

HCS #2 HB 75 -- PUBLIC HEALTH OR SAFETY CLOSURES

SPONSOR: Murphy

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Small Business by a vote of 13 to 4. Voted "Return to the Committee of Origin" by the Standing Committee on Rules-Legislative Oversight by a vote of 9 to 0. Voted "Do Pass with HCS #2" by the Special Committee on Small Business by a vote of 13 to 4. Voted "Do Pass" by the Standing Committee on Rules-Legislative Oversight by a vote of 5 to 2 with 1 voting present.

The following is a summary of the House Committee Substitute #2 for HB 75.

This bill provides time limited authority for political subdivisions to order closures of businesses, churches, schools, or other public gatherings for reasons of public health or safety.

A public official is authorized to order closure for up to 15 days, then for a second period of up to 15 days upon approval of the government entity's legislative body. The order closure may be extended an addition 10 days at a time up to three times upon a 2/3's vote of the governmental entity's legislative body. After three extentions of 10 days any additional 10 day extention shall be upon unanimous approval of the government entity's legislative body.

This bill contains an emergency clause.

This bill is similar to HB 29 (2020 1st Extraordinary Session).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that the bill will help businesses open and be able to employ staff. Killing small business is not a cure for COVID. Destroying people's lives and livelihood by shutdowns is not the key. You shut a business down in one jurisdiction, the people just go a few miles down the road to a place that is not shut down. In St. Louis County the acting Director of the Health Department has shut some businesses down for a year. We pay our taxes, we provide people with jobs and one person can destroy what you have built with the stroke of a pen. The reasons for these shutdowns are biased and they use grainy photos that you can't tell who people are and this has got to stop.

Testifying for the bill were Representative Murphy; Jacob Kulp, Pa.

Dutch Construction Inc; Katlyn Greenwell; Laci Rowings; Cory J. Branch; Troy Ollar; Kristin Funke; Robert L. Ford, IV "Bobby Ford"; Daniel Blunk-Piper; Alyssa Sander; Jenifer Marie McGough; Ashlee Sprock; Benjamin J Kurz; Chloe E Gretak; Cameron Sankowski; Michelle Branch; Lacy Rowings; Mike Romer; Zach Conley; Brittany Black; Summer Pratt; Whitney Banker; Deon Glaspy; Haley Lynn Calcaterra; David Kunce; Jessica Plakovic; Eric Kopsky; Alexis Schubert; Billy Heintzmann; Justin Rapp; Dillon Walker; Baeden Jones; Tricia M Millikan; Christopher Baker; Tyler Adolphson; Alyxa Breanne Drew; Emily Bond; Steven Keller; Maura Murray; Sarah Reagan; Michael Wingate, Jr; Kevin Baum; William John Pizzitola; Jason Lopez; Charles Ferretti; Mathius Harris; Richard A. Marshall, Richard A. Marshall Electric Incorporated; Eli Miller; Taylor M. Ray; Alex Fechner; Bryant J. Bonano; Joe W. Polizzi; Joe Collins; Emily Rose Jackson; Brian Watson; Maddy Roller; Zach Hayes; Stephen J Savage, Wheelhouse, Start Bar, Midwestern; Nicholas V Del Gaiso, Wheelhouse; Jared Ater, Wheelhouse; Jonathen Lerman, Reign Restaurant, LLC and Lerman Keathley, LLC; Benjamin Brown; Mayor Sean Flower; Shannon Robinson; Max Robinson; Steve Stegall, The Blue Line Hockey Bar; Steven Cook and Angela Snyder, KT's Saloon; Jason Moore; and Missouri Retailers Association.

OPPONENTS: Those who oppose the bill say the bill goes too far. This has been a tough year and we have heard a lot about the Health Department. The governance structure is very complex and you have different types of health departments and it is not a one size fits all fit. The Health Department checks on food safety and other issues dealing with public health. They need to be able to do their job to keep people from getting sick or possibly dying from lack of action.

Testifying against the bill were Clay Goddard, Missouri Center for Public Health Excellence; Mike Herbert, Missouri Association of Local Public Health Agency and Miller County Health Center; Todd Shaffer, MD, Missouri Academy of Family Physicians; Sarah Michaels, DO, Missouri Academy of Family Physicians; Missouri State Medical Association; and Georganne Syler, Cape Girardeau County Public Health Center.

OTHERS: Others testifying on the bill say that we are not for or against the bill but want to make sure that schools are still able to make decisions for themselves on whether they should stay open or close.

Testifying on the bill were Brianna M. Jackson; and Moon Streit; Missouri National Education Association.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on

the House website.