commission shall have one time authority that shall be exercised within ninety days of June 1, 2018, to adjust such electrical corporation's rates prospectively so that the income tax component of the revenue requirement used to set such an electrical corporation's rates is based upon the provisions of such federal act without considering any other factor as otherwise required by section 393.270. The commission shall also require electrical corporations to which this section applies, as provided for under subsection 1 of this section, to defer to a regulatory asset the financial impact of such federal act on the electrical corporation for the period of January 1, 2018, through the date the electrical corporation's rates are adjusted on a one-time basis as provided for in the immediately preceding sentence. The amounts deferred under this subsection shall be included in the revenue requirement used to set the electrical corporation's rates in its subsequent general rate proceeding through an amortization over a period determined by the commission.]~~

2. If the United States Congress or general assembly enacts tax legislation that, had it been effective when the utility's base rates were last set, would have resulted in a lower income tax component of the revenue requirement used to last set such base rates, the commission shall have the authority to, within one hundred eighty days of the enacted date of the subject tax legislation, enter an order adjusting such utility's base rates prospectively so that the income tax component of the revenue requirement used to set such utility's base rates is based upon the provisions of such tax legislation without considering any other factor as otherwise required by section 393.270. As part of its exercise of such authority, the commission shall also require the utility to defer to a regulatory liability an amount equal to the difference between what the income tax component of the revenue requirement last used to set its base rates was under the law at that time and what the income tax component of the revenue requirement would have been had such tax legislation been in effect at that time. The deferral period shall commence with the date such tax legislation would have resulted in a lower income tax component of such revenue requirement last used to set the utility's base rates and continue through the date the utility's base rates are next adjusted. The amounts deferred under this subsection shall be included in the revenue requirement used to set the utility's base rates in its subsequent general rate proceedings through amortization over a period of up to three years, as determined by the commission.

[4.] 3. Upon good cause shown by ~~the electrical corporation~~ a utility, the commission may, as an alternative to requiring a ~~one-time~~ rate change and deferral under subsection [3] 2 of this section, allow a deferral to a regulatory liability, in whole or in part, of ~~such federal act's financial impacts to a regulatory asset starting January 1, 2018,~~ the amounts that would have been reflected in a base rate reduction under subsection 2 of this section. The deferral period shall commence on the date such tax legislation would have resulted in a lower income tax component and continue through the effective date of new rates in such ~~electrical corporation's~~ utility's next general rate proceeding. The deferred amounts shall be included in the revenue requirement used to set the ~~electrical corporation's~~ utility's rates in its subsequent general rate proceeding through an amortization over a period determined by the commission.

4. If the United States Congress or general assembly enacts tax legislation that, had it been in effect when the utility's base rates were last set, would have resulted in a higher income tax component of the revenue requirement used to last set such base rates, the utility shall be entitled, by giving notice to the commission within one hundred eighty days of the enacted date of such tax legislation, to defer to a regulatory asset an amount equal to the difference between what the income tax component of the revenue requirement used to last set its base rates was under the law at that time and what the income tax component of the revenue requirement would have been had such tax legislation been in effect at that time. The deferral period shall commence on the date such tax legislation would have resulted in a higher income tax component of such revenue requirement last used to set the utility's base rates and continue through the date the utility's base rates are next adjusted as provided for in this subsection. The amounts deferred under this subsection shall be included in the revenue requirement used to set the utility's rates in its subsequent general rate proceedings through amortization over a period of up to three years, as determined by the commission, without considering any other factor as otherwise required by section 393.270.

5. If the tax legislation that either reduces or increases the utility's income tax component, under subsection 2 or 4 of this section, does so at a point in time other than beginning with its effective date, or does so in multiple stages at different points in time, the commission order in subsection 1 of this section and the utility's notice in subsection 4 of this section shall be deemed to apply to the first point in time when the income tax component would have been changed and to subsequent changes in such income tax component arising from such tax legislation without the necessity of the commission issuing a subsequent order or the utility providing a subsequent notice, as the case may be. Each such change shall require a separate base rate change, deferral, and amortization period, as applicable.

6. If the United States Congress or general assembly has, prior to the effective date of this section, enacted tax legislation that either reduces or increases the utility's income tax component the one-hundred-eighty-day period in subsection 2 and 4 of this section shall commence on the effective date of this section.

7. Notwithstanding any other provision of this section to the contrary, the commission's authority to adjust utility rates and require deferrals regarding reductions in the income tax component of a utility's revenue requirement under subsections 2 and 3 of this section, and utility authority to defer and recover increases in the income tax component under subsection 4 of this section, shall not exist unless the addition, deletion, or amendment to tax legislation results in a difference in the income tax component of the utility's revenue requirement, calculated in accordance with subsection 2 or 4 of this section, as applicable, that is greater than an amount in excess of two-tenths of one percent of such utility's operating revenues reported to the commission in such utility's annual report for the calendar year preceding the calendar year in which such difference is calculated."; and

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

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 1, Section 67.309, Line 6, by inserting after all of said section and line the following:

"67.2680. The state or any other political subdivision shall not impose any new tax, license, or fee in addition to any tax, license, or fee already authorized on or before August 28, 2021, upon the provision of satellite or streaming video service."; and

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

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

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

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 1, Line 6, by deleting said line and inserting in lieu thereof the following:

"the provision of satellite or streaming video service.

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

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

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

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

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

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

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

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

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 8, Section 523.262, Line 40, by inserting after all of said section and line the following:

"Section 1. No political subdivision of this state shall adopt or enforce an ordinance, resolution, regulation, code, or policy that requires or has the effect of requiring the connection of a private single-family residence to public water or sewer services if that residence is already served by an existing private well or septic system unless such existing installation was installed in violation of applicable ordinances at the time of installation. Nothing in this subsection shall be construed to prohibit the enforcement of applicable health or environmental regulations of the state of Missouri."; and

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

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

*House Amendment No. 1
to
House Amendment No. 8*

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 141, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""620.2456. 1. The department of economic development shall not award any grant to an otherwise eligible grant applicant where funding from the Connect America Fund has been awarded, where high-cost support from the federal Universal Service Fund has been received by rate of return carriers, or where any other federal funding has been awarded which did not require any matching-fund component, **unless the proposed project area has a proven lack of coverage or adequate broadband internet coverage**, for any portion of the proposed project area, nor shall any grant money be used to serve any retail end user that already has access to wireline or fixed wireless broadband internet service of speeds of at least twenty-five megabits per-second download and three megabits per-second upload.

2. No grant awarded under sections 620.2450 to 620.2458, when combined with any federal, state, or local funds, shall fund more than fifty percent of the total cost of a project.

3. No single project shall be awarded grants under sections 620.2450 to 620.2458 whose cumulative total exceeds five million dollars.

4. The department of economic development shall endeavor to award grants under sections 620.2450 to 620.2458 to qualified applicants in all regions of the state.

5. An award granted under sections 620.2450 to 620.2458 shall not:

(1) Require an open access network;

(2) Impose rates, terms, and conditions that differ from what a provider offers in other areas of its service area;

(3) Impose any rate, service, or any other type of regulation beyond speed requirements set forth in section 620.2451; or

(4) Impose an unreasonable time constraint on the time to build the service.

6. If a grant recipient fails to establish the speed requirements set forth in section 620.2451, then the grant recipient shall return all grant moneys to the department.

Section 1. No political subdivision of this state shall adopt or enforce an ordinance,"; and

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

On motion of Representative Fitzwater, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Lovasco, **House Amendment No. 8, as amended**, was adopted.

On motion of Representative Black (137), **HCS SS SB 141, as amended**, was adopted.

On motion of Representative Black (137), **HCS SS SB 141, as amended**, was read the third time and passed by the following vote:

AYES: 098

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

NOES: 043

Adams	Aldridge	Anderson	Appelbaum	Aune
Bangert	Baringer	Barnes	Bland Manlove	Bosley
Brown 27	Brown 70	Burnett	Burton	Butz
Clemens	Collins	Doll	Ellebracht	Fogle
Gunby	Ingle	Johnson	Lewis 25	Mackey
McCreery	Mosley	Phifer	Price IV	Proudie
Quade	Rogers	Rowland	Sharp 36	Smith 45
Stevens 46	Terry	Turnbaugh	Unsicker	Walsh Moore 93
Weber	Windham	Young		

PRESENT: 001

Person

ABSENT WITH LEAVE: 020

Billington	Black 7	Deaton	Gray	Gregory 51
Houx	Hovis	Hudson	McDaniel	Merideth
Morse	Nurrenbern	Pietzman	Richey	Sauls
Schnelting	Smith 163	Smith 67	Stacy	Thomas

VACANCIES: 001

Speaker Vescovo declared the bill passed.

SS SCS SB 120, relating to military affairs, was taken up by Representative Bromley.

On motion of Representative Bromley, the title of **SS SCS SB 120** was agreed to.

Representative Taylor (139) assumed the Chair.

On motion of Representative Bromley, **SS SCS SB 120** was truly agreed to and finally passed by the following vote:

AYES: 155

Adams	Aldridge	Anderson	Andrews	Appelbaum
Atchison	Aune	Bailey	Baker	Bangert
Baringer	Barnes	Basye	Billington	Black 137
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	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	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	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
Rowland	Ruth	Sander	Sassmann	Sauls
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Smith 155	Smith 163	Smith 45
Smith 67	Stacy	Stephens 128	Stevens 46	Tate
Taylor 139	Taylor 48	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Unsicker	Van Schoiack
Veit	Wallingford	Walsh 50	Walsh Moore 93	Weber
West	Wiemann	Wright	Young	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Black 7	McDaniel	Morse	Pietzman	Schnelting
Simmons	Windham			

VACANCIES: 001

Representative Taylor (139) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Adams	Aldridge	Anderson	Andrews	Appelbaum
Atchison	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	Christofanelli	Clemens	Coleman 32
Coleman 97	Collins	Cook	Copeland	Cupps
Davidson	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	Hicks	Houx
Hovis	Hudson	Hurlbert	Ingle	Johnson
Kalberloh	Kelley 127	Kelly 141	Kidd	Knight
Lewis 25	Lewis 6	Mackey	Mayhew	McCreery
McGaugh	McGill	Merideth	Murphy	Nurrenbern
O'Donnell	Owen	Patterson	Perkins	Person
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Pouche	Quade	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roden	Rogers
Rone	Rowland	Sander	Sassmann	Sauls
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Smith 155	Smith 163	Smith 45
Smith 67	Stacy	Stephens 128	Stevens 46	Tate
Taylor 139	Taylor 48	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Unsicker	Van Schoiack
Veit	Wallingford	Walsh 50	Walsh Moore 93	Weber
West	Wiemann	Wright	Young	Mr. Speaker

NOES: 006

Bosley	Chipman	Davis	Hill	Lovasco
Phifer				

PRESENT: 001

Proudie

ABSENT WITH LEAVE: 010

Baker	McDaniel	Morse	Mosley	Pietzman
Price IV	Ruth	Schnelting	Simmons	Windham

VACANCIES: 001

Speaker Vescovo resumed the Chair.

HCS SS SCS SBs 53 & 60, relating to the administration of justice, was taken up by Representative Roberts.

On motion of Representative Roberts, the title of **HCS SS SCS SBs 53 & 60** was agreed to.

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

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 47, Section 285.575, Line 59, by inserting after all of said section and line the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer, ~~or~~ coroner, **medical examiner, or forensic investigator of the county medical examiner's office**, or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550;

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle; or

(10) Any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving chemical, biological, or radioactive materials or in support of official requests from the state of Missouri involving unknown substances, hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the governor.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

- (2) The driver of an emergency vehicle may:
- (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 - (d) Disregard regulations governing direction of movement or turning in specified directions.
- (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.
6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.
7. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill, Page 49, Section 304.050, Line 76, by inserting after all of said section and line the following:

"307.175. 1. Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022 while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies.

2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or display fixed, flashing, or rotating red or red and blue lights:

- (a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;
- (b) Vehicles operated as described in subsection 1 of this section;
- (c) Vehicles and equipment owned or leased by a contractor or subcontractor performing work for the department of transportation, except that the red or red and blue lights shall be displayed on vehicles or equipment described in this paragraph only between dusk and dawn, when such vehicles or equipment are stationary, such vehicles or equipment are located in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs. No more than two vehicles or pieces of equipment in a work zone may display fixed, flashing, or rotating lights under this subdivision;

(d) Vehicles and equipment owned, leased, or operated by a coroner, medical examiner, or forensic investigator of the county medical examiner's office or a similar entity, when responding to a crime scene, motor vehicle accident, workplace accident, or any location at which the services of such professionals have been requested by a law enforcement officer.

(2) The following vehicles and equipment may use or display fixed, flashing, or rotating amber or amber and white lights:

- (a) Vehicles and equipment owned or leased by the state highways and transportation commission and operated by an authorized employee of the department of transportation;
- (b) Vehicles and equipment owned or leased by a contractor or subcontractor performing work for the department of transportation, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles or equipment are located in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs;
- (c) Vehicles and equipment operated by a utility worker performing work for the utility, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles are stationary, such vehicles or equipment are located in a work zone as defined in section 304.580, a utility worker is present, and such work zone is designated by a sign or signs. As used in this paragraph, the term "utility worker" means any employee while in performance of his or her job duties, including any person employed under contract of a utility that provides gas, heat, electricity, water, steam, telecommunications or cable services, or sewer services, whether privately, municipally, or cooperatively owned.

3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, rescue squad, or the state highways and transportation commission and no person shall use or display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section constitutes a class A misdemeanor."; and

Further amend said bill, Page 52, Section 455.010, Lines 63-66, by deleting said lines and inserting in lieu thereof the following:

"(b) "Course of conduct" means ~~[a pattern of conduct composed of]~~ two or more acts ~~[over a period of time, however short,]~~ that ~~[serves]~~ **serve** no legitimate purpose~~[-Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact]~~ **including, but not limited to, acts in which the stalker directly, indirectly, or through a third party follows, monitors, observes, surveils, threatens, or communicates to a person by any action, method, or device.**"; and

Further amend said bill, Page 89, Section 575.160, Line 6, by inserting after said section and line the following:

"575.180. 1. A law enforcement officer commits the offense of failure to execute an arrest warrant if, with the purpose of allowing any person charged with or convicted of a crime to escape, he or she fails to execute any arrest warrant, capias, or other lawful process ordering apprehension or confinement of such person, which he or she is authorized and required by law to execute.

2. The offense of failure to execute an arrest warrant is a class A misdemeanor, unless the offense involved is a felony, in which case failure to execute an arrest warrant is a class E felony.

3. It shall be an affirmative defense to prosecution under this section that the law enforcement officer acted under exigent circumstances in failing to execute an arrest warrant on a person who has committed a misdemeanor offense under chapter 301, 302, 304, or 307 or a misdemeanor traffic offense in another state."; 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: 101

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Christofanelli	Coleman 97	Cook
Copeland	Cupps	Davidson	Davis	Deaton
DeGroot	Derges	Dinkins	Dogan	Eggleston
Falkner	Fishel	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	Kidd
Knight	Lewis 6	Lovasco	Mayhew	McGaugh
Murphy	O'Donnell	Owen	Patterson	Perkins
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Pouche	Proudie	Railsback	Reedy	Richey
Riggs	Riley	Roberts	Roden	Rone
Sander	Sassmann	Schroer	Schwadron	Sharpe 4

2342 *Journal of the House*

Shaul	Shields	Simmons	Smith 163	Stacy
Stephens 128	Tate	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wiemann	Wright
Mr. Speaker				

NOES: 041

Adams	Anderson	Appelbaum	Bangert	Baringer
Barnes	Bland Manlove	Bosley	Brown 27	Brown 70
Burnett	Butz	Clemens	Collins	Doll
Ellebracht	Gray	Gunby	Ingle	Johnson
Lewis 25	Mackey	McCreery	Merideth	Mosley
Nurrenbern	Phifer	Quade	Rogers	Rowland
Sauls	Sharp 36	Smith 45	Smith 67	Stevens 46
Terry	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Young				

PRESENT: 000

ABSENT WITH LEAVE: 020

Aldridge	Aune	Bailey	Baker	Burton
Chipman	Coleman 32	Evans	Fogle	McDaniel
McGirl	Morse	Person	Pietzman	Price IV
Ruth	Schnelting	Seitz	Smith 155	Windham

VACANCIES: 001

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

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

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 3, Section 21.405, Line 20, by inserting after said line the following:

"3. Nothing in this section shall be construed to deprive any person of any right, privilege, or immunity guaranteed by the Constitution of the United States or the constitution of Missouri."; and

Further amend said bill, Page 11, Section 210.143, Line 2, by deleting the phrase "**or prosecuting attorney**" and inserting in lieu thereof the phrase "**prosecuting attorney; or circuit attorney**"; and

Further amend said bill, Page 16, Section 210.1256, Line 5, by inserting after the word "**children**" the words "**of the parents or guardians**"; and

Further amend said bill, Page 18, Section 210.1271, Line 2, by inserting after the first instance of the word "**attorney**" the phrase "**or circuit attorney**"; and

Further amend said bill, Page 20, Section 211.012, Line 4, by inserting after all of said section and line the following:

"211.072. 1. A juvenile under eighteen years of age who has been certified to stand trial as an adult for offenses pursuant to section 211.071, if currently placed in a secure juvenile detention facility, shall remain in a secure juvenile detention facility pending finalization of the judgment and completion of appeal,

if any, of the judgment dismissing the juvenile petition to allow for prosecution under the general law unless otherwise ordered by the juvenile court. Upon the judgment dismissing the petition to allow prosecution under the general laws becoming final and adult charges being filed, if the juvenile is currently in a secure juvenile detention facility, the juvenile shall remain in such facility unless the juvenile posts bond or the juvenile is transferred to an adult jail. If the juvenile officer does not believe juvenile detention would be the appropriate placement or would continue to serve as the appropriate placement, the juvenile officer may file a motion in the adult criminal case requesting that the juvenile be transferred from a secure juvenile detention facility to an adult jail. The court shall hear evidence relating to the appropriateness of the juvenile remaining in a secure juvenile detention facility or being transferred to an adult jail. At such hearing, the following shall have the right to be present and have the opportunity to present evidence and recommendations at such hearing: the juvenile; the juvenile's parents; the juvenile's counsel; the prosecuting attorney; the juvenile officer or his or her designee for the circuit in which the juvenile was certified; the juvenile officer or his or her designee for the circuit in which the pre-trial certified juvenile is proposed to be held, if different from the circuit in which the juvenile was certified; counsel for the juvenile officer; and representatives of the county proposed to have custody of the pre-trial certified juvenile.

2. Following the hearing, the court shall order that the juvenile continue to be held in a secure juvenile detention facility subject to all Missouri juvenile detention standards, or the court shall order that the pre-trial certified juvenile be held in an adult jail but only after the court has made findings that it would be in the best interest of justice to move the pre-trial certified juvenile to an adult jail. The court shall weigh the following factors when deciding whether to detain a certified juvenile in an adult facility:

- (1) The certified juvenile's age;
- (2) The certified juvenile's physical and mental maturity;
- (3) The certified juvenile's present mental state, including whether they present an imminent risk of self-harm;
- (4) The nature and circumstances of the charges;
- (5) The certified juvenile's history of delinquency;
- (6) The relative ability of the available adult and juvenile facilities to both meet the needs of the certified juvenile but to protect the public and other youth in their custody;
- (7) The opinion of the juvenile officer in the circuit of the proposed placement as to the ability of that juvenile detention facility to provide for appropriate care, custody, and control of the pre-trial certified juvenile;
- (8) Any other relevant factor.

3. In the event the court finds that it is in the best interest of justice to require the certified juvenile to be held in an adult jail, the court shall hold a hearing once every thirty days to determine whether the placement of the certified juvenile in an adult jail is still in the best interests of justice.

4. A certified juvenile cannot be held in an adult jail for more than one hundred eighty days unless the court finds, for good cause, that an extension is necessary or the juvenile, through counsel, waives the one hundred eighty day maximum period. If no extension is granted under this subsection, the certified juvenile shall be transferred from the adult jail to a secure juvenile detention facility.

5. Effective December 21, 2021, all previously pre-trial certified juveniles under eighteen years of age who had been certified prior to August 28, 2021, shall be transferred from adult jail to a secure juvenile detention facility, unless a hearing is held and the court finds, based upon the factors in subsection 2 of this section, that it would be in the best interest of justice to keep the juvenile in the adult jail.

6. All pre-trial certified juveniles under eighteen years of age who are held in adult jails pursuant to the best interest of justice exception shall continue to be subject to the protections of the Prison Rape Elimination Act (PREA) and shall be physically separated from adult inmates.

7. If the certified juvenile remains in juvenile detention, the juvenile officer may file a motion to reconsider placement. The court shall consider the factors set out in subsection 2 of this section and the individuals set forth in subsection 1 of this section shall have a right to be present and present evidence. The court may amend its earlier order in light of the evidence and arguments presented at the hearing if the court finds that it would not be in the best interest of justice for the juvenile to remain in a secure juvenile detention facility.

8. Issues related to the setting of, and posting of, bond along with any bond forfeiture proceedings shall be held in the pre-trial certified juvenile's adult criminal case.

9. Upon attaining eighteen years of age or upon conviction on the adult charges, the juvenile shall be transferred from juvenile detention to the appropriate adult facility.

10. Any responsibility for transportation of and contracted service for the certified juvenile who remains in a secure juvenile detention facility shall be handled in the same manner as in all other adult criminal cases where the defendant is in custody.

11. The per diem provisions as set forth in section 211.156 shall apply to certified juveniles who are being held in a secure juvenile detention facility."; and

Further amend said bill, Page 25, Section 211.211, Line 43, by deleting said line and inserting in lieu thereof the following:

"(1) At any contested detention hearing under Missouri supreme court rule 127.08 where the petitioner alleges that the child violated any law that, if committed by an adult, would be a felony unless an"; and

Further amend said bill, Page 63, Section 479.162, Lines 4-5, by deleting the phrase "**police report or probable cause statement**" and inserting in lieu thereof the phrase "**police report, probable cause statement, or any video relevant to the traffic stop or arrest**"; and

Further amend said bill, page, and section, Line 5, by deleting the phrase "**police report or probable cause statement**" and inserting in lieu thereof the phrase "**police report, probable cause statement, or video**"; 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	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	Hovis	Hudson	Hurlbert	Kalberloh
Kelley 127	Kelly 141	Kidd	Knight	Lewis 6
Lovasco	Mayhew	McGaugh	McGirl	Murphy
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollock 123	Porter	Pouche	Proudie
Railsback	Reedy	Richey	Riggs	Riley
Roberts	Roden	Rone	Sander	Sassmann
Schroer	Schwadron	Sharp 36	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Stacy	Stephens 128
Tate	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Mr. Speaker

NOES: 041

Adams	Aldridge	Anderson	Appelbaum	Aune
Baringer	Barnes	Bland Manlove	Bosley	Brown 27
Burnett	Butz	Collins	Doll	Ellebracht

Fogle	Gray	Gunby	Ingle	Johnson
Lewis 25	Mackey	McCreery	Merideth	Mosley
Nurrenbern	Person	Phifer	Quade	Rogers
Rowland	Sauls	Smith 45	Smith 67	Stevens 46
Terry	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Young				

PRESENT: 000

ABSENT WITH LEAVE: 016

Bailey	Baker	Bangert	Brown 70	Burton
Clemens	McDaniel	Morse	Pietzman	Pollitt 52
Price IV	Ruth	Schnelting	Seitz	Smith 163
Windham				

VACANCIES: 001

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

Representative Kelly (141) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 11, Section 191.1165, Lines 39-40, by deleting said lines and inserting in lieu thereof the following:

"disorders using standard diagnostic criteria by a social worker; licensed professional counselor; licensed psychologist; psychiatrist; or qualified addiction professional, as defined by the department of mental health, acting within the scope of practice for which the qualified addiction professional is credentialed. The department of corrections or entity"; and

Further amend said bill, page, and section, Line 53, by inserting after said section and line the following:

"192.2520. 1. Sections 192.2520 and 197.135 shall be known and may be cited as the "Justice for Survivors Act".

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

- (1) "Appropriate medical provider", the same meaning as used in section 595.220;
- (2) "Department", the department of health and senior services;
- (3) "Evidentiary collection kit", the same meaning as used in section 595.220;
- (4) "Forensic examination", the same meaning as used in section 595.220;
- (5) "Telehealth", the same meaning as used in section 191.1145.

3. No later than July 1, 2022, there shall be established within the department a statewide telehealth network for forensic examinations of victims of sexual offenses in order to provide access to sexual assault nurse examiners (SANE) or other similarly trained appropriate medical providers. A statewide coordinator for the telehealth network shall be selected by the director of the department of health and senior services and shall have oversight responsibilities and provide support for the training programs offered by the network, as well as the implementation and operation of the network. **The statewide coordinator shall regularly consult with Missouri-based stakeholders and clinicians actively engaged in the collection of forensic evidence regarding the training programs offered by the network, as well as the implementation and operation of the network.**

4. The network shall provide mentoring and educational training services, including:

- (1) Conducting a forensic examination of a victim of a sexual offense, in accordance with best practices, while utilizing an evidentiary collection kit;
- (2) Proper documentation, transmission, and storage of the examination evidence;

(3) Utilizing trauma-informed care to address the needs of victims;
(4) Utilizing telehealth technology while conducting a live examination; and
(5) Providing ongoing case consultation and serving as an expert witness in event of a trial. The network shall, in the mentoring and educational training services provided, emphasize the importance of obtaining a victim's informed consent to evidence collection, including issues involving minor consent, and the scope and limitations of confidentiality regarding information gathered during the forensic examination.

5. The training offered ~~may~~ **shall** be made available ~~both~~ online ~~or in person~~, including the use of video conferencing technology to connect trained interdisciplinary experts with providers in a case-based learning environment, **and may also be made available in-person.**

6. The network shall, through telehealth services available twenty-four hours a day, seven days a week, by a SANE or another similarly trained appropriate medical provider, provide mentoring, consultation services, guidance, and technical assistance to appropriate medical providers during and outside of a forensic examination of a victim of a sexual offense. The network shall ensure that the system through which the network provides telehealth services meets national standards for interoperability to connect to telehealth systems.

7. The department may consult and enter into any necessary contracts with any other local, state, or federal agency, institution of higher education, or private entity to carry out the provisions of this section, including, but not limited to, a contract to:

- (1) Develop, implement, maintain, or operate the network;
- (2) Train and provide technical assistance to appropriate medical providers on conducting forensic examinations of victims of sexual offenses and the use of telehealth services; and
- (3) Provide consultation, guidance, or technical assistance to appropriate medical providers using telehealth services during a forensic examination of a victim of a sexual offense.

8. Beginning October 1, 2021, and each year thereafter, all hospitals licensed under chapter 197 shall report to the department the following information for the previous year:

- (1) The number of forensic examinations of victims of a sexual offense performed at the hospital;
- (2) The number of forensic examinations of victims of a sexual offense requested to be performed by a victim of a sexual offense that the hospital did not perform and the reason why the examination was not performed;
- (3) The number of evidentiary collection kits submitted to a law enforcement agency for testing; and
- (4) After July 1, 2022, the number of appropriate medical providers employed at or contracted with the hospital who utilized the training and telehealth services provided by the network.

The information reported under this subsection and subsection 9 of this section shall not include any personally identifiable information of any victim of a sexual offense or any appropriate medical provider performing a forensic examination of such victim.

9. Beginning January 1, 2022, and each year thereafter, the department shall make publicly available a report that shall include the information submitted under subsection 8 of this section. The report shall also include, in collaboration with the department of public safety, information about the number of evidentiary collection kits submitted by a person or entity outside of a hospital setting, as well as the number of appropriate medical providers utilizing the training and telehealth services provided by the network outside of a hospital setting.

10. (1) The funding for the network shall be subject to appropriations. In addition to appropriations from the general assembly, the department shall apply for available grants and shall be able to accept other gifts, grants, bequests, and donations to develop and maintain the network and the training offered by the network.

(2) There is hereby created in the state treasury the "Justice for Survivors Telehealth Network Fund", which shall consist of any gifts, grants, bequests, and donations accepted under this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the department for the purpose of developing and maintaining the network and the training offered by the network. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The department shall promulgate rules and regulations in order to implement the provisions of this section, including, but not limited to, the following:

- (1) The operation of a statewide telehealth network for forensic examinations of victims of sexual offenses;
- (2) The development of training for appropriate medical providers conducting a forensic examination of a victim of a sexual offense; and
- (3) Maintenance of records and data privacy and security of patient information.

Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

197.135. 1. Beginning January 1, 2023, **or no later than six months after the establishment of the statewide telehealth network under section 192.2520, whichever is later**, any hospital licensed under this chapter shall perform a forensic examination using an evidentiary collection kit upon the request and consent of the victim of a sexual offense, or the victim's guardian, when the victim is at least fourteen years of age. In the case of minor consent, the provisions of subsection 2 of section 595.220 shall apply. Victims under fourteen years of age shall be referred, **and victims fourteen years of age or older but less than eighteen years of age may be referred**, to a SAFE CARE provider, as such term is defined in section 334.950, for medical or forensic evaluation and case review. Nothing in this section shall be interpreted to preclude a hospital from performing a forensic examination for a victim under fourteen years of age upon the request and consent of the victim or victim's guardian, subject to the provisions of section 595.220 and the rules promulgated by the department of public safety.

2. (1) An appropriate medical provider, as such term is defined in section 595.220, shall perform the forensic examination of a victim of a sexual offense. The hospital shall ensure that any provider performing the examination has received training conducting such examinations that is, at a minimum, equivalent to the training offered by the statewide telehealth network under subsection 4 of section 192.2520. **Nothing in this section shall require providers to utilize the training offered by the statewide telehealth network, as long as the training utilized is, at a minimum, equivalent to the training offered by the statewide telehealth network.**

(2) If the provider is not a sexual assault nurse examiner (SANE), or another similarly trained physician or nurse, then the hospital shall utilize telehealth services during the examination, such as those provided by the statewide telehealth network, to provide guidance and support through a SANE, or other similarly trained physician or nurse, who may observe the live forensic examination and who shall communicate with and support the onsite provider with the examination, forensic evidence collection, and proper transmission and storage of the examination evidence.

3. The department of health and senior services may issue a waiver of the telehealth requirements of subsection 2 of this section if the hospital demonstrates to the department, in writing, a technological hardship in accessing telehealth services or a lack of access to adequate broadband services sufficient to access telehealth services. Such waivers shall be granted sparingly and for no more than a year in length at a time, with the opportunity for renewal at the department's discretion.

4. The department shall waive the requirements of this section if the statewide telehealth network established under section 192.2520 ceases operation, the director of the department of health and senior services has provided written notice to hospitals licensed under this chapter that the network has ceased operation, and the hospital cannot, in good faith, comply with the requirements of this section without assistance or resources of the statewide telehealth network. Such waiver shall remain in effect until such time as the statewide telehealth network resumes operation or until the hospital is able to demonstrate compliance with the provisions of this section without the assistance or resources of the statewide telehealth network.

5. The provisions of section 595.220 shall apply to the reimbursement of the reasonable costs of the examinations and the provision of the evidentiary collection kits.

6. **No individual hospital shall be required to comply with the provisions of this section and section 192.2520 unless and until the department provides such hospital with access to the statewide telehealth network for the purposes of mentoring and training services required under section 192.2520 without charge to the hospital.**"; 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:

2348 *Journal of the House*

AYES: 091

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Chipman	Cook	Copeland
Davidson	Davis	Deaton	Derges	Dinkins
Dogan	Evans	Fitzwater	Francis	Gregory 51
Gregory 96	Grier	Griesheimer	Haden	Haffner
Haley	Hannegan	Hardwick	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Kalberloh	Kelly 141	Kidd	Knight	Lewis 6
Lovasco	Mayhew	McGaugh	McGill	Murphy
O'Donnell	Perkins	Pike	Plocher	Pollitt 52
Porter	Pouche	Proudie	Railsback	Reedy
Richey	Riley	Roberts	Roden	Rone
Ruth	Sander	Sassmann	Schroer	Schwadron
Seitz	Sharpe 4	Shaul	Shields	Simmons
Smith 155	Stacy	Stephens 128	Tate	Taylor 139
Thomas	Thompson	Toalson Reisch	Trent	Van Schoiack
Veit	Wallingford	Walsh 50	West	Wright
Mr. Speaker				

NOES: 039

Adams	Anderson	Appelbaum	Aune	Barnes
Bland Manlove	Bosley	Brown 27	Burnett	Butz
Clemens	Collins	Doll	Ellebracht	Gray
Gunby	Johnson	Lewis 25	Mackey	McCreery
Merideth	Mosley	Nurrenbern	Phifer	Quade
Rogers	Rowland	Sauls	Sharp 36	Smith 45
Smith 67	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 000

ABSENT WITH LEAVE: 032

Aldridge	Bailey	Baker	Bangert	Baringer
Brown 70	Burton	Christofanelli	Coleman 32	Coleman 97
Cupps	DeGroot	Eggleston	Falkner	Fishel
Fogle	Griffith	Ingle	Kelley 127	McDaniel
Morse	Owen	Patterson	Person	Pietzman
Pollock 123	Price IV	Riggs	Schnelting	Smith 163
Taylor 48	Wiemann			

VACANCIES: 001

On motion of Representative Kelly (141), **House Amendment No. 3** was adopted.

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

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 3, Section 21.405, Line 20, by inserting after said section and line the following:

"27.010. The attorney general for the state of Missouri shall be elected at each general election at which a governor and other state officers are elected, and his term shall begin at 12:00 noon on the second Monday in January next succeeding his election, and shall continue for four years, or until his successor is elected and qualified. The attorney general shall **not be required** to reside at the seat of government ~~and~~ **but shall** keep his office in the supreme court building[,] and receive an annual salary of sixty-five thousand dollars plus any salary adjustment provided pursuant to section 105.005, payable out of the state treasury. The salary shall constitute the total compensation for all duties to be performed by him and there shall be no further payments made to or accepted by him for the performance of any duty now required of him under any existing law. The attorney general shall devote his full time to his office, and, except in the performance of his official duties, shall not engage in the practice of law."; 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: 093

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Chipman	Coleman 32	Cook
Copeland	Davis	DeGroot	Derges	Dinkins
Dogan	Eggleston	Evans	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
Kidd	Knight	Lewis 6	Lovasco	Mayhew
McGaugh	McGill	Murphy	O'Donnell	Owen
Perkins	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Railsback	Reedy	Richey
Riley	Roberts	Rone	Ruth	Sander
Sassmann	Schroer	Schwadron	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Stacy	Stephens 128
Tate	Taylor 139	Thomas	Thompson	Toalson Reisch
Trent	Van Schoiack	Veit	Wallingford	Walsh 50
West	Wright	Mr. Speaker		

NOES: 041

Adams	Aldridge	Anderson	Appelbaum	Aune
Baringer	Barnes	Bland Manlove	Brown 27	Burnett
Butz	Clemens	Collins	Doll	Ellebracht
Fogle	Gray	Gunby	Johnson	Lewis 25
Mackey	McCreery	Merideth	Mosley	Nurrenbern
Phifer	Quade	Roden	Rogers	Rowland
Sharp 36	Smith 45	Smith 67	Stevens 46	Terry
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham
Young				

PRESENT: 000

ABSENT WITH LEAVE: 028

Bailey	Baker	Bangert	Bosley	Brown 70
Burton	Christofanelli	Coleman 97	Cupps	Davidson
Deaton	Falkner	Fishel	Ingle	McDaniel
Morse	Patterson	Person	Pietzman	Price IV
Proudie	Riggs	Sauls	Schnelting	Seitz
Smith 163	Taylor 48	Wiemann		

VACANCIES: 001

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

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

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Pages 36-37, Section 217.690, Lines 39-90, by deleting said lines and inserting in lieu thereof the following:

"6. Any offender sentenced to a term of imprisonment amounting to fifteen years or more or multiple terms of imprisonment that, taken together, amount to fifteen or more years who was under eighteen years of age at the time of the commission of the offense or offenses may be eligible for parole after serving fifteen years of incarceration, regardless of whether the case is final for the purposes of appeal, and may be eligible for reconsideration hearings in accordance with regulations promulgated by the parole board.

7. The provisions of subsection 6 shall not apply to an offender found guilty of murder in the first degree or capital murder who was under eighteen years of age when the offender committed the offense or offenses who may be found ineligible for parole or whose parole eligibility may be controlled by section 558.047 or 565.033.

8. Any offender under a sentence for first degree murder who has been denied release on parole after a parole hearing shall not be eligible for another parole hearing until at least three years from the month of the parole denial; however, this subsection shall not prevent a release pursuant to subsection 4 of section 558.011.

~~[7-]~~ **9. A victim who has requested an opportunity to be heard shall receive notice that the parole board is conducting an assessment of the offender's risk and readiness for release and that the victim's input will be particularly helpful when it pertains to safety concerns and specific protective measures that may be beneficial to the victim should the offender be granted release.**

~~[8-]~~ **10. Parole hearings shall, at a minimum, contain the following procedures:**

(1) The victim or person representing the victim who attends a hearing may be accompanied by one other person;

(2) The victim or person representing the victim who attends a hearing shall have the option of giving testimony in the presence of the inmate or to the hearing panel without the inmate being present;

(3) The victim or person representing the victim may call or write the parole board rather than attend the hearing;

(4) The victim or person representing the victim may have a personal meeting with a **parole** board member at the **parole** board's central office;

(5) The judge, prosecuting attorney or circuit attorney and a representative of the local law enforcement agency investigating the crime shall be allowed to attend the hearing or provide information to the hearing panel in regard to the parole consideration; and

(6) The **parole** board shall evaluate information listed in the juvenile sex offender registry pursuant to section 211.425, provided the offender is between the ages of seventeen and twenty-one, as it impacts the safety of the community.

~~[9-]~~ **11. The parole board shall notify any person of the results of a parole eligibility hearing if the person indicates to the parole board a desire to be notified.**

~~[10-]~~ **12.** The **parole** board may, at its discretion, require any offender seeking parole to meet certain conditions during the term of that parole so long as said conditions are not illegal or impossible for the offender to perform. These conditions may include an amount of restitution to the state for the cost of that offender's incarceration.

~~[11-]~~ **13.** Special parole conditions shall be responsive to the assessed risk and needs of the offender or the need for extraordinary supervision, such as electronic monitoring. The **parole** board shall adopt rules to minimize the conditions placed on low-risk cases, to frontload conditions upon release, and to require the modification and reduction of conditions based on the person's continuing stability in the community. **Parole** board rules shall permit parole conditions to be modified by parole officers with review and approval by supervisors.

~~[12-]~~ **14.** Nothing contained in this section shall be construed to require the release of an offender on parole nor to reduce the sentence of an offender heretofore committed.

~~[13-]~~ **15.** Beginning January 1, 2001, the **parole** board shall not order a parole unless the offender has obtained a high school diploma or its equivalent, or unless the **parole** board is satisfied that the offender, while committed to the custody of the department, has made an honest good-faith effort to obtain a high school diploma or its equivalent; provided that the director may waive this requirement by certifying in writing to the **parole** board that the offender has actively participated in mandatory education programs or is academically unable to obtain a high school diploma or its equivalent.

~~[14-]~~ **16.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void."; and

Further amend said bill, Page 38, Section 217.692, Line 33, by deleting the number "8" and inserting in lieu thereof the numbers "[8] 10"; and

Further amend said bill, Pages 94-100, Section 590.500, Lines 1-198, by deleting said lines and inserting in lieu thereof the following:

"590.502. 1. For purposes of this section, the following shall mean:

- (1) "Administering authority", any individual or body authorized by a law enforcement agency to hear and make final decisions regarding appeals of disciplinary actions issued by such agency;**
- (2) "Color of law", any act by a law enforcement officer, whether on duty or off duty, that is performed in furtherance of his or her sworn duty to enforce laws and to protect and serve the public;**
- (3) "Economic loss", any economic loss including, but not limited to, loss of overtime accrual, overtime income, sick time accrual, sick time, secondary employment income, holiday pay, and vacation pay;**
- (4) "Good cause", sufficient evidence or facts that would support a party's request for extensions of time or any other requests seeking accommodations outside the scope of the rules set out herein;**
- (5) "Law enforcement officer", any commissioned peace officer with the power to arrest for a violation of the criminal code who is employed by any unit of the state or any county, charter county, city, charter city, municipality, district, college, university, or any other political subdivision or is employed by the board of police commissioners as defined in chapter 84. "Law enforcement officer" shall not include any officer who is the highest ranking officer in the law enforcement agency.**

2. Whenever a law enforcement officer is under administrative investigation or is subjected to administrative questioning that the officer reasonably believes could lead to disciplinary action, demotion, dismissal, transfer, or placement on a status that could lead to economic loss, the investigation or questioning shall be conducted under the following conditions:

- (1) The law enforcement officer who is the subject of the investigation shall be informed, in writing, of the existence and nature of the alleged violation and the individuals who will be conducting the investigation. Notice shall be provided to the officer along with a copy of the complaint at least twenty-four hours prior to any interrogation or interview of the officer;**

(2) Any person, including members of the same agency or department as the officer under investigation, filing a complaint against a law enforcement officer shall have the complaint supported by a written statement outlining the complaint that includes the personal identifying information of the person filing the complaint. All personal identifying information shall be held confidential by the investigating agency;

(3) When a law enforcement officer is questioned or interviewed regarding matters pertaining to his or her law enforcement duties or actions taken within the scope of his or her employment, such questioning shall be conducted for a reasonable length of time and only while the officer is on duty unless reasonable circumstances exist that necessitate questioning the officer while he or she is off duty;

(4) Any interviews or questioning shall be conducted at a secure location at the agency that is conducting the investigation or at the place where the officer reports to work, unless the officer consents to another location;

(5) Law enforcement officers shall be questioned by up to two investigators and shall be informed of the name, rank, and command of the investigator or investigators conducting the investigation; except that, separate investigators shall be assigned to investigate alleged department policy violations and alleged criminal violations;

(6) Interview sessions shall be for a reasonable period of time. There shall be times provided for the officer to allow for such personal necessities and rest periods as are reasonably necessary;

(7) Prior to an interview session, the investigator or investigators conducting the investigation shall advise the law enforcement officer of the rule set out in *Garrity v. New Jersey*, 385 U.S. 493 (1967), specifically that the law enforcement officer is being ordered to answer questions under threat of disciplinary action and that the officer's answers to the questions will not be used against the officer in criminal proceedings;

(8) Law enforcement officers shall not be threatened, harassed, or promised rewards to induce them into answering any question; except that, law enforcement officers may be compelled by their employer to give protected *Garrity* statements to an investigator under the direct control of the employer, but such compelled statements shall not be used or derivatively used against the officer in any aspect of a criminal case brought against the officer;

(9) Law enforcement officers under investigation are entitled to have an attorney or any duly authorized representative present during any questioning that the law enforcement officer reasonably believes may result in disciplinary action. The attorney or representative shall be permitted to confer with the officer but shall not unduly disrupt or interfere with the interview. The questioning shall be suspended for a period of up to twenty-four hours if the officer requests representation;

(10) Prior to the law enforcement officer being interviewed, the officer and his or her attorney or representative shall have the opportunity to review the complaint;

(11) Law enforcement officers or their designated representative shall have the right to bring their own recording device and may record all aspects of the interview;

(12) The law enforcement agency conducting the investigation shall have ninety days from receipt of a citizen complaint or from the date the agency became aware of the alleged conduct upon which the allegation rests to complete such investigation. The agency shall determine the disposition of the complaint and render a disciplinary decision, if any, within ninety days. The agency may, for good cause, petition the administering authority overseeing the administration of discipline for an extension of time to complete the investigation. If the administering authority finds the agency has shown good cause for the granting of an extension of time to complete the investigation, the administering authority shall grant an extension of up to sixty days. The agency is limited to two extensions per investigation; except that, if there is an ongoing criminal investigation there shall be no limitation on the amount of sixty-day extensions. For good cause shown, the internal investigation may be tolled until the conclusion of a concurrent criminal investigation arising out of the same alleged conduct. Absent consent from the officer being investigated, the administering authority overseeing the administration of discipline shall set the matter for hearing and shall provide notice of the hearing to the law enforcement officer under investigation. The officer shall have the right to attend the hearing and to present evidence and arguments against extension;

(13) Within five days of the conclusion of the administrative investigation, the investigator shall inform the officer, in writing, of the investigative findings and any recommendation for further action, including discipline;

(14) A complete record of the administrative investigation shall be kept by the law enforcement agency conducting such investigation. Upon completion of the investigation, a copy of the entire record, including, but not limited to, audio, video, and transcribed statements, shall be provided to the officer or the

officer's representative within five business days of the officer's written request. The agency may request a protective order to redact all personal identifying witness information; and

(15) All records compiled as a result of any investigation subject to the provisions of this section shall be held confidential and shall not be subject to disclosure under chapter 610, except by lawful subpoena or court order, by release approved by the officer, or as provided in section 590.070.

3. Law enforcement officers who are suspended without pay, demoted, terminated, transferred, or placed on a status resulting in economic loss shall be entitled to a full due process hearing. However, nothing in this section shall prohibit a law enforcement agency and the authorized bargaining representative for a law enforcement officer employed by that agency from reaching written agreements providing disciplinary procedures more favorable than those provided for this section. The components of the hearing shall include, at a minimum:

- (1) The right to be represented by an attorney or other individual of their choice during the hearing;
- (2) The right of the law enforcement officer or his or her attorney to conduct discovery prior to the hearing. Depositions may be taken in the same manner and under the same conditions as provided for in the Missouri civil rules of civil procedure for civil cases in the circuit court. Subpoenas may be issued by the board conducting the hearing or by the circuit court or the office of the clerk for the county where the agency has its principal place of business;
- (3) Seven days' notice of the hearing date and time;
- (4) An opportunity to access and review documents, at least seven days in advance of the hearing, that are in the employer's possession and that were used as a basis for the disciplinary action;
- (5) The right of the law enforcement officer or his or her attorney to present witnesses and evidence in the officer's defense and a right to cross-examine any adverse witnesses against the officer;
- (6) The right to refuse to testify at the hearing if the officer is concurrently facing criminal charges in connection with the same incident. A law enforcement officer's decision not to testify shall not result in additional internal charges or discipline;
- (7) A complete record of the hearing shall be kept by the agency for purposes of appeal. The record shall be provided to the officer or his or her attorney upon written request;
- (8) The entire record of the hearing shall remain confidential and shall not be subject to disclosure under chapter 610, except by lawful subpoena or court order.

4. Any decision, order, or action taken following the hearing shall be in writing and shall be accompanied by findings of fact. The findings shall consist of a concise statement upon each issue in the case. A copy of the decision or order accompanying findings and conclusions along with the written action and right of appeal, if any, shall be delivered or mailed promptly to the law enforcement officer or to the officer's attorney or representative of record.

5. Law enforcement officers shall have the opportunity to provide a written response to any adverse materials placed in their personnel file, and such written response shall be permanently attached to the adverse material.

6. Law enforcement officers shall have the right to compensation for any economic loss incurred during an investigation if the officer is found to have committed no misconduct.

7. Law enforcement officers may petition the circuit court in the county in which the law enforcement agency has its principal place of business to review the decision of the administrative body hearing the appeal of discipline. Upon a finding that the discipline was not justified, the circuit court may award the law enforcement officer back pay and costs incurred in bringing the suit, including attorney's fees.

8. Employers shall defend and indemnify law enforcement officers from and against civil claims made against them in their official and individual capacities if the alleged conduct arose in the course and scope of their obligations and duties as law enforcement officers. This includes any actions taken off duty if such actions were taken under color of law. In the event the law enforcement officer is convicted of, or pleads guilty to, criminal charges arising out of the same conduct, the employer shall no longer be obligated to defend and indemnify the officer in connection with related civil claims.

9. Law enforcement officers shall not be disciplined, demoted, dismissed, transferred, or placed on a status resulting in economic loss as a result of the assertion of their constitutional rights in any judicial proceeding, unless the officer admits to wrong-doing, in which case the provisions of this section shall not apply.

10. No state or local governmental unit including, but not limited to, a county, charter county, city, charter city, municipality, district, college, university, or any other political subdivision that employs a law enforcement officer shall enact, promulgate, enforce, or follow any law, regulation, or policy that would abolish, conflict with, modify, or in any way diminish any right or remedy provided to law enforcement officers under this section.

11. The rights set out in this section are minimum standards to be applied throughout the state. However, nothing in this section shall prohibit a law enforcement agency and the authorized bargaining representative for a law enforcement officer employed by that agency from reaching written agreements providing disciplinary procedures more favorable than those provided in this section.

12. Any aggrieved law enforcement officer or authorized representative may seek judicial enforcement of the requirements of this section. Suits to enforce this section shall be brought in the circuit court for the county in which the law enforcement agency or governmental body has its principal place of business.

13. Upon a finding by a preponderance of the evidence that a law enforcement agency, governmental body, or member of same has violated any provision of this section, a court shall void any action taken in violation of this section. The court may also award the law enforcement officer the costs of bringing the suit including, but not limited to, attorneys' fees. A lawsuit for enforcement shall be brought within one year from which the violation is ascertainable.

14. Nothing in this section shall apply to any investigation or other action by the director regarding a license issued by the director under this chapter.

15. A law enforcement agency that has substantially similar or greater procedures shall be deemed in compliance with this section."; and

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

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

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

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 2, Line 33, by inserting after all of the said line the following:

"Further amend said bill, Page 66, Section 545.940, Line 24, by inserting after all of said section and line the following:

"547.031. 1. A prosecuting or circuit attorney, in the jurisdiction in which a person was convicted of an offense, may file a motion to vacate or set aside the judgment at any time if he or she has information that the convicted person may be innocent or may have been erroneously convicted. The circuit court in which the person was convicted shall have jurisdiction and authority to consider, hear, and decide the motion.

2. Upon the filing of a motion to vacate or set aside the judgment, the court shall order a hearing and shall issue findings of fact and conclusions of law on all issues presented. The attorney general shall be given notice of hearing of such a motion by the circuit clerk and shall be permitted to appear, question witnesses, and make arguments in a hearing of such a motion.

3. The court shall grant the motion of the prosecuting or circuit attorney to vacate or set aside the judgment where the court finds that there is clear and convincing evidence of actual innocence or constitutional error at the original trial or plea that undermines the confidence in the judgment. In considering the motion, the court shall take into consideration the evidence presented at the original trial or plea; the evidence presented at any direct appeal or post-conviction proceedings, including state or federal habeas actions; and the information and evidence presented at the hearing on the motion.

4. The prosecuting attorney or circuit attorney shall have the authority and right to file and maintain an appeal of the denial or disposal of such a motion. The attorney general may file a motion to intervene and, in addition to such motion, file a motion to dismiss the motion to vacate or to set aside the judgment in any appeal filed by the prosecuting or circuit attorney."; 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: 098

Andrews	Atchison	Baker	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Coleman 32
Coleman 97	Cook	Copeland	Davidson	Davis
Deaton	Derges	Dinkins	Dogan	Eggleston
Evans	Falkner	Fishel	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	Kidd
Knight	Lewis 6	Lovasco	Mayhew	McGaugh
McGill	Murphy	O'Donnell	Owen	Perkins
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Pouche	Railsback	Reedy	Richey	Riggs
Riley	Roberts	Rone	Sander	Schroer
Schwadron	Seitz	Sharpe 4	Shaul	Shields
Simmons	Smith 155	Stacy	Stephens 128	Tate
Taylor 139	Taylor 48	Thomas	Thompson	Toalson Reisch
Trent	Van Schoiack	Veit	Wallingford	Walsh 50
West	Wright	Mr. Speaker		

NOES: 039

Adams	Anderson	Appelbaum	Aune	Baringer
Barnes	Bland Manlove	Bosley	Brown 27	Burnett
Butz	Clemens	Collins	Doll	Ellebracht
Fogle	Gunby	Ingle	Johnson	Lewis 25
Mackey	McCreery	Mosley	Nurrenbern	Phifer
Roden	Rogers	Rowland	Sauls	Sharp 36
Smith 45	Smith 67	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 000

ABSENT WITH LEAVE: 025

Aldridge	Bailey	Bangert	Brown 70	Burton
Christofanelli	Cupps	DeGroot	Francis	Gray
McDaniel	Merideth	Morse	Patterson	Person
Pietzman	Price IV	Proudie	Quade	Ruth
Sassmann	Schnelting	Smith 163	Stevens 46	Wiemann

VACANCIES: 001

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Andrews	Atchison	Baker	Basye	Billington
Black 137	Black 7	Boggs	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Coleman 97
Cook	Copeland	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	Hovis
Hudson	Hurlbert	Kelley 127	Kelly 141	Kidd
Knight	Lewis 6	Lovasco	Mayhew	McGaugh
McGirt	Murphy	O'Donnell	Owen	Perkins
Pike	Plocher	Pollitt 52	Pollock 123	Porter
Pouche	Railsback	Reedy	Richey	Riggs
Riley	Roberts	Rone	Ruth	Sander
Sassmann	Schroer	Schwadron	Seitz	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Stacy
Stephens 128	Tate	Taylor 139	Taylor 48	Thomas
Thompson	Toalson Reisch	Trent	Van Schoiack	Veit
Wallingford	Walsh 50	West	Wright	Mr. Speaker

NOES: 041

Adams	Anderson	Appelbaum	Aune	Baringer
Barnes	Bland Manlove	Bosley	Brown 27	Burnett
Butz	Clemens	Collins	Doll	Ellebracht
Fogle	Gunby	Ingle	Johnson	Lewis 25
Mackey	McCreery	Merideth	Mosley	Nurrenbern
Phifer	Quade	Roden	Rogers	Rowland
Sauls	Sharp 36	Smith 45	Smith 67	Terry
Turnbaugh	Unsicker	Walsh Moore 93	Weber	Windham
Young				

PRESENT: 000

ABSENT WITH LEAVE: 021

Aldridge	Bailey	Bangert	Brown 70	Burton
Christofanelli	Coleman 32	Cupps	Gray	Kalberloh
McDaniel	Morse	Patterson	Person	Pietzman
Price IV	Proudie	Schnelting	Smith 163	Stevens 46
Wiemann				

VACANCIES: 001

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

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

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 102, Section 610.120, Line 30, by inserting after said section and line the following:

"610.122. 1. Notwithstanding other provisions of law to the contrary, any record of arrest recorded pursuant to section 43.503 may be expunged if:

(1) The court determines that the arrest was based on false information and the following conditions exist:

(a) There is no probable cause, at the time of the action to expunge, to believe the individual committed the offense;

(b) No charges will be pursued as a result of the arrest; and

(c) The subject of the arrest did not receive a suspended imposition of sentence for the offense for which the arrest was made or for any offense related to the arrest; or

(2) The court determines the person was arrested for, or was subsequently charged with, a misdemeanor offense of chapter 303 or any moving violation as the term moving violation is defined under section 302.010, except for any intoxication-related traffic offense as intoxication-related traffic offense is defined under section 577.023 and:

(a) Each such offense or violation related to the arrest was subsequently nolle prossed or dismissed, or the accused was found not guilty of each offense or violation; and

(b) The person is not a commercial driver's license holder and was not operating a commercial motor vehicle at the time of the arrest.

2. A record of arrest shall only be eligible for expungement under this section if[~~]~~:

~~—(1) The subject of the arrest has no prior or subsequent misdemeanor or felony convictions; and~~

~~—(2) no civil action is pending relating to the arrest or the records sought to be expunged.";~~ and

Further amend said bill, Page 104, Section 610.140, Lines 79-84, by deleting said lines and inserting in lieu thereof the following:

"(1) At the time the petition is filed, it has been at least ~~[seven]~~ **three** years if the offense is a felony, or at least ~~[three years]~~ **one year** if the offense is a misdemeanor, municipal offense, or infraction, from the date the petitioner completed any authorized disposition imposed under section 557.011 for each offense, violation, or infraction listed in the petition;

(2) **At the time the petition is filed**, the person has not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters **301, 302, 303, 304, and 307**, during the"; and

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

Representative Taylor (139) offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 2, Line 1, by inserting after said line the following:

"Further amend said bill and section, Page 105, Line 121, by inserting after the phrase "order of expungement." the following:

"For purposes of 18 U.S.C. 921(a)33(B)(ii), an order or expungement granted pursuant to this section shall be considered a complete removal of all effects of the expunged conviction."; 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: 100

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Bosley	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Chipman	Coleman 32	Coleman 97
Cook	Copeland	Davidson	Davis	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
Kalberloh	Kelley 127	Kelly 141	Kidd	Knight
Lewis 6	Lovasco	Mayhew	McGaugh	McGill
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollitt 52	Pollock 123	Porter	Pouche
Proudie	Railsback	Reedy	Riggs	Riley
Roberts	Rone	Ruth	Sander	Sassmann
Schroer	Schwadron	Seitz	Sharp 36	Sharpe 4
Shaul	Shields	Simmons	Smith 155	Stacy
Stephens 128	Tate	Taylor 139	Taylor 48	Thomas
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Mr. Speaker

NOES: 041

Adams	Anderson	Aune	Bangert	Baringer
Barnes	Bland Manlove	Brown 27	Brown 70	Burnett
Butz	Clemens	Collins	Doll	Ellebracht
Fogle	Gray	Gunby	Ingle	Johnson
Lewis 25	Mackey	McCreery	Mosley	Nurrenbern
Phifer	Price IV	Quade	Roden	Rogers
Rowland	Sauls	Smith 45	Smith 67	Stevens 46
Terry	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Windham				

PRESENT: 000

ABSENT WITH LEAVE: 021

Aldridge	Appelbaum	Bailey	Baker	Boggs
Burton	Christofanelli	Cupps	Deaton	Hicks
McDaniel	Merideth	Morse	Murphy	Person
Pietzman	Richey	Schnelting	Smith 163	Thompson
Young				

VACANCIES: 001

On motion of Representative Taylor (139), **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bosley	Bromley	Brown 16
Buchheit-Courtway	Burger	Busick	Chipman	Coleman 32
Coleman 97	Cook	Copeland	Davidson	Davis
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	Hovis
Hudson	Hurlbert	Johnson	Kalberloh	Kelley 127
Kelly 141	Knight	Lewis 6	Lovasco	Mayhew
McGaugh	McGirl	O'Donnell	Owen	Patterson
Perkins	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Railsback	Reedy	Riggs
Riley	Roberts	Rone	Ruth	Sander
Sassmann	Schroer	Schwadron	Seitz	Sharp 36
Sharpe 4	Shaul	Shields	Simmons	Smith 155
Stacy	Stephens 128	Tate	Taylor 139	Taylor 48
Thomas	Thompson	Toalson Reisch	Trent	Van Schoiack
Veit	Wallingford	Walsh 50	West	Wiemann
Wright	Mr. Speaker			

NOES: 039

Adams	Anderson	Aune	Bangert	Baringer
Barnes	Bland Manlove	Brown 27	Brown 70	Butz
Clemens	Collins	Doll	Ellebracht	Fogle
Gray	Gunby	Ingle	Lewis 25	Mackey
McCreery	Merideth	Person	Phifer	Quade
Roden	Rogers	Rowland	Sauls	Smith 45
Smith 67	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 000

ABSENT WITH LEAVE: 021

Aldridge	Appelbaum	Bailey	Baker	Burnett
Burton	Christofanelli	Cupps	Deaton	Kidd
McDaniel	Morse	Mosley	Murphy	Nurrenbern
Pietzman	Price IV	Proudie	Richey	Schnelting
Smith 163				

VACANCIES: 001

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

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

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 3, Section 21.405, Line 20, by inserting after all of said section and line the following:

"50.327. 1. Notwithstanding any other provisions of law to the contrary, the salary schedules contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 56.265, ~~[57.317,]~~ 58.095, and 473.742 shall be set as a base schedule for those county officials. Except when it is necessary to increase newly elected or reelected county officials' salaries, in accordance with Section 13, Article VII, Constitution of Missouri, to comply with the requirements of this section, the salary commission in all counties except charter counties in this state shall be responsible for the computation of salaries of all county officials; provided, however, that any percentage salary adjustments in a county shall be equal for all such officials in that county.

2. Upon majority approval of the salary commission, the annual compensation of part-time prosecutors contained in section 56.265 and the county offices contained in sections 49.082, 50.334, 50.343, 51.281, 51.282, 52.269, 53.082, 53.083, 54.261, 54.320, 55.091, 58.095, and 473.742 may be increased by up to two thousand dollars greater than the compensation provided by the salary schedules; provided, however, that any vote to increase compensation be effective for all county offices in that county **subject to the salary commission.**

~~[3. Upon majority approval of the salary commission, the annual compensation of a county sheriff as provided in section 57.317 may be increased by up to six thousand dollars greater than the compensation provided by the salary schedule of such section.~~

~~4. The salary commission of any county of the third classification may amend the base schedules for the computation of salaries for county officials referenced in subsection 1 of this section to include assessed valuation factors in excess of three hundred million dollars; provided that the percentage of any adjustments in assessed valuation factors shall be equal for all such officials in that county.]; and~~

Further amend said bill, Page 6, Section 57.280, Line 61, by inserting after said section and line the following:

"57.317. 1. **(1)** The county sheriff in any county ~~[other than in a]~~ **of the first or second** classification ~~[chartered county,]~~ shall receive an annual salary **equal to eighty percent of the compensation of an associate circuit judge of the county.**

(2) The county sheriff in any county of the third or fourth classification shall receive an annual salary computed as ~~[set forth in]~~ the following ~~[schedule]~~ **percentages of the compensation of an associate circuit judge of the county.** The assessed valuation factor shall be the amount thereof as shown for the year next preceding the computation. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of sheriff ~~[on January 1, 1997]~~ **from the prior year.**

Assessed Valuation

\$18,000,000 to ~~[40,999,999]~~

41,000,000 to ~~53,999,999~~

54,000,000 to ~~65,999,999~~

66,000,000 to ~~85,999,999~~

86,000,000 to] 99,999,999

~~[Salary]~~ **Percentage**

~~36,000~~

~~37,000~~

~~38,000~~

~~39,000~~

~~[40,000]~~ **45%**

100,000,000 to [130,999,999]	42,000
131,000,000 to 159,999,999	44,000
160,000,000 to 189,999,999	45,000
190,000,000 to] 249,999,999	[46,000] 50%
250,000,000 to [299,999,999]	48,000
300,000,000 to] 449,999,999	[50,000] 55%
450,000,000 to [599,999,999]	52,000
600,000,000 to 749,999,999	54,000
750,000,000 to] 899,999,999	[56,000] 60%
900,000,000 [to 1,049,999,999]	58,000
1,050,000,000 to 1,199,999,999	60,000
1,200,000,000 to 1,349,999,999	62,000
1,350,000,000] and over	[64,000] 65%

2. Two thousand dollars of the salary authorized in this section shall be payable to the sheriff only if the sheriff has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the sheriff's office when approved by a professional association of the county sheriffs of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each sheriff who completes the training program and shall send a list of certified sheriffs to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county sheriff in the same manner as other expenses as may be appropriated for that purpose.

3. The county sheriff in any county~~[;]~~ other than a ~~[first classification]~~ charter county~~[;]~~ shall not~~[, except upon two thirds vote of all the members of the salary commission,]~~ receive an annual compensation less than the ~~[total]~~ compensation ~~[being received for the office of county sheriff in the particular county for services rendered or performed on the date the salary commission votes]~~ **described under this section.**"; and

Further amend said bill, Page 12, Section B, Line 1, by deleting the words "section 304.050" and inserting in lieu thereof the phrase "sections 50.327, 57.317, and 304.050"; and

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

Representative Copeland 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 Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 1, Line 34, by inserting after the phrase "**judge of the county.**" the following:

"If there is an increase in salary of less than ten thousand dollars, the increase shall take effect on January 1, 2022. If there is an increase of ten thousand dollars or more, the increase shall be paid over a period of five years in twenty percent increments per year."; 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: 095

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Chipman	Coleman 32	Coleman 97
Cook	Copeland	Davidson	Davis	DeGroot
Derges	Dinkins	Dogan	Eggleston	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	Kidd	Knight	Lewis 6
Mayhew	McGaugh	McGirl	O'Donnell	Owen
Patterson	Perkins	Pike	Pollock 123	Porter
Pouche	Proudie	Railsback	Reedy	Riggs
Riley	Roberts	Rone	Sander	Sassmann
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Stacy	Stephens 128
Tate	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	West	Wiemann	Wright	Mr. Speaker

NOES: 042

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Bosley	Brown 27	Burnett
Burton	Butz	Clemens	Collins	Doll
Ellebracht	Fogle	Gray	Gunby	Ingle
Johnson	Lewis 25	Mackey	McCreery	Merideth
Nurrenbern	Person	Phifer	Roden	Rogers
Rowland	Sauls	Sharp 36	Smith 45	Stevens 46
Terry	Turnbaugh	Unsicker	Walsh Moore 93	Weber
Windham	Young			

PRESENT: 000

ABSENT WITH LEAVE: 025

Aldridge	Bailey	Baker	Barnes	Brown 70
Christofanelli	Cupps	Deaton	Evans	Fitzwater
Lovasco	McDaniel	Morse	Mosley	Murphy
Pietzman	Plocher	Pollitt 52	Price IV	Quade
Richey	Ruth	Schnelting	Smith 163	Smith 67

VACANCIES: 001

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

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Andrews	Atchison	Basye	Billington	Black 137
Black 7	Boggs	Bromley	Brown 16	Buchheit-Courtway
Burger	Busick	Chipman	Coleman 32	Coleman 97
Cook	Copeland	Davidson	Davis	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	Hovis	Hudson
Hurlbert	Kalberloh	Kelley 127	Kidd	Knight
Lovasco	Mayhew	McGirl	O'Donnell	Owen
Patterson	Perkins	Pike	Plocher	Pollock 123
Porter	Pouche	Railsback	Reedy	Riley
Roberts	Rone	Ruth	Sander	Sassmann
Schroer	Schwadron	Seitz	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Stacy	Stephens 128
Tate	Taylor 139	Thomas	Thompson	Toalson Reisch
Trent	Van Schoiack	Veit	Wallingford	Walsh 50
West	Wiemann	Wright	Mr. Speaker	

NOES: 040

Adams	Anderson	Appelbaum	Baringer	Bland Manlove
Bosley	Brown 27	Burnett	Burton	Butz
Clemens	Collins	Doll	Ellebracht	Fogle
Gunby	Ingle	Johnson	Lewis 25	McCreery
Merideth	Mosley	Nurrenbern	Person	Phifer
Quade	Roden	Rogers	Rowland	Sauls
Sharp 36	Smith 45	Stevens 46	Terry	Turnbaugh
Unsicker	Walsh Moore 93	Weber	Windham	Young

PRESENT: 001

McGaugh

ABSENT WITH LEAVE: 027

Aldridge	Aune	Bailey	Baker	Bangert
Barnes	Brown 70	Christofanelli	Cupps	Deaton
Gray	Kelly 141	Lewis 6	Mackey	McDaniel
Morse	Murphy	Pietzman	Pollitt 52	Price IV
Proudie	Richey	Riggs	Schnelting	Smith 163
Smith 67	Taylor 48			

VACANCIES: 001

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

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

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 49, Section 304.050, Line 76, by inserting after all of said section and line the following:

"304.155. 1. Any law enforcement officer within the officer's jurisdiction, or an officer of a government agency where that agency's real property is concerned, may authorize a towing company to remove to a place of safety:

(1) Any abandoned property on the right-of-way of:

(a) Any interstate highway or freeway in an urbanized area, left unattended for ten hours, or immediately if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling materials designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;

(b) Any interstate highway or freeway outside of an urbanized area, left unattended for twenty-four hours, or after four hours if a law enforcement officer determines that the abandoned property is a serious hazard to other motorists, provided that commercial motor vehicles not hauling materials designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;

(c) Any state highway other than an interstate highway or freeway in an urbanized area, left unattended for more than ten hours; or

(d) Any state highway other than an interstate highway or freeway outside of an urbanized area, left unattended for more than twenty-four hours; provided that commercial motor vehicles not hauling waste designated as hazardous under 49 U.S.C. 5103(a) may only be removed under this subdivision to a place of safety until the owner or owner's representative has had a reasonable opportunity to contact a towing company of choice;

(2) Any unattended abandoned property illegally left standing upon any highway or bridge if the abandoned property is left in a position or under such circumstances as to obstruct the normal movement of traffic where there is no reasonable indication that the person in control of the property is arranging for its immediate control or removal;

(3) Any abandoned property which has been abandoned under section 577.080;

(4) Any abandoned property which has been reported as stolen or taken without consent of the owner;

(5) Any abandoned property for which the person operating such property is arrested for an alleged offense for which the officer takes the person into custody and where such person is unable to arrange for the property's ~~timely~~ **removal within forty-eight hours of such person's arrest**;

(6) Any abandoned property which due to any other state law or local ordinance is subject to towing because of the owner's outstanding traffic or parking violations;

(7) Any abandoned property left unattended in violation of a state law or local ordinance where signs have been posted giving notice of the law or where the violation causes a safety hazard;

(8) Any abandoned property illegally left standing on the waters of this state as defined in section 306.010 where the abandoned property is obstructing the normal movement of traffic, or where the abandoned property has been unattended for more than ten hours or is floating loose on the water; or

(9) Any abandoned property for which the person operating such property or vehicle eludes arrest for an alleged offense for which the officer would have taken the offender into custody.

2. The department of transportation or any law enforcement officer within the officer's jurisdiction may immediately remove any abandoned, unattended, wrecked, burned or partially dismantled property, spilled cargo or other personal property from the right-of-way of any interstate highway, freeway, or state highway if the abandoned property, cargo or personal property is creating a traffic hazard because of its position in relation to the interstate highway, freeway, or state highway. In the event the property creating a traffic hazard is a commercial motor vehicle, as defined in section 302.700, the department's authority under this subsection shall be limited to

authorizing a towing company to remove the commercial motor vehicle to a place of safety, except that the owner of the commercial motor vehicle or the owner's designated representative shall have a reasonable opportunity to contact a towing company of choice. The provisions of this subsection shall not apply to vehicles transporting any material which has been designated as hazardous under Section 5103(a) of Title 49, U.S.C.

3. Any law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved from the immediate vicinity shall complete a crime inquiry and inspection report. Any state or federal government agency other than a law enforcement agency authorizing a tow pursuant to this section in which the abandoned property is moved away from the immediate vicinity in which it was abandoned shall report the towing to the state highway patrol or water patrol within two hours of the tow along with a crime inquiry and inspection report as required in this section. Any local government agency, other than a law enforcement agency, authorizing a tow pursuant to this section where property is towed away from the immediate vicinity shall report the tow to the local law enforcement agency within two hours along with a crime inquiry and inspection report.

4. Neither the law enforcement officer, government agency official nor anyone having custody of abandoned property under his direction shall be liable for any damage to such abandoned property occasioned by a removal authorized by this section or by ordinance of a county or municipality licensing and regulating the sale of abandoned property by the municipality, other than damages occasioned by negligence or by willful or wanton acts or omissions.

5. The owner of abandoned property removed as provided in this section or in section 304.157 shall be responsible for payment of all reasonable charges for towing and storage of such abandoned property as provided in section 304.158.

6. Upon the towing of any abandoned property pursuant to this section or under authority of a law enforcement officer or local government agency pursuant to section 304.157, the law enforcement agency that authorized such towing or was properly notified by another government agency of such towing shall promptly make an inquiry with the national crime information center and any statewide Missouri law enforcement computer system to determine if the abandoned property has been reported as stolen and shall enter the information pertaining to the towed property into the statewide law enforcement computer system. If the abandoned property is not claimed within ten working days of the towing, the tower who has online access to the department of revenue's records shall make an inquiry to determine the abandoned property owner and lienholder, if any, of record. In the event that the records of the department of revenue fail to disclose the name of the owner or any lienholder of record, the tower shall comply with the requirements of subsection 3 of section 304.156. If the tower does not have online access, the law enforcement agency shall submit a crime inquiry and inspection report to the director of revenue. A towing company that does not have online access to the department's records and that is in possession of abandoned property after ten working days shall report such fact to the law enforcement agency with which the crime inquiry and inspection report was filed. The crime inquiry and inspection report shall be designed by the director of revenue and shall include the following:

- (1) The year, model, make and property identification number of the property and the owner and any lienholders, if known;
- (2) A description of any damage to the property noted by the officer authorizing the tow;
- (3) The license plate or registration number and the state of issuance, if available;
- (4) The storage location of the towed property;
- (5) The name, telephone number and address of the towing company;
- (6) The date, place and reason for the towing of the abandoned property;
- (7) The date of the inquiry of the national crime information center, any statewide Missouri law enforcement computer system and any other similar system which has titling and registration information to determine if the abandoned property had been stolen. This information shall be entered only by the law enforcement agency making the inquiry;
- (8) The signature and printed name of the officer authorizing the tow;
- (9) The name of the towing company, the signature and printed name of the towing operator, and an indicator disclosing whether the tower has online access to the department's records; and
- (10) Any additional information the director of revenue deems appropriate.

7. One copy of the crime inquiry and inspection report shall remain with the agency which authorized the tow. One copy shall be provided to and retained by the storage facility and one copy shall be retained by the towing facility in an accessible format in the business records for a period of three years from the date of the tow or removal.

8. The owner of such abandoned property, or the holder of a valid security interest of record, may reclaim it from the towing company upon proof of ownership or valid security interest of record and payment of all reasonable charges for the towing and storage of the abandoned property.

9. Any person who removes abandoned property at the direction of a law enforcement officer or an officer of a government agency where that agency's real property is concerned as provided in this section shall have a lien for all reasonable charges for the towing and storage of the abandoned property until possession of the abandoned property is voluntarily relinquished to the owner of the abandoned property or to the holder of a valid security interest of record. Any personal property within the abandoned property need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid or satisfactory arrangements for payment have been made, except that any medication prescribed by a physician shall be released to the owner thereof upon request. The company holding or storing the abandoned property shall either release the personal property to the owner of the abandoned property or allow the owner to inspect the property and provide an itemized receipt for the contents. The company holding or storing the property shall be strictly liable for the condition and safe return of the personal property. Such lien shall be enforced in the manner provided under section 304.156.

10. Towing companies shall keep a record for three years on any abandoned property towed and not reclaimed by the owner of the abandoned property. Such record shall contain information regarding the authorization to tow, copies of all correspondence with the department of revenue concerning the abandoned property, including copies of any online records of the towing company accessed and information concerning the final disposition of the possession of the abandoned property.

11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel without the knowledge or cooperation of the owner, then the reposessor shall notify the local law enforcement agency where the repossession occurred within two hours of the repossession and shall further provide the local law enforcement agency with any additional information the agency deems appropriate. The local law enforcement agency shall make an inquiry with the national crime information center and the Missouri statewide law enforcement computer system and shall enter the repossessed vehicle into the statewide law enforcement computer system.

12. Notwithstanding the provisions of section 301.227, any towing company who has complied with the notification provisions in section 304.156 including notice that any property remaining unredeemed after thirty days may be sold as scrap property may then dispose of such property as provided in this subsection. Such sale shall only occur if at least thirty days has passed since the date of such notification, the abandoned property remains unredeemed with no satisfactory arrangements made with the towing company for continued storage, and the owner or holder of a security agreement has not requested a hearing as provided in section 304.156. The towing company may dispose of such abandoned property by selling the property on a bill of sale as prescribed by the director of revenue to a scrap metal operator or licensed salvage dealer for destruction purposes only. The towing company shall forward a copy of the bill of sale provided by the scrap metal operator or licensed salvage dealer to the director of revenue within two weeks of the date of such sale. The towing company shall keep a record of each such vehicle sold for destruction for three years that shall be available for inspection by law enforcement and authorized department of revenue officials. The record shall contain the year, make, identification number of the property, date of sale, and name of the purchasing scrap metal operator or licensed salvage dealer and copies of all notifications issued by the towing company as required in this chapter. Scrap metal operators or licensed salvage dealers shall keep a record of the purchase of such property as provided in section 301.227. Scrap metal operators and licensed salvage dealers may obtain a junk certificate as provided in section 301.227 on vehicles purchased on a bill of sale pursuant to this section."; and

Further amend said bill, Page 93, Section 590.075, Line 9, by inserting after said section and line the following:

"590.120. 1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of eleven members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No more than two members of the POST commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the POST commission shall be police chiefs, three members shall be sheriffs, one member shall represent a state law enforcement agency covered by the provisions of this chapter, two members shall be peace officers at or below the rank of sergeant employed by a

political subdivision, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession certified or regulated under this chapter. Each member of the POST commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are peace officers shall be qualified as established by this chapter. No member of the POST commission serving a full term of three years may be reappointed to the POST commission until at least one year after the expiration of his most recent term.

2. Three of the original members of the POST commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed for terms of three years. Thereafter the terms of the members of the POST commission shall be for three years or until their successors are appointed. The director may remove any member of the POST commission for misconduct or neglect of office. Any member of the POST commission may be removed for cause by the director but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the POST commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term. No two members of the POST commission shall be employees of the same law enforcement agency.

3. Annually the director shall appoint one of the members as chairperson. The POST commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the POST commission shall constitute a quorum.

4. No member of the POST commission shall receive any compensation for the performance of his official duties.

5. **The director shall employ staff as the director deems necessary including, but not limited to, no fewer than one POST investigator for each administrative hearing commissioner.**

6. The POST commission shall guide and advise the director concerning duties pursuant to this chapter.";
and

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

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

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

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 100, Section 590.1210, Line 4, by inserting after said section and line the following:

"590.1252. 1. All peace officers in this state shall wear a video camera affixed to the peace officer's uniform while on duty. The video camera shall record each interaction between a peace officer and a member of the public during all traffic stops. The recording shall include both audio and video.

2. An officer who intentionally disables his or her affixed camera during an interaction with a member or members of the public shall be guilty of a class A misdemeanor.

3. If an officer's affixed camera is disabled when the officer discharges his or her firearm, the director shall automatically revoke such officer's license pending the result of an investigation.

4. Any investigation conducted as a result of an officer discharging his or her firearm shall be concluded within sixty days of the incident.

5. Law enforcement agencies shall preserve any recordings made by a video camera under this section for a minimum of sixty days and make such recordings available to the public through a state-wide database within fourteen days of any incident.

6. Notwithstanding the result of the investigation, the department of public safety shall publish the footage from the officer's affixed camera on its website within sixty days of the incident.

7. The provisions of this section shall not apply to detectives or other peace officers while they are working in an undercover capacity, or to any peace officer in any situation where the wearing of such a video camera would endanger the safety of the officer or the public.

8. Law enforcement agencies shall develop policies and procedures necessary to execute the provisions of this section prior to January 1, 2022.

9. The director of the department of public safety may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void."; 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: 094

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

NOES: 043

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Barnes	Bland Manlove	Bosley	Brown 27
Burnett	Burton	Butz	Clemens	Collins
Doll	Ellebracht	Fogle	Gray	Gunby
Johnson	Lewis 25	McCreery	Merideth	Mosley
Nurrenbern	Person	Quade	Roden	Rogers
Rowland	Sauls	Sharp 36	Smith 45	Smith 67
Stevens 46	Terry	Turnbaugh	Unsicker	Walsh Moore 93
Weber	Windham	Young		

PRESENT: 000

ABSENT WITH LEAVE: 025

Aldridge	Bailey	Baker	Brown 70	Burger
Cupps	Deaton	Francis	Griesheimer	Hicks
Ingle	Kelly 141	Mackey	McDaniel	Morse
Murphy	Phifer	Pietzman	Price IV	Proudie
Richey	Rone	Schnelting	Shields	Smith 163

VACANCIES: 001

House Amendment No. 9 was withdrawn.

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

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 79, Section 559.607, Line 21, by inserting after all of said line the following:

"565.058. 1. Any special victim as defined under section 565.002 shall not be required to reveal any current address or place of residence except to the court in camera for the purpose of determining jurisdiction and venue.

2. Any special victim as defined under section 565.002 may file a petition with the court alleging assault in any degree by using his or her identifying initials instead of his or her legal name if said petition alleges that he or she would be endangered by such disclosure."; and

Further amend said bill, Page 86, Section 574.110, Line 7, by inserting after all of said line the following:

"574.203. 1. Except as otherwise protected by state or federal law, a person, excluding any person who is developmentally disabled as defined in section 630.005, commits the offense of interference with a health care facility if the person willfully or recklessly interferes with a health care facility or employee of a health care facility by:

- (1) Causing a peace disturbance while inside a health care facility;**
- (2) Refusing an order to vacate a health care facility when requested to by any employee of the health care facility;**
- (3) Threatening to inflict injury on the patients or employees, or damage to the property of a health care facility.**

2. Hospital policies shall address incidents of workplace violence against employees, including protecting an employee from retaliation when such employee complies with hospital policies in seeking assistance or intervention from local emergency services or law enforcement when a violent incident occurs.

3. The offense of interference with a health care facility is a class D misdemeanor for a first offense and a class C misdemeanor for any second or subsequent offense.

4. As used in this section, "health care facility" means a hospital that provides health care services directly to patients.

574.204. 1. Except as otherwise protected by state or federal law, a person commits the offense of interference with an ambulance service if the person acts alone or in concert with others to willfully or recklessly interfere with access to or from an ambulance or willfully or recklessly disrupt any ambulance service by threatening to inflict injury on any person providing ambulance services or damage the ambulance.

2. The offense of interference with an ambulance service is a class D misdemeanor for a first offense and a class C misdemeanor for any second or subsequent offense."; and

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

Representative Fogle offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 53 & 60, Page 1, Line 13, by inserting after the word "**excluding**" the words "**individuals seeking mental health, psychiatric, or psychological care 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: 089

Aldridge	Anderson	Andrews	Atchison	Baker
Basye	Billington	Black 137	Black 7	Boggs
Bromley	Brown 16	Burger	Busick	Chipman
Coleman 32	Coleman 97	Copeland	Davis	DeGroot
Derges	Dinkins	Dogan	Eggleston	Falkner
Fishel	Fitzwater	Gregory 51	Gregory 96	Grier
Griffith	Haden	Haffner	Haley	Hannegan
Hardwick	Henderson	Hill	Hovis	Hudson
Hurlbert	Kalberloh	Kelley 127	Kelly 141	Knight
Lewis 6	Mayhew	McGaugh	McGill	Murphy
O'Donnell	Owen	Patterson	Perkins	Pike
Plocher	Pollock 123	Porter	Pouche	Railsback
Reedy	Riley	Roberts	Ruth	Sander
Sassmann	Schroer	Schwadron	Seitz	Sharp 36
Sharpe 4	Simmons	Smith 155	Stacy	Stephens 128
Tate	Taylor 139	Taylor 48	Thomas	Thompson
Toalson Reisch	Trent	Van Schoiack	Veit	Wallingford
Walsh 50	Wiemann	Wright	Mr. Speaker	

NOES: 035

Adams	Appelbaum	Aune	Bangert	Baringer
Bland Manlove	Bosley	Brown 27	Burnett	Burton
Butz	Clemens	Collins	Doll	Fogle
Gunby	Ingle	Johnson	Lewis 25	McCreery
Merideth	Nurrenbern	Quade	Roden	Rogers
Sauls	Smith 45	Stevens 46	Terry	Turnbaugh
Unsicker	Walsh Moore 93	Weber	Windham	Young

PRESENT: 000

ABSENT WITH LEAVE: 038

Bailey	Barnes	Brown 70	Buchheit-Courtway	Christofanelli
Cook	Cupps	Davidson	Deaton	Ellebracht
Evans	Francis	Gray	Griesheimer	Hicks
Houx	Kidd	Lovasco	Mackey	McDaniel

Morse	Mosley	Person	Phifer	Pietzman
Pollitt 52	Price IV	Proudie	Richey	Riggs
Rone	Rowland	Schnelting	Shaul	Shields
Smith 163	Smith 67	West		

VACANCIES: 001

On motion of Representative Fogle, **House Amendment No. 1 to House Amendment No. 10** was adopted.

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

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

NOES: 039

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Brown 27	Brown 70	Burnett
Burton	Butz	Clemens	Collins	Doll
Ellebracht	Fogle	Gunby	Ingle	McCreery
Merideth	Mosley	Nurrenbern	Person	Price IV
Quade	Roden	Rowland	Sauls	Sharp 36
Smith 45	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 001

McGaugh

ABSENT WITH LEAVE: 026

Bailey	Barnes	Bosley	Christofanelli	Cupps
Deaton	Francis	Gray	Griesheimer	Hicks
Hovis	Johnson	Lewis 25	Mackey	McDaniel

2372 *Journal of the House*

Morse	Phifer	Pietzman	Proudie	Richey
Roberts	Rogers	Schnelting	Shields	Smith 163
Smith 67				

VACANCIES: 001

On motion of Representative Hill, **House Amendment No. 10, as amended**, was adopted.

Representative Plocher moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

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

NOES: 044

Adams	Anderson	Appelbaum	Aune	Bangert
Baringer	Bland Manlove	Brown 27	Brown 70	Burnett
Burton	Butz	Clemens	Collins	Davis
Dogan	Doll	Ellebracht	Fogle	Gray
Gunby	Ingle	Lewis 25	McCreery	Merideth
Mosley	Nurrenbern	Person	Phifer	Quade
Roden	Rogers	Rowland	Sauls	Smith 45
Smith 67	Stevens 46	Terry	Turnbaugh	Unsicker
Walsh Moore 93	Weber	Windham	Young	

PRESENT: 001

McGaugh

ABSENT WITH LEAVE: 021

Bailey	Barnes	Bosley	Christofanelli	Cupps
Deaton	Francis	Griesheimer	Hicks	Houx

Mackey	Mayhew	McDaniel	Morse	Owen
Pietzman	Price IV	Proudie	Richey	Schnelting
Smith 163				

VACANCIES: 001

On motion of Representative Roberts, **HCS SS SCS SBs 53 & 60, as amended**, was adopted.

On motion of Representative Roberts, **HCS SS SCS SBs 53 & 60, as amended**, was read the third time and passed by the following vote:

AYES: 138

Adams	Aldridge	Anderson	Andrews	Appelbaum
Atchison	Bailey	Baker	Bangert	Baringer
Basye	Black 137	Black 7	Boggs	Bosley
Bromley	Brown 16	Brown 70	Buchheit-Courtway	Burger
Burnett	Burton	Butz	Chipman	Christofanelli
Clemens	Coleman 32	Coleman 97	Collins	Cook
Copeland	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Dogan	Doll	Eggleston
Ellebracht	Evans	Falkner	Fishel	Fitzwater
Fogle	Gray	Gregory 51	Gregory 96	Grier
Griesheimer	Griffith	Gunby	Haden	Haffner
Haley	Hannegan	Hardwick	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson	Kalberloh	Kelley 127	Kelly 141
Kidd	Knight	Lewis 6	Lovasco	Mackey
Mayhew	McCreery	McGirl	Mosley	Murphy
O'Donnell	Patterson	Perkins	Person	Phifer
Pike	Plocher	Pollitt 52	Porter	Pouche
Proudie	Quade	Railsback	Reedy	Riggs
Riley	Roberts	Rogers	Rone	Rowland
Ruth	Sander	Sassmann	Sauls	Schroer
Schwadron	Seitz	Sharp 36	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 163	Smith 45
Smith 67	Stacy	Stephens 128	Stevens 46	Tate
Taylor 139	Taylor 48	Terry	Thomas	Thompson
Toalson Reisch	Trent	Turnbaugh	Van Schoiack	Veit
Wallingford	Walsh 50	Walsh Moore 93	West	Wiemann
Windham	Wright	Mr. Speaker		

NOES: 011

Aune	Barnes	Billington	Bland Manlove	Brown 27
Busick	Lewis 25	Nurrenbern	Pollock 123	Roden
Weber				

PRESENT: 004

McGaugh	Merideth	Unsicker	Young
---------	----------	----------	-------

ABSENT WITH LEAVE: 009

Cupps	Francis	McDaniel	Morse	Owen
Pietzman	Price IV	Richey	Schnelting	

VACANCIES: 001

Speaker Vescovo declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Adams	Aldridge	Anderson	Andrews	Appelbaum
Atchison	Aune	Bailey	Baker	Bangert
Baringer	Barnes	Basye	Billington	Black 137
Black 7	Bland Manlove	Boggs	Bosley	Bromley
Brown 16	Brown 70	Buchheit-Courtway	Burger	Burnett
Burton	Busick	Butz	Chipman	Christofanelli
Clemens	Coleman 32	Coleman 97	Collins	Cook
Copeland	Davidson	Davis	Deaton	DeGroot
Derges	Dinkins	Dogan	Doll	Eggleston
Ellebracht	Evans	Falkner	Fishel	Fitzwater
Fogle	Gray	Gregory 51	Gregory 96	Grier
Griesheimer	Griffith	Gunby	Haden	Haffner
Haley	Hannegan	Hardwick	Henderson	Hicks
Hill	Houx	Hovis	Hudson	Hurlbert
Ingle	Johnson	Kalberloh	Kelley 127	Kelly 141
Kidd	Knight	Lewis 6	Lovasco	Mackey
Mayhew	McCreery	McGill	Merideth	Mosley
Murphy	Nurrenbern	O'Donnell	Owen	Patterson
Perkins	Person	Phifer	Pike	Plocher
Pollitt 52	Pollock 123	Porter	Pouche	Proudie
Quade	Railsback	Reedy	Riggs	Riley
Roberts	Rogers	Rone	Rowland	Ruth
Sander	Sassmann	Schroer	Schwadron	Seitz
Sharp 36	Sharpe 4	Shaul	Shields	Simmons
Smith 155	Smith 163	Smith 45	Smith 67	Stacy
Stephens 128	Stevens 46	Tate	Taylor 139	Taylor 48
Terry	Thomas	Thompson	Toalson Reisch	Trent
Turnbaugh	Unsicker	Van Schoiack	Veit	Wallingford
Walsh 50	Walsh Moore 93	Weber	West	Wiemann
Windham	Wright	Young	Mr. Speaker	

NOES: 003

Brown 27	Lewis 25	Roden
----------	----------	-------

PRESENT: 001

McGaugh

ABSENT WITH LEAVE: 009

Cupps	Francis	McDaniel	Morse	Pietzman
Price IV	Richey	Sauls	Schnelting	

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 362, as amended, relating to the government transparency in public access to records, was taken up by Representative DeGroot.

On motion of Representative DeGroot, **SCS HCS HB 362, as amended**, was adopted by the following vote:

AYES: 151

Adams	Aldridge	Anderson	Andrews	Appelbaum
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	Collins
Cook	Copeland	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
Hicks	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	Mosley	Murphy	Nurrenbern
O'Donnell	Owen	Patterson	Perkins	Person
Phifer	Pike	Plocher	Pollitt 52	Pollock 123
Porter	Pouche	Proudie	Quade	Railsback
Reedy	Richey	Riggs	Riley	Roberts
Rogers	Rone	Rowland	Ruth	Sander
Sassmann	Sauls	Schwadron	Seitz	Sharp 36
Sharpe 4	Shaul	Shields	Simmons	Smith 155
Smith 45	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	Walsh Moore 93	Weber
West	Wiemann	Windham	Wright	Young
Mr. Speaker				

NOES: 001

Roden

PRESENT: 000

ABSENT WITH LEAVE: 010

Cupps	Davidson	McDaniel	Morse	Pietzman
Price IV	Schnelting	Schroer	Smith 163	Tate

VACANCIES: 001

On motion of Representative DeGroot, **SCS HCS HB 362, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Adams	Aldridge	Anderson	Andrews	Appelbaum
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	Collins
Cook	Copeland	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	Hicks	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	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	Rone	Rowland
Ruth	Sander	Sassmann	Sauls	Schroer
Schwadron	Seitz	Sharp 36	Sharpe 4	Shaul
Shields	Simmons	Smith 155	Smith 45	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	Walsh Moore 93	Weber	West	Wiemann
Windham	Wright	Young	Mr. Speaker	

NOES: 001

Roden

PRESENT: 000

ABSENT WITH LEAVE: 007

Cupps	McDaniel	Morse	Pietzman	Schnelting
Smith 163	Tate			

VACANCIES: 001

Speaker Vescovo declared the bill passed.

COMMITTEE REPORTS

Committee on Public Safety, Chairman Roden reporting:

Mr. Speaker: Your Committee on Public Safety, to which was referred **SS SB 212**, 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): Cook, Hardwick, McDaniel, Mosley, Phifer, Roden, Schroer and Taylor (48)

Noes (2): Bland Manlove and Walsh (50)

Absent (0)

Committee on Utilities, Vice Chair Bromley reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SS#2 SCS SB 202**, 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 (6): Atchison, Black (137), Bromley, Fitzwater, Kidd and Lewis (6)

Noes (2): Gunby and McCreery

Absent (2): Brown (70) and Simmons

Committee on Legislative Review, Chairman Houx reporting:

Mr. Speaker: Your Committee on Legislative Review, to which was committed **HCS SCS SB 520**, begs leave to report it has examined the same and recommends that it **Do Pass with House Substitute** by the following vote:

Ayes (7): Houx, Kelly (141), McCreery, Shaul, Taylor (139), Veit and Wiemann

Noes (0)

Absent (2): Burnett and Hicks

Committee on Rules - Administrative Oversight, Chairman Eggleston reporting:

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SCS SB 27**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (8): Dogan, Eggleston, Fitzwater, Gregory (96), Hudson, McGaugh, Patterson and Ruth

Noes (3): Ingle, Mackey and Phifer

Absent (3): Bosley, Cupps and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (10): Dogan, Eggleston, Fitzwater, Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson and Ruth

Noes (1): Phifer

Absent (3): Bosley, Cupps and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SB 44**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Dogan, Eggleston, Fitzwater, Gregory (96), Hudson, Mackey, McGaugh, Patterson and Ruth

Noes (2): Ingle and Phifer

Absent (3): Bosley, Cupps and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **SS SB 45**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (11): Dogan, Eggleston, Fitzwater, Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson, Phifer and Ruth

Noes (0)

Absent (3): Bosley, Cupps and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SCS SB 91**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as SCS SB 91** by the following vote:

Ayes (7): Dogan, Eggleston, Hudson, Mackey, McGaugh, Patterson and Ruth

Noes (3): Fitzwater, Gregory (96) and Ingle

Present (1): Phifer

Absent (3): Bosley, Cupps and McDaniel

Mr. Speaker: Your Committee on Rules - Administrative Oversight, to which was referred **HCS SS SB 327**, begs leave to report it has examined the same and recommends that it **be returned to committee of origin as SS SB 327** by the following vote:

Ayes (11): Dogan, Eggleston, Fitzwater, Gregory (96), Hudson, Ingle, Mackey, McGaugh, Patterson, Phifer and Ruth

Noes (0)

Absent (3): Bosley, Cupps and McDaniel

Committee on Rules - Legislative Oversight, Chairman Christofanelli reporting:

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 5**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Aune, Bailey, Basye, Christofanelli, Haffner, Hill, Kelly (141), Proudie and Rogers

Noes (0)

Absent (2): Griesheimer and Richey

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SB 9**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (7): Bailey, Basye, Christofanelli, Haffner, Hill, Kelly (141) and Rogers

Noes (2): Aune and Proudie

Absent (2): Griesheimer and Richey

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **SS SB 63**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (5): Aune, Basye, Kelly (141), Proudie and Rogers

Noes (4): Bailey, Christofanelli, Haffner and Hill

Absent (2): Griesheimer and Richey

Mr. Speaker: Your Committee on Rules - Legislative Oversight, to which was referred **HCS SCS SB 119**, begs leave to report it has examined the same and recommends that it **Do Pass** by the following vote:

Ayes (9): Aune, Bailey, Basye, Christofanelli, Haffner, Hill, Kelly (141), Proudie and Rogers

Noes (0)

Absent (2): Griesheimer and Richey

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 27 - Fiscal Review

SS SB 63 - Fiscal Review

HS HCS SCS SB 520 - Fiscal Review

SENATE MESSAGES

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SCS HCS HB 271, as amended**.

Senators: Crawford, Bernskoetter, Rowden, Schupp, Razer

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 37, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, and House Amendment No. 6**.

Senators: Bernskoetter, Bean, Hoskins, Beck, Razer

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS#2 SCS HB 273, as amended**.

Senators: Riddle, Eslinger, Brattin, Arthur, Razer

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 317** entitled:

An act to repeal section 454.1005, RSMo, and to enact in lieu thereof one new section relating to child support enforcement.

In which the concurrence of the House is respectfully requested.

Read the first time.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS#2 SB 26, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 226, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Plocher, the House adjourned until 10:00 a.m., Thursday, May 6, 2021.

COMMITTEE HEARINGS

BUDGET

Thursday, May 6, 2021, 9:00 AM, House Hearing Room 3.

Executive session will be held: HB 1356

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

CONFERENCE COMMITTEE ON BUDGET

Thursday, May 6, 2021, 8:30 AM, Joint Hearing Room (117).

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

Conference Committee on Budget for SS SCS HCS HB 2, SS SCS HCS HB 3, SS SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SS SCS HCS HB 10, SS SCS HCS HB 11, SCS HCS HB 12, and SCS HCS HB 15.

CANCELLED

EMERGING ISSUES

Friday, May 7, 2021, 9:00 AM, House Hearing Room 7.

Executive session will be held: SS SB 327

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

FISCAL REVIEW

Thursday, May 6, 2021, 9:45 AM, House Hearing Room 4.

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

FISCAL REVIEW

Friday, May 7, 2021, 9:45 AM, House Hearing Room 4.

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

GENERAL LAWS

Thursday, May 6, 2021, 9:00 AM, House Hearing Room 1.

Executive session will be held: SCR 4, SB 231

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

HEALTH AND MENTAL HEALTH POLICY

Thursday, May 6, 2021, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 7.

Executive session will be held: SB 93

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

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, May 6, 2021, 1:15 PM, Senate Committee Room 1.

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

Approval of minutes and discussion of transcription of minutes.

A portion of this meeting may be closed for personnel matters pursuant to Section 610.021(3), RSMo.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 10, 2021, 11:30 AM, Joint Hearing Room (117).

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

Revenue bond approval.

Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Thursday, May 6, 2021, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 6.

Executive session will be held: HCS SCS SB 91, SCR 6

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

RULES - ADMINISTRATIVE OVERSIGHT

Thursday, May 6, 2021, 1:45 PM, House Hearing Room 3.

Executive session will be held: SS SCS SB 57, HCS SS#2 SCS SB 202, SCS SB 272,

HCS SB 377, HCS SCS SB 457

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

Removed SB 27, SB 37, SB 44, SB 45, SB 91 and SB 327.

AMENDED

RULES - ADMINISTRATIVE OVERSIGHT

Friday, May 7, 2021, 12:15 PM or upon adjournment of Rules - Legislative Oversight (whichever is later), House Hearing Room 3.

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

CORRECTED

RULES - LEGISLATIVE OVERSIGHT

Thursday, May 6, 2021, 5:00 PM or upon adjournment (whichever is later), House Hearing Room 3.

Executive session will be held: SCR 16, HCS SB 29, SB 78, HCS SS SB 283, HCS SB 323,

HCS SS SB 212

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

Adding SB 212.

AMENDED

RULES - LEGISLATIVE OVERSIGHT

Friday, May 7, 2021, 12:00 PM or upon adjournment (whichever is later), House Hearing Room 3.

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

SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT

Thursday, May 6, 2021, 12:30 PM or upon morning recess (whichever is later), House Hearing Room 7.

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

Discussion on the operations of the Department of Social Services.

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

SIXTY-SIXTH DAY, THURSDAY, MAY 6, 2021

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 26 - Falkner
HJR 47 - Bailey
HJR 13 - Coleman (32)
HCS HJR 24 - Hardwick
HJR 43 - Hill
HJR 60 - Hill
HCS HJR 22 - Eggleston
HJR 49 - Simmons
HCS HJR 53 - Basye

HOUSE BILLS FOR PERFECTION - INFORMAL

HCS HBs 1141 & 1067, as amended, HA 1 HA 3 and HA 3, pending - Shaul
HCS HBs 1222 & 1342 - Van Schoiack
HB 1349 - Porter
HB 1363 - Dogan
HCS HB 1139 - Eggleston
HB 36 - Pollock (123)
HB 61 - Schnelting
HCS HB 86 - Taylor (139)
HCS HB 245 - Porter
HB 308 - Kelley (127)
HCS HB 323 - Hill
HCS HBs 359 & 634 - Baker
HB 390 - Griffith
HB 396 - Richey
HCS HB 673 - Coleman (97)
HCS HB 754 - Christofanelli
HCS HB 755 - Christofanelli
HCS HB 760 - Roden
HB 769 - Grier
HB 851 - Walsh (50)
HCS HB 925 - Hudson

HB 931 - Schroer
HB 996 - Taylor (139)
HB 1156 - Hill
HB 1162 - Trent
HB 1178 - Riggs
HB 1345 - Cupps
HB 920 - Baker
HCS HB 1095 - Deaton
HB 143 - DeGroot
HB 161 - Hudson
HCS HB 214 - Hill
HCS HB 229 - Basye
HB 318 - DeGroot
HB 469 - Dinkins
HCS HB 555 - Eggleston
HCS HB 1016 - Griesheimer
HB 1200 - Billington
HCS HB 577 - Riley
HB 92 - Taylor (139)
HB 491 - Grier
HCS HB 688 - Murphy
HCS HB 782 - Trent
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 64 - Pike
HCS HB 108 - Bangert
HCS HB 156 - Veit
HCS HB 157 - Veit
HB 213 - Hill
HCS HB 218 - Burnett
HCS HB 301 - Haffner
HCS HB 339 - Mayhew
HB 347 - Veit
HCS HB 355 - Baker
HCS HB 385 - DeGroot
HB 511 - Lovasco
HCS HB 852 - Walsh (50)
HB 893 - Riggs
HCS HB 900 - Lovasco
HB 908 - Andrews
HCS HB 1046 - Dinkins

HCS HB 1166 - Van Schoiack
HB 708 - Trent
HB 1088 - Hovis
HCS HB 472 - Griesheimer
HB 478 - Christofanelli
HCS HB 303 - Wiemann
HCS HB 602 - Grier
HCS HB 1408 - Plocher
HB 1416 - Black (137)
HCS HB 1295 - Andrews
HCS HB 601 - Rone
HB 1032 - Busick
HB 37 - Pollock (123)
HCS HB 217 - Perkins
HB 451 - Bailey
HB 461 - Dogan
HCS HB 499 - Schroer
HCS HB 541 - Lewis (6)
HCS HB 549 - Christofanelli
HB 750 - Lovasco
HCS HB 842 - Hill
HB 771 - Andrews

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 6 - Stevens (46)
HCR 9 - Eggleston
HCR 17 - Trent
HCR 36 - Basye

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 17 - Kidd

HOUSE BILLS FOR THIRD READING

HCS HB 922, (Fiscal Review 4/13/21) - Houx
HS HCS HB 441, (Fiscal Review 4/15/21) - Falkner
HCS HB 439 - Davidson
HCS HB 494 - Hurlbert
HCS HB 946 - Hill
HS HCS HB 876 - Dogan
HB 1010 - Boggs

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 652, (Fiscal Review 4/29/21) - Stevens (46)
HCS HBs 647 & 841 - Pollitt (52)
HCS HB 32, E.C. - Walsh (50)
HB 259 - Evans

SENATE BILLS FOR SECOND READING

SS SB 317

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 27, (Fiscal Review 5/5/21), E.C. - Baker
SS SB 63, (Fiscal Review 5/5/21) - Smith (155)

SENATE BILLS FOR THIRD READING - INFORMAL

SS SB 22 - Grier
HCS SS SCS SBs 153 & 97 - Eggleston
HCS SB 365 - Murphy
HS HCS SCS SB 520, (Fiscal Review 5/5/21) - Ruth
HCS SS SCS SB 43, E.C. - Kelley (127)
HCS SB 72 - Smith (155)
HCS SS SCS SB 152, E.C. - Christofanelli
HCS SS SCS SB 289 - Copeland
HCS SB 303 - Henderson
HCS SB 330 - Shields
HCS SS SB 333 - Baker
HCS SCS SB 403, E.C. - Patterson

SENATE CONCURRENT RESOLUTIONS FOR THIRD READING

SCR 2, with HA 1, pending - Murphy

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 345, (Fiscal Review 4/14/21) - DeGroot
HB 476, with SA 1, SA 2, SA 3, SA 4, SA 5, SA 6, and SA 8 - Grier
SCS HCS HB 18 - Smith (163)
SS SCS HCS HB 19 - Smith (163)
SCS HCS HB 13 - Smith (163)
SS SCS HCS HB 697, as amended, (Fiscal Review 5/4/21) - DeGroot
SCS HCS HB 685, (Fiscal Review 5/5/21) - Chipman

BILLS CARRYING REQUEST MESSAGES

HCS SS#2 SB 26, as amended, (request House recede/grant conference) - Schroer
HCS SB 226, as amended, (request House recede/grant conference) - Christofanelli

BILLS IN CONFERENCE

SS SCS HCS HB 2 - Smith (163)
SS SCS HCS HB 3 - Smith (163)
SS SCS HCS HB 4 - Smith (163)
SCS HCS HB 5 - Smith (163)
SCS HCS HB 6 - Smith (163)
SCS HCS HB 7 - Smith (163)
SCS HCS HB 8 - Smith (163)
SCS HCS HB 9 - Smith (163)
SS SCS HCS HB 10 - Smith (163)
SS SCS HCS HB 11 - Smith (163)
SCS HCS HB 12 - Smith (163)
SB 37, with HA 1, HA 2, HA 3, HA 4, HA 5, and HA 6 - Knight
SCS HCS HB 15 - Smith (163)
SS#2 SCS HCS HB 271, as amended (Senate exceeded differences), E.C. - Wiemann
SS#2 SCS HB 273, as amended (Senate exceeded differences) - Hannegan

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 275 - Hannegan

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)

2388 *Journal of the House*

HCS HB 2019 - Smith (163)

HCS HB 14, (2020, 2nd Extra) - Smith (163)

HCS HB 16 - Smith (163)