

Truly Agreed Summaries

HCS HB 1246 -- HUMAN TRAFFICKING

The bill requires various establishments, specified in the bill, to display a poster that provides information regarding human trafficking, including what it is and what resources victims have for getting help, in a conspicuous place near the entrance of the establishment, starting March 1, 2019. Any establishment required to display the poster that fails to do so will be subject to the penalty provisions of this bill.

The Department of Public Safety shall create the poster before January 1, 2019, and make it available for print on the department's website.

SCS HB 1250 -- TRUSTS AND ESTATES

This bill specifies how a health savings account may be created. Currently, a trustee of a trust consisting of trust property having a total value of less than \$100,000 may, after notice to qualified beneficiaries, terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration. The bill increases the dollar amount to less than \$250,000.

There are currently certain circumstances under which a no-contest clause in a trust instrument is unenforceable against an interested person. This bill adds the following circumstances:

- (1) Filing a motion, pleading, or other claim for relief concerning breach of trust by a trustee; and
- (2) Filing a motion, pleading, or other claim for relief concerning removal of a trustee.

The bill specifies that a trust instrument may provide for one or more persons, not then serving as a trustee and not the settlor or a beneficiary, to be given any powers over the trust as expressly granted in the instrument. Such person may be identified and appointed as a trust protector or similar term. Whenever a trust instrument names, appoints, authorizes, or otherwise designates a trust protector, the trust shall be deemed a directed trust. In carrying out any written directions given by the trustee, the trust protector shall not be subject to the Prudent Investor Act.

This bill establishes the "Missouri Fiduciary Access to Digital

Assets Act," which allows fiduciaries to access electronic records, or "digital assets," of an account holder, or "user." A user may allow or prohibit the disclosure of his or her digital assets to a fiduciary in a will, trust, or other record. The user may also use an online tool to direct the custodian of the digital assets to disclose some or all of the digital assets. In certain situations, the direction of the user to the custodian using the online tool can override a conflicting direction contained in the user's will, trust, or other record. Also, the user's direction regarding disclosure of the digital assets under an online tool or other record overrides a contrary provision in a terms-of-service agreement that does not require the user to take affirmative action regarding the agreement. A fiduciary's access to digital assets may be modified or eliminated by a user, federal law, or a terms-of-service agreement if the user has not provided direction through the use of an online tool or will, trust, or other record.

A custodian has the discretion to grant a fiduciary full access to the user's account, partial access, or provide a copy of the digital assets requested but is prohibited from disclosing a digital asset the user has deleted. A custodian may charge a fee for disclosure. A custodian must disclose to a fiduciary the content of an electronic communication sent or received by the user, a catalogue of electronic communications, and digital assets of the user if the fiduciary provides certain documentation as specified in the bill. If the fiduciary is an agent acting under a power of attorney, then the power of attorney must expressly grant the agent authority over the content of electronic communications sent or received by the user for the custodian to disclose the digital assets.

A custodian may disclose to a conservator the user's catalogue of electronic communications and any digital assets if the conservator is given authority by the court and provides the court order to the custodian. Additionally, a conservator may request the suspension or termination of a user's account for good cause.

A fiduciary may terminate the user's account in writing and such request must be accompanied with certain documents as provided in the bill. Finally, a custodian has 60 days to comply with a fiduciary's request for disclosure or account termination. If the custodian does not comply with the request, then the fiduciary may apply to the court to order compliance.

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HB 1252 -- LOW-DOSE MAMMOGRAPHY SCREENINGS

This bill adds digital mammography and breast tomosynthesis to the definition of low-dose mammography screening and, beginning January

1, 2019, requires reimbursement rates to accurately reflect the resource costs specific to each modality including any increased resource cost of breast tomosynthesis.

Currently, insurance coverage is required for mammograms every two years for women age 40 to 49, unless a physician recommends more frequently and a mammogram every year for women age 50 and over. This bill modifies coverage for mammograms to every year for women age 40 and over.

SCS HCS HB 1268 -- DENTAL FACULTY PERMITS

This bill creates a dental faculty permit system to be implemented and enforced by the Missouri Dental Board. The bill authorizes the holder of a dental faculty permit to practice dentistry without a Missouri license but only within the course of teaching as part of an accredited dental school program. The holder of a dental faculty permit will not be able to receive any fee or compensation for the practice of dentistry except salary or benefits received as part of his or her employment with the Missouri dental school program.

SCS HCS HB 1286 -- NATURAL RESOURCES

Currently, state law requires that any person using explosives in this state register with the Division of Fire Safety, within the Department of Public Safety, and submit an annual per ton fee. That fee is currently \$500 plus \$2.00 per ton of explosives used. This bill allows that fee to be increased up to \$7.50 per ton so long as the fee does not exceed the cost of administering the Missouri Blasting Safety Act. The bill clarifies that the fee does not apply to any person, company, or entity regulated by the Department of Natural Resources under the Surface Coal Mining Law and 10 CSR 40-3.160.

SS#2 SCS HCS HBs 1288, 1377 & 2050 -- BENEVOLENT TAX CREDITS
CHAMPION FOR CHILDREN TAX CREDIT

This bill makes changes to the Champion for Children Tax Credit, a tax credit that can be claimed for contributions to qualified agencies, including child advocacy centers. The bill modifies the definition of a child advocacy center to include an association based in Missouri, an association affiliated with a national association, and an association organized to provide support to the regional assessment centers listed in Section 210.001.2, RSMo. The bill increases the cap on the cumulative amount of tax credits that

can be redeemed from \$1 million to \$1.5 million in any tax year, states that the credits cannot be transferred or sold, and extends the sunset date to December 31, 2025 (Section 135.341).

MATERNITY HOMES AND PREGNANCY RESOURCE CENTERS TAX CREDITS

This bill removes the expiration of June 30, 2020 from the tax credit for donations to maternity homes and the expiration date of December 31, 2019 from the tax credit for donations to pregnancy resource centers, increases the cap for each credit from \$2.5 million to \$3.5 million beginning July 1, 2019, and states that these tax credits cannot be transferred or sold. The bill requires tax credits to be issued in the order contributions are received and if the aggregate amount of credits redeemed in a fiscal year is less than the aggregate amount authorized, the bill requires the difference to be added to the aggregate amount of tax credits that may be authorized in the subsequent fiscal year. These provisions sunset on December 31 six years after the effective date (Sections 135.600 and 135.630).

DIAPER BANK TAX CREDIT

Beginning July 1, 2019, this bill authorizes a tax credit equal to 50% of the donation of at least \$100 to a diaper bank. The credit is nonrefundable and is limited to no more than \$50,000 per taxpayer, per year. The credit can be carried forward one year, but cannot be transferred or sold. The cumulative amount of credits is capped annually at \$500,000 per year.

The Department of Social Services will determine which nonprofit entities qualify as diaper banks and apportion among all diaper banks the cumulative amount of tax credits. A diaper bank is required to operate primarily to collect or purchase diapers or other hygiene products for infants, children, or incontinent adults and distribute such items to schools, health care facilities, governmental agencies, or other nonprofit entities for distribution to individuals free of charge. Each diaper bank will provide donor information to the department and the department will provide this information to the Department of Revenue (Section 135.621).

The provisions of this bill will expire on December 31 six years after the effective date.

DONATED FOOD TAX CREDIT

This bill reauthorizes the Donated Food Tax Credit until December 31, 2026 and expands the tax credit to include food or cash donated to local soup kitchens or local homeless shelters (Section 135.647).

TAX CREDIT ACCOUNTABILITY ACT OF 2004

This bill adds the diaper bank credit to the domestic and social tax credits (Section 135.800).

SCHOOLCHILDREN HEALTH AND HUNGER TAX CREDIT

Beginning January 1, 2019, this bill establishes a tax credit for contributions to qualified organizations that provide funding for unmet health, hunger, and hygiene needs of school children. The credit cannot exceed 50% of the contribution or the taxpayer's state tax liability. The credit can be carried forward up to four years or sold.

The Director of the Department of Social Services shall determine which organizations are qualified and establish a procedure by which taxpayers can determine whether an organization is qualified.

The provisions of this program will sunset six years after the effective date (Section 135.1125).

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CCS SS SCS HB 1291 -- POLITICAL SUBDIVISIONS

This bill modifies provisions regarding political subdivisions.

ZONING AROUND NATIONAL GUARD TRAINING CENTERS

This bill allows the governing bodies of certain counties to adopt ordinances regulating incompatible land uses and structures, as defined in the bill, within an unincorporated area surrounding the boundaries of any National Guard training center, if the county has participated in the completion of a joint land use study for the training center. Currently, this provision only applies to Adair, Audrain, Crawford, McDonald, Miller, Newton, Randolph, Ray, and Washington counties (Section 41.657, RSMo).

RETIREMENT FOR PROSECUTING AND CIRCUIT ATTORNEYS

This bill changes provisions regarding the retirement system for prosecuting and circuit attorneys.

When a county votes to make the office of prosecuting attorney a full-time position then the position shall qualify for the same retirement benefits as a full-time prosecutor of a first class county and such county shall make the same contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement Fund (PACARS) as paid by a first class county.

The term "compensation" as used in the PACARS retirement statutes shall include any salary reduction amounts under a cafeteria plan or a deferred compensation plan, but not include reimbursement for any expenses, consideration for agreeing to terminate employment, or any unusual payment not part of regular work pay.

Beginning on January 1, 2019, all members who are eligible to receive an annuity equal to 50% of the final average compensation upon retirement will contribute 2% of their salary to the fund, and beginning in the year 2020, such members must contribute 4% of salary to the fund. Upon retirement and at the discretion of the board of trustees, a member can receive a lump sum of his or her total contribution not to exceed 25% of average pay, in addition to any retirement benefits.

A person who becomes a member on or after January 1, 2019, may retire with a normal annuity with 12 or more years of service and reaching the age of 65. Upon termination of employment such member is entitled to a deferred normal annuity payable at age 60.

A former member who has forfeited creditable service may have the service restored again, in addition to requirements under current law, by becoming an employee within 10 years of termination and contributing an amount to the retirement fund equal to any lump sum payment of contributions received upon termination of service.

All members serving in a county that has elected to make the position of prosecuting attorney a full-time position shall receive one year of creditable vesting service for each year served as a part-time or full-time prosecuting attorney. However, a member serving as a part-time prosecuting attorney shall receive six-tenths of a year of creditable benefit service for each year served. Any member who has less than 12 years of creditable benefit service upon retirement shall receive a reduced full-time benefit.

A member who vested as a part-time prosecuting attorney and ceased being a member for more than six months before returning as a full-time prosecuting attorney shall be entitled only to part-time benefits, and any creditable service earned as a full-time prosecutor shall begin a new vesting period. A member cannot receive benefits while employed as a prosecuting attorney (Sections 56.363, 56.805, 56.807, 56.814, 56.833, and 56.840).

STATUTORY COUNTY RECORDER'S FUND

This bill provides a method by which distributions from the statutory County Recorder's Fund will be allocated among counties

if collections fall below distributions (Section 59.800).

COUNTY ROADS AND BRIDGES

This bill specifies that ballot questions to abolish the township form of government in a county shall also provide for a countywide tax for road and bridge purposes (Sections 65.610 and 65.620).

CITY OF ST. LOUIS' FIREMEN'S RETIREMENT SYSTEM

The bill allows the Firemen's Retirement System of the City of St. Louis to form cooperative agreements with other public retirement systems in the state in order to allow members to transfer creditable service between the retirement systems (Section 87.135).

PUBLIC SAFETY SALES TAX

This bill adds certain cities to the list of cities authorized to impose, upon voter approval, a sales tax of up to .05% for public safety purposes, including expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. Currently, the additional cities include Centralia and Lebanon (Section 94.900).

COUNTY ROADS

Currently, county bond funds and county special road and bridge funds for road, street, and bridge construction, maintenance, improvement, and repair can be used for those purposes in municipalities within the county if the road, street, or bridge is part of a continuous road, street, or bridge leading into or through the municipality. This bill removes the restriction that the road, street, or bridge must be part of a continuous road, street, or bridge leading into or through the municipality (Sections 108.120 and 137.555).

ST. FRANCOIS COUNTY ROAD AND BRIDGE TAX

This bill corrects the description of St. Francois County in a provision of law relating to expenditures of the county's special road and bridge tax moneys (Section 137.556).

SCHOOL DISTRICT ANNEXATION ELECTIONS

Currently, a school district may initiate an election for the voters of the district to decide whether to attach the district to a community college district. This bill permits a community college to initiate the election and pay its costs. The bill provides that the community college's board of trustees may call an

election on a plan to attach the school district to the community college district and levy the community college district's tax levy (Section 162.441).

STORMWATER FACILITIES AND SYSTEMS

This bill adds stormwater facilities or systems and wastewater systems to the definition of "project" under the "Missouri Public-Private Transportation Act" provisions.

The bill also authorizes the formation of certain concession agreements using the public and private partnership model under Section 227.615, but requiring only agreements between a private party and the governing body of a political subdivision. Any sale of state or county assets is still subject to a vote of the people. Certain conditions for such public-private concession agreements are specified in the bill (Sections 227.600 and 227.601).

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CCS SS SCS HB 1350 -- CRIMINAL HISTORY RECORDS

This bill modifies several provisions relating to criminal history records.

DEFINITIONS

Currently, certain definitions relating to criminal history apply to criminal records and central repository provisions of law. This bill applies such definitions to provisions relating to the statewide law enforcement emergency hotline and the sex offender registry.

This bill also adds that the "administration of criminal justice" shall include the screening of employees or applicants seeking employment with criminal justice agencies.

Currently, "central repository" is defined as the division within the Missouri State Highway Patrol that is responsible, in part, for compiling, maintaining, and disseminating criminal incident and arrest reports. This bill repeals this responsibility of the division (Sections 43.500 to 43.530 and 610.120, RSMo).

DRUG TREATMENT COURTS

Currently, sheriffs and circuit court judges may make available criminal history information obtained from the central repository to private entities responsible for probation supervision. This bill also allows such information to be made available to private entities providing services associated with drug treatment courts

(Section 43.504).

LAW ENFORCEMENT AGENCIES

Currently, law enforcement agencies may perform a Missouri criminal record review through the MULES system for only open records for purposes of hiring municipal or county governmental employees. This bill requires such requests go through the central repository's automated criminal history system (Section 43.535).

CRIMINAL RECORD REVIEWS

Currently, certain entities may request a Missouri criminal record review through the Missouri State Highway Patrol, or a Missouri and national criminal record review through an authorized state agency. This bill repeals these provisions.

This bill allows the central repository to have the authority to submit an applicant's fingerprints, as defined in this bill, to the National Rap Back program to be retained for the purpose of being searched against future submissions. Further, this bill allows certain qualified entities to conduct Missouri and national criminal record reviews on applicants, and participate in the Missouri and National Rap Back programs for the purpose of determining suitability or fitness for a permit, license, or employment. The Missouri Rap Back program shall include an automatic notification made by the Missouri State Highway Patrol to an entity indicating that the applicant has been arrested for a criminal offense in Missouri. The National Rap Back program shall include an automatic notification made by the Federal Bureau of Investigation through the Missouri State Highway Patrol to an entity that an applicant has been arrested for a criminal offense outside of Missouri. This bill specifies that the participation in the criminal record review and Rap Back process shall be voluntary, and any Rap Back notification received by an entity shall allow them to receive an individual's updated criminal history record under certain conditions.

The entities that may request such criminal record reviews include any office or division of the state, county, or municipal government that issues or renews licenses, permits, certifications, or registrations; any such entity that makes fitness determinations on applications for employment for government employees; any entity that screens persons seeking issuance or renewal of a license or permit or to purchase a firearm; or any entity that is authorized to conduct fingerprint background checks under federal law.

In order to conduct such criminal record reviews, the entity shall abide by certain requirements, including registering with the

Missouri State Highway Patrol; notifying applicants that such applicant's fingerprints will be retained by the central repository, the Federal Bureau of Investigation, and the National Rap Back program, if enrolled; and notifying any applicant of his or her right to obtain a copy of any criminal record review and his or her ability to challenge the accuracy of such information. Further, the entity shall submit a request for screening on applicant using a completed fingerprint card, along with a fee. Upon submission, the Missouri State Highway Patrol shall provide to the entity the applicant's criminal history records. A decision concerning the applicant's fitness based upon his or her criminal history record shall be made by the entity. Failure to obtain an applicant's information as authorized under this bill shall not be used as evidence in any negligence action against an entity.

The bill specifies that any criminal record review shall include the submission of fingerprints to the Missouri State Highway Patrol, which shall conduct a review and also forward such fingerprints to the Federal Bureau of Investigation. Further, any applicant subject to such review shall provide certain information to the entity as specified in this bill (Section 43.540).

FINGERPRINTING

Currently, two sets of fingerprints are required for the purpose of checking a person's criminal history. This bill repeals this requirement (Sections 43.543, 192.2495, 210.482, 210.487, 302.060, and 313.810).

BACKGROUND CHECKS FOR IN-HOME SERVICE PROVIDERS

Currently, in-home service providers and home health agencies are guilty of a class A misdemeanor if they employ a person to provide services to patients who is listed on any of the background checklists in the Family Care Safety Registry. This bill repeals that provision and provides that such entities shall be guilty of a class A misdemeanor if they employ a person who is guilty or has pleaded guilty or nolo contendere to certain offenses, is on the Department of Health and Senior Services' employee disqualification list or the Department of Mental Health's employee disqualification registry, or has a finding on the child abuse and neglect registry. Additionally, no state or federal financial assistance shall be available to pay for personal care assistance services if the personal care attendant has not undergone this background check process or if the personal care attendant has a disqualifying finding under this bill (Sections 192.2495 and 208.909).

BACKGROUND CHECKS FOR CHILD CARE PROVIDERS

This bill modifies existing law regarding background checks for child care providers receiving federal or state funds for providing child care services. An applicant provider, persons employed by the provider, and other individuals and volunteers involved in caring for children for the provider or who are 17 or older and reside in the provider's child care home shall be required to submit to a background check prior to the application's approval and every five years thereafter, as well as submit to an annual check of the central registry for child abuse.

Prior to employment in a family child care home, a group child care home, a child care center, or a license-exempt child care facility, the child care provider shall request the results of a criminal background check for the individual from the Department of Health and Senior Services. Prospective staff members may begin working as soon as the background check has been requested, but shall be supervised at all times. Current staff members shall have background checks performed by January 31, 2019. A staff member shall be ineligible for employment or adult household member shall be ineligible to stay in a family child care home if the staff member or household member refuses to consent to the background check, knowingly makes a false statement in connection with the check, is registered or required to be registered as a sex offender, has a finding of child abuse and neglect, or has been convicted of certain felonies or violent misdemeanors.

A child care provider shall not be required to submit a request for a criminal background check if the staff member has received such a check within the past five years while employed with a Missouri child care provider and the Department of Health and Senior Services provided the results of the check to that provider.

The department shall process the background check request as soon as possible, but not to exceed 45 days following the request. The department shall provide the child care provider information on the staff member or adult household member's eligibility, but shall not reveal to the provider any information on the reason for disqualification. However, the department shall provide such reason for disqualification to the staff member or adult household member, as well as include information about the process to appeal the department's decision.

Additionally, this bill requires license-exempt religious child care facilities to comply with the background check provisions under this bill. However, the background check requirement shall not apply to any child care facility maintained or operated under the exclusive control of a religious organization that receives no federal funds, except funds received as a result of the Child and Adult Care Food Program, for providing care for children.

Finally, the background check requirements shall expire upon the repeal of the associated provisions of the Child Care and Development Block Grant Act of 2014 and associated regulations, or when Missouri no longer receives federal funds from the grant (Sections 210.025, 210.254, 210.258, and 210.1080).

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SS SCS HB 1355 -- PUBLIC SAFETY

JOINT COMMITTEE ON DISASTER PREPAREDNESS

This bill creates the "Joint Committee on Disaster Preparedness and Awareness," which is composed of 13 members, specified in the bill, and will include five members of the Senate appointed by either the President Pro Tem or the Minority Floor Leader and five members of the House of Representatives appointed by either the Speaker or the Minority Floor Leader.

The purpose of the committee shall be to make a continuous study and investigation into disaster preparedness and awareness into various areas.

The committee shall compile a full report of its activities for submission to the General Assembly. The report shall be submitted not later than January first of even-numbered years and may include any recommendations which the committee may have for legislative action (Section 21.851, RSMo).

This section will expire on December 31, 2022.

UNIFORM CRIME REPORTING

This bill specifies that any law enforcement agency that does not comply with the section regarding uniform crime reporting after December 31, 2021, may be ineligible to receive certain state or federal funds for law enforcement, safety, or criminal justice purposes (Sections 43.505 and 43.507).

MUTUAL AID AGREEMENTS

The bill specifies that whenever any law enforcement agency enters into a mutual aid agreement with another entity, any law enforcement officer assisting the requesting agency shall have the same powers of arrest as he or she has in his or her own jurisdiction and the same powers of arrest as officers of the requesting agency. Such powers shall be limited to the location of the requested services and to the duration of the specific event.

Any law enforcement officer assisting a requesting agency under a mutual aid agreement shall be deemed an employee of the sending agency and shall be subject to the benefit provisions provided to him or her as an employee of the sending agency. Additionally, any law enforcement officer assisting a requesting agency under a mutual aid agreement shall enjoy the same legal immunities as an officer of the requesting agency (Section 44.091).

MUTUAL AID REGION WITH KANSAS AND OKLAHOMA

The bill provides that all law enforcement officers in the law enforcement mutual aid region, as defined in the bill, shall be permitted in critical incidents to respond to lawful requests for aid in any other jurisdiction in the law enforcement mutual aid region. The on-scene incident commander, as defined by the National Incident Management System, shall have the authority to make a request for assistance in a critical incident and shall be responsible for on-scene management until command authority is transferred to another person.

In the event that an officer makes an arrest or apprehension outside his or her home state, the offender shall be delivered to the first officer who is commissioned in the jurisdiction in which the arrest was made.

If the Director of the Missouri Department of Public Safety determines that the State of Kansas or the State of Oklahoma has enacted legislation or that the Governor of the respective state has issued an executive order or similar action that permits the state's border counties to enter into a similar mutual-aid agreement, then the director shall execute and deliver to persons specified in the bill a written certification of such determination. Upon execution and delivery of such certification, and the parties receiving the certification providing a unanimous written affirmation, the provisions of the agreement shall be effective unless otherwise provided by law (Section 44.098).

SHERIFFS

Currently, no sheriff in this state may appoint any under sheriff or deputy sheriff unless the person is, at the time of appointment, a bona fide resident of this state. This bill changes the residency requirement to be a bona fide resident of this state or of an adjoining state. The provisions of this section shall not apply to Jackson County or the City of St. Louis (Section 57.117).

SHERIFF AND DEPUTY SHERIFFS IN THE CITY OF ST. LOUIS

The office of sheriff of the City of St. Louis shall be considered

a law enforcement agency, and the sheriff and sworn deputies of that office shall be considered law enforcement officers and may be eligible for training and licensure by the Peace Officer Standards and Training (POST) Commission (Section 57.450).

KANSAS CITY POLICE OFFICERS

The bill increases the cap for salaries for police officers in the Kansas City Police Department (Section 84.510).

FIREMEN'S RETIREMENT SYSTEM IN THE CITY OF ST. LOUIS

This bill allows the Firemen's Retirement System of the City of St. Louis to form cooperative agreements with other public retirement systems in the state in order to allow members to transfer creditable service between the retirement systems (Section 87.135).

EMERGENCY SERVICES DISTRICTS

Currently, the law provides that ambulance and fire protection districts are entitled to a reimbursement of between 50% and 100% of the amount of the district's tax increment deposited into the Special Allocation Fund of a tax increment financing district. This bill provides that ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rates prior to the time the assessment is paid into the fund. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or the governing body of a county operating a 911 center providing emergency or dispatch services shall have the right to recalculate the reimbursement rate (Section 99.848).

CERTAIN DEFINITIONS

This bill changes the term "emergency medical technician-intermediate" to "advanced emergency medical technician."

Additionally, the term "first responder" is replaced by "emergency medical responder."

Finally, the definition of "medical control" is modified to include both online and offline medical control (Sections 135.090, 190.094, 190.100, 190.103, 190.105, 190.131, 190.143, 190.196, 190.246, and 191.630).

EMS MEDICAL DIRECTORS

This bill requires the state EMS medical director to be elected by the members of the regional EMS medical director's advisory

committee, to serve a four-year term, and to coordinate EMS services between the EMS regions, as well as to promote educational efforts for agency medical directors, represent Missouri EMS nationally, and incorporate the EMS system into Missouri's health care system (Section 190.103).

EMS TRAINING

This bill modifies education, training, and accreditation requirements for emergency medical technicians and paramedics. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review (Sections 190.131 and 190.142).

TREATMENT PROTOCOLS

Emergency medical technicians and paramedics shall only perform medical procedures as directed by treatment protocols approved by the regional medical director or as authorized through direct communication with online medical control.

Emergency medical technician paramedics (EMT-Ps) who have completed certain training, received authorization, and whose ambulance service has adopted certain protocols may make a good faith determination that certain behavioral health patients must be placed in a temporary hold for transport to the nearest appropriate facility. Physical restraint of a patient shall be permitted only to provide for bystander, patient, or emergency personnel safety, as approved by local medical control, or in cooperation with on-scene law enforcement. All incidents involving patient restraint shall be reviewed by the ambulance service physician medical director.

This bill also specifies that the EMT-Ps who have made such determinations shall no longer rely on the common law doctrine of implied consent and are not to be held civilly liable nor be considered to have waived certain specified defenses if employed by a government employer.

Any ambulance services adopting the authority and protocols under this bill shall have a memorandum of understanding with local law enforcement agencies to achieve a collaborative and coordinated response to patients displaying a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs (Sections 190.103 and 190.147).

DISCIPLINARY INVESTIGATIONS

Under current law, licensed EMS providers who are the subjects of

disciplinary investigations are instructed that they are not entitled to have holders of certain certificates, permits, or licenses present at an interview. This bill removes this prohibition against holders of certain certificates, permits, or licenses. Additionally, the bill provides that the Administrative Hearing Commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the Department of Health and Senior Services as to licensure disposition based on such evidence (Section 190.165).

EMS RECORDS

This bill provides that any information regarding the physical or mailing address, phone number, fax number, or email address of a licensed ambulance service or certified training entity shall not be considered confidential.

Nothing in this provision shall prohibit the Department of Health and Senior Services from releasing certain aggregate information in accordance with state law (Section 190.173).

EMS PERSONNEL LICENSURE INTERSTATE COMPACT

This bill authorizes Missouri to become a member state of the "Recognition of EMS Personnel Licensure Interstate Compact" and to adopt the provisions of authorization as specified in the bill. The purpose of the compact is to facilitate the exchange of information between member states regarding EMS personnel licensure, adverse actions, and significant investigatory information. The State Advisory Council on Emergency Medical Services shall monitor the implementation of the compact and make recommendations regarding Missouri's participation in the compact.

Applicants for initial licensure as an emergency medical technician submitted after the recognition of the compact shall submit to a background check as provided in the bill.

A home state's license authorizes an individual to practice in a remote state under the privilege to practice if the home state meets certain requirements, as set forth in the bill. In order to exercise the privilege to practice under the terms and provisions of the compact, an individual shall:

- 1) Be at least 18 years of age;
- 2) Possess a current unrestricted license in a member state as an emergency medical technician (EMT), advanced emergency medical technician (AEMT), paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and

paramedic; and

3) Practice under the supervision of a medical director.

If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state until the individual's home state license is restored. Additionally, if an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

The circumstances under which an individual may practice in a remote state in the performance of emergency medical services are set forth in the bill, in conjunction with any rules created by the Interstate Commission for EMS Personnel Practice.

If a member state's governor declares a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), the terms of EMAC shall prevail over the terms or provisions of the compact with respect to any individual practicing in a remote state in response to such declaration.

A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state. A remote state may take adverse action on an individual's privilege to practice within the remote state.

The Interstate Commission for EMS Personnel Practice has powers as set forth in the bill, including the collection of an annual assessment from member states. Missouri shall not authorize an annual assessment greater than \$10,000 or an annual increase equal to the CPI-U. The commission shall meet at least once during each calendar year. The commission may hold closed meetings to discuss matters as specified in the bill.

The commission shall prescribe bylaws and rules to carry out the purposes and exercise the powers of the compact. The powers and duties of the commission are set forth in the bill.

Any member state may withdraw from the compact by enacting a statute repealing the same. A member state's withdrawal does not take effect until six months after enactment of the repealing statute (Sections 190.101, 190.142, and 190.900 to 190.939).

911 BOARDS

Adds any county of the third classification without a township form of government and with more than 37,000 but fewer than 41,000

inhabitants and with a city of the 4th classification with more than 4,500 but fewer than 5,000 inhabitants as the county seat to a section about 911 boards appointed by the county to remain in existence if they are already in existence when the voters approve a sales tax (Section 190.335).

DEPARTMENT OF CORRECTIONS

The bill renames the Missouri Board of Probation and Parole as the "Parole Board." The board shall exercise independence in its decision making but operate cooperatively within the Department of Corrections and with other agencies, officials, courts, and stakeholders to achieve systemic improvement. This bill specifies that the board shall adopt guidelines pertaining to: finite prison capacity for violent offenders, releasing supervision manageable cases, use of finite resources, supporting seamless reentry, setting appropriate conditions of supervision, and developing strategies for responding to violations. In addition, the bill requires the board to collect and publish data on parolees.

The bill creates the "Division of Probation and Parole" as a new division within the Department of Corrections.

This bill specifies that the Division of Probation and Parole will give administrative support to the Parole Board as well as assume supervision over all offenders subject to probation, parole, and supervision, and provide programs necessary to carry out its responsibilities. Additionally, the director of the division will assume the role of appointing probation and parole officers in lieu of the chairman of the Parole Board, and issue warrants for the arrest of persons under the supervision of the division.

The bill requires the Department of Corrections to establish a community behavioral health program; the department will collaborate with the Department of Mental Health to provide comprehensive community-based services for individuals under the supervision of the Department of Corrections who have serious behavioral health conditions. The department will report to the legislature and Governor on the status of the program.

The Department of Corrections must adopt a streamlined, validated risk/need assessment tool in order to evaluate the risk or need of offenders as it pertains to department programs. In addition, the bill modifies the parole review standards and instructs the Parole Board to conduct a risk or need assessment prior to an offender's hearing, and allows the board to waive the hearing if the assessment indicates the offender may be paroled without an interview. However, a hearing shall be held if a victim or prosecuting attorney requests one. Also, special parole conditions

shall be responsive to the assessed risk and needs of the offender.

The bill allows for a victim who has requested an opportunity to be heard by the Parole Board to receive notice that the board is conducting a risk assessment of the inmate.

The bill repeals a provision requiring an offender seeking parole to have achieved, or have made an honest good-faith effort to achieve, a high school diploma or its equivalent.

The bill authorizes community supervision centers to respond to violations and prevent revocations (Sections 217.015, 217.021, 217.030, 217.075, 217.361, 217.655, 217.665, 217.670, 217.690, 217.703, 217.705, 217.720, 217.722, 217.735, 217.760, 217.762, 217.777, and 217.810).

HOUSING OF PERSONS ON PROBATION OR PAROLE

The bill specifies that nothing in the section shall be construed to prohibit the housing of persons on probation or parole with offenders or persons being held on criminal charges (Section 221.050).

JUDICIAL CIRCUIT JUDGES

The bill allows the presiding judge of a judicial circuit to, in consultation with the circuit and associate circuit judges, propose expenses to be reimbursable by the state on behalf of one or more of the counties in the circuit (Section 221.105).

RADIOACTIVE WASTE INVESTIGATION FUND

The bill creates the "Radioactive Waste Investigation Fund," to be used by the Department of Natural Resources to investigate concerns of exposure to radioactive waste (Sections 260.391 and 260.558).

HAZARDOUS WASTE FEES

This bill extends the date for collecting certain hazardous waste fees from a period of six years starting August 28, 2012, to six years from August 28, 2018 (Section 292.606).

DRIVERS' LICENSES

This bill specifies that first-time licensees of this state shall receive certain information from the Department of Revenue about law enforcement procedures for traffic stops and drivers' and passengers' rights (Section 302.025).

BOAT TITLE AND REGISTRATION FEES

Currently, the first \$2 million collected annually from boat title and registration fees is deposited into the State General Revenue Fund, with the remainder going to the Water Patrol Division of the State Highway Patrol. Beginning July 1, 2019, this bill changes that requirement to having the first \$1 million collected annually from boat title and registration fees be deposited into the State General Revenue Fund. All fees collected in excess of that must be deposited into the Water Patrol Division Fund to be used exclusively for the Water Patrol Division of the State Highway Patrol (Section 306.030).

MOTORBOAT REGULATIONS

This bill exempts certain vessels propelled by outboard jet motors and operating on non-impounded waterways from the passenger seating and guard and rail provisions of Section 306.126 (Section 306.126).

FUEL REQUIREMENTS

The Director of the Department of Agriculture may waive specific requirements in the section or may establish temporary alternative requirements for fuels as determined to be necessary in the event of an extreme and unusual fuel supply circumstance as a result of a petroleum pipeline or refinery equipment failure, among other things (Section 414.032).

ELECTRONIC MONITORING

The bill provides that a court may place a person on electronic monitoring with victim notification if the person is charged with, or has been found guilty of, violating an order of protection. Electronic monitoring with victim notification is defined as a monitoring system that can monitor the movement of a person and immediately transmit the person's location to the victim and local law enforcement when the person enters a certain area.

The court may only place a person on electronic monitoring with victim notification if the protected person has provided his or her informed consent. The phrase "informed consent" is defined in the bill.

The person being monitored must pay the costs associated with the monitoring unless he or she is determined by the court to be indigent. If determined to be indigent, the court clerk must notify the Department of Corrections and send a bill for the monitoring costs to the department. The department must establish a procedure to determine the portion of costs the indigent person

is able to pay and must seek reimbursement of such costs.

An electronic alert is probable cause to arrest the monitored person for a violation of a protective order.

The Department of Corrections, Department of Public Safety, State Highway Patrol, circuit courts, and local law enforcement agencies are required to share information obtained via the electronic monitoring.

Immunity to liability is granted to suppliers of the electronic monitoring system for certain injuries associated with the use of the system (Section 455.095).

These provisions expire on August 28, 2024.

DOMESTIC VIOLENCE FATALITY REVIEW PANEL

This bill creates a process for establishing and operating domestic violence fatality review panels after instances of homicide which have been determined to be related to domestic violence. These panels are organized by the prosecuting or circuit attorney of the jurisdiction in which the homicide occurred, and consist of members described in the bill.

It is the duty of the panel to investigate homicides related to domestic violence and issue a public report. The work product of the panel, other than the public report to be issued, is not public record and is not admissible in judicial or administrative proceedings (Section 455.560).

PEACE OFFICERS IN ST. LOUIS

This section repeals language prohibiting sheriffs, county marshals, and other officers in St. Louis County and St. Louis City from charging for their services rendered in cases disposed of by a violations bureau (Section 488.5320).

FEDERAL SEIZURES

Changes the reporting date for federal seizures from January 31 to February 15. Repeals language for what is currently required to be in the report and replaces it with a requirement that the report consist of a federal reporting form. Also repeals language regarding the penalty, which is currently an A misdemeanor and a fine of up to \$1000, and replaces it with a penalty that would deny an agency failing to comply with the requirements of the section from receiving certain state or federal funds (Section 513.653).

PRIVATE PROBATION SERVICES

This bill requires entities providing private probation services for misdemeanor offenses to utilize the cutoff concentrations utilized by the Department of Corrections with regard to drug and alcohol screening for clients assigned to such entity. If drug presence is at or above the cutoff concentration, the drug test is positive, and, if the drug presence is below the cutoff concentration, the drug test is negative. Additionally, the entity providing the probation services shall not require clients assigned to the entity to travel in excess of 50 miles in order to attend their regular probation meetings (Section 559.600).

SEXUAL OFFENDERS

Convicted sexual offenders are not permitted to live within 1000 feet of a former victim's residence or a school or child care facility, and this bill clarifies that a school or child care facility includes all the facilities and grounds thereof, measuring from the property line of the school or child care facility. If the offender has already established a residence prior to the building of a school or child care facility or a former victim moving within 1000 feet of the offender, the offender shall, within one week of the change, notify the county sheriff where the school, child care facility, or former victim's residence is located and shall provide verifiable proof that he or she resided there prior to the change (Section 566.147).

RETIRED PEACE OFFICERS

This bill establishes that any law enforcement agency in the state may supplement its workforce as necessary with qualified retired peace officers when a disaster or emergency has been declared by the Governor or when there is a national emergency, and those officers shall serve as volunteers. Retirees assisting law enforcement agencies under these circumstances shall be in compliance with the annual firearms training and qualification standards, established by the Department of Public Safety, for retired law enforcement officers carrying concealed firearms.

Any compensation awarded to retirees for service under this bill shall be paid by the law enforcement agency the retired officer is assisting (Section 590.210).

PEER SUPPORT SPECIALISTS

Prohibits peer support specialists from disclosing any confidential communication properly entrusted to the counselor by the law enforcement and emergency personnel while receiving counseling

(Section 590.1040).

CRIME VICTIMS' COMPENSATION

Currently, if a victim of an offense submits a claim for compensation and the claim is rejected for lack of substantial proof, the victim has 30 days to amend his or her claim before the claim will be dismissed with prejudice. Additionally, no victim of an offense may recover if the victim has been found guilty of two felonies within the last 10 years if one or both involved illegal drugs or violence. This bill repeals those provisions.

Currently, if a victim of an offense is from outside of Missouri, the victim is not eligible for compensation unless federal funds for compensation exist. This bill repeals that provision.

Currently, compensation for medical services may not exceed \$2,500 and compensation for out-of-pocket loss as a result of property seized by a law enforcement investigation may not exceed \$250.

This bill repeals that provision. Additionally, this bill modifies the scope of "personal injury" to include emotional or mental harm.

Currently, no case may be awarded compensation if police records show a report was not issued within 48 hours. This bill repeals that provision and allows victims of domestic violence, sexual offenses, and stalking to provide sworn statements in lieu of official records.

Currently, the Department of Revenue is not liable to make payments of compensation for any out-of-pocket expenses incurred more than three years following the date of the occurrence of the offense. This bill repeals that provision.

The bill modifies the requirements of law enforcement agencies as it pertains to the acquisition and storage of forensic examination evidence. This includes creating an electronic tracking system that anyone eligible to handle the kit to track its status. The system will also allow the victims or their designees to access the system in order to track its status (Sections 595.010, 595.015, 595.020, 595.025, 595.030, 595.035, 595.055, and 595.220).

EXPUNGEMENT OF CERTAIN RECORDS

This bill allows individuals found guilty of the offense of unlawful use of a weapon because they were carrying a concealed weapon prior to January 1, 2017, to apply for an order to expunge records relating to such offense (Section 610.140).

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

This bill specifies that it shall not be a HIPAA violation to release law enforcement agency records if the release would enable the provision of health care to a person in contact with law enforcement (Section 610.210).

MISSOURI LAW ENFORCEMENT ASSISTANCE PROGRAM

This bill creates the "Missouri Law Enforcement Assistance Program" within the Department of Public Safety and specifies that the purpose of the program is to provide state financial and technical assistance to create or improve local law enforcement pilot programs, and it specifies what those may include (Section 650.035).

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SS SCS HCS HB 1364 -- PETROLEUM PRODUCTS

TRANSPORTATION AND DELIVERY FEE

Currently, certain provisions relating to fees collected for the transportation and delivery of petroleum products are due to expire on August 28, 2018. This bill restarts the fee collection on August 28, 2018, and extends the expiration date to August 28, 2024.

PETROLEUM STORAGE TANK INSURANCE FUND

Currently, the petroleum storage tank insurance fund is due to expire on December 31, 2020. The bill extends the expiration date to December 31, 2025.

The bill also establishes the "Task Force on the Petroleum Storage Tank Insurance Fund." The task force shall be composed of eight members, with three being from the House of Representatives and appointed by the Speaker of the House and the Minority Floor Leader, three from the Senate appointed by the President Pro Tem and the Minority Floor Leader, and two industry stakeholders. The task force shall conduct research and compile a report, by December 31, 2018, on certain topics relating to the petroleum storage tank insurance fund.

The Director of the Department of Agriculture is authorized to waive certain testing standards for fuel in emergency situations so long as the waiver applies equally and uniformly to suppliers and distributors.

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AMATEUR SPORTING EVENT TAX CREDIT

This bill reauthorizes the Amateur Sporting Events Tax Credit until August 28, 2025, while making various other changes. Bid fees and financial guarantees are added to the definition of "eligible costs" used to determine the amount of a tax credit authorized, and the bill extends the deadline for a tax credit applicant to submit eligible costs and proper documentation from 30 to 90 days following the conclusion of a sporting event. The bill adds the Amateur Athletic Union, the National Christian College Athletic Association, the National Junior College Athletic Association, the United States Sports Specialty Association, and rights holder members of the National Association of Sports Commissions to the list of "site selection organizations" that determine tax credit qualifying sporting events. The definition of "sporting events" is then expanded to include collegiate competitions.

The bill further provides that the tax credit authorized by the Amateur Sporting Events Tax Credit program for the hosting of a qualifying sporting event shall be the least of 100% of eligible costs, an amount equal to \$5 for every admission ticket, or an amount equal to \$10 for every paid participant registration if the sporting event did not sell admission tickets. The latter two values shall be calculated using the actual number of tickets sold or registrations paid, not estimates.

Furthermore, for purposes of having a certified support contract necessary for receiving a tax credit, site selection organizations need not use a competitive bid process when organizing any previously-awarded event that is held due to a contract extension or any collegiate football bowl games or other neutral-site games with at least one out-of-state team. However, in no event shall the amount of tax credits authorized exceed \$2.7 million in any fiscal year for sporting events located in Jackson County, St. Louis County, or St. Louis City.

This bill also extends the sunset for a tax credit for contributions to a local organizing committee or certified sponsor from August 28, 2019, to August 28, 2025 (Section 67.3000, RSMo).

FANTASY SPORTS CONTEST OPERATORS

The bill creates an exception to the audit requirement for fantasy sports contest operators with a net revenue of \$250,000 or less in a calendar year. However, the Missouri Gaming Commission can perform an audit on such operators at its own expense. If an audit uncovers evidence of a violation the operator shall pay the

Commission for the cost of the audit (Section 313.940).

MISSOURI OFFICE OF ATHLETICS

This bill adds amateur kickboxing and amateur mixed martial arts to the list of contests the Division of Professional Registration has the authority to regulate. The bill requires that all contestants, other than amateur kickboxing contestants, be at least 18 years old and that all promoters provide a surety bond or irrevocable letter of credit before receiving a license. The bill also prohibits and restricts the use of certain strikes in amateur mixed martial arts.

The bill removes the requirement that announcers and managers of professional boxing, sparring, professional wrestling, professional kickboxing, and professional full-contact karate be licensed by the division (Sections 317.006 to 317.019).

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SS#2 SCS HB 1413 -- LABOR ORGANIZATIONS

This bill makes various changes to the laws regarding public employees, public employee labor organizations, and labor agreements between those labor organizations and public bodies. However, public safety labor organizations, and employees of the Department of Corrections are exempted from the bill's provisions (Section 105.503, RSMo).

The bill provides that no sum shall be withheld from a public employee's earnings to pay dues or other fees to a public labor organization without annual authorization. Labor organizations are required to maintain financial records substantially similar to federal law, and must make the records available to employees in a searchable electronic format (Section 105.505).

The bill requires labor organizations to adopt a constitution and bylaws and file a copy with the Department of Labor and Industrial Relations, along with a report containing specified information about the organization. Labor organizations are also required to annually file a report detailing the organization's financial condition and operations. The financial report shall be in an electronic, readily accessible format available to its members (Section 105.533).

This bill requires every officer and employee of a labor organization to annually file a report listing any legal or equitable interest, income, or transaction the person, his or her spouse, or minor child received or derived from a labor organization or public body with employees that the labor organization represents or is seeking to represent (Section

105.535).

The reports and documents filed with the department under the provisions of this bill are public records. The department must allow for the inspection and examination of the reports and documents, as specified in the bill, and furnish copies upon payment of the service (Section 105.540).

Each person required to file a report shall maintain, for at least five years, sufficient records to verify the information contained in the report. Each labor organization shall file a report within 90 days of becoming subject to the provisions of this bill, and people required to file reports shall file such reports within 90 days after the end of each fiscal year (Sections 105.545 and 105.550).

Any person who knowingly violates certain provisions of the bill related to the required reports or files a false report is subject to a fine or imprisonment of not more than a year (Section 105.555).

The bill provides that supervisory public employees, as defined in the bill, shall not be included in the same bargaining unit as the public employees they supervise and that the same labor organization shall not represent both non-supervisory and supervisory public employees (Section 105.570).

Recognition may only be obtained by a labor organization through an election before the State Board of Mediation. Voluntary recognition by a public body is prohibited. An election by secret ballot will be held after the board is presented with cards containing signatures of at least 30% of the employees in the bargaining unit.

The bill specifies the ballot language to be used for the selection of a labor organization as the exclusive representative for the bargaining unit. More than 50% of all public employees within the bargaining unit must vote positively to certify the labor organization as the exclusive representative. However, public employees of the bargaining unit may seek to decertify the labor organization at any time with a subsequent election provided that the board is presented with signed cards representing at least 30% of the employees in the bargaining unit. If more than 50% of the bargaining unit votes to decertify the labor organization then it shall no longer be recognized as the exclusive representative.

Labor organizations must be recertified every three years. No more than one election shall take place in any bargaining unit within a 12-month period. The board shall collect a fee from each labor

organization participating in an election (Section 105.575).

Within eight weeks of a certification election, the labor organization shall meet and begin bargaining with representatives of the public body. No labor organization shall refuse to meet with the representatives of the public body.

Bargaining for renewal agreements shall take place triennially, provided that those labor agreements must be subject to certain limitations. Such limitations include management reserving the right to hire, discipline, and discharge employees; reserving the right to make and amend reasonable work rules; prohibiting all strikes and picketing; extending the duty of fair representation to all employees of the bargaining unit; prohibiting labor organization employees from accepting paid time by a public body for conducting labor organization business with certain exceptions; and providing for the modification of the agreement in the event of a budget shortfall (Sections 105.580 and 105.585).

A labor organization, or associated representative, or public body, or associated representative, that violates the provisions of this bill is subject to a civil action for appropriate relief, including injunctive relief. Attorneys' fees shall be awarded for the enforcement of the provisions of this bill (Section 105.595).

The provisions of the bill shall apply to personal care attendants and their labor organizations, as well as all officers and employees of such organizations (Section 208.862).

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SS HB 1415 -- WORKFORCE DEVELOPMENT

This bill provides students the opportunity to choose between the ACT WorkKeys assessment or ACT (including ACT Plus Writing) assessment in any school year in which the Department of Elementary and Secondary Education directs a state-funded census administration of the ACT assessment, or in which a school district directs the administration of the ACT assessment (Section 160.572, RSMo).

The bill authorizes schools to rely on technical coursework and skills assessments developed for industry-recognized certificates and credentials when developing career and technical education pathways for their students (Section 162.1115).

This bill establishes the "Career Readiness Course Task Force" to study the possibility of offering a middle school career readiness course and the members shall represent the geographic diversity of the state, as specified in the bill. The task force shall report

it findings and recommendations by December 1, 2019 (Section 167.910).

The bill allows a teacher to count hours spent in a local business externship as contact hours of professional development (Section 168.024).

This bill requires the Career and Technical Education Advisory Council to annually review, update, approve, and recommend a list of industry certifications, state-issued professional licenses, and occupational competency assessments. A school district may use the list as a resource in establishing programs of study that meet their regional workforce needs (Section 170.028).

The bill modifies the composition of the Career and Technical Education Advisory Council by adding the Director of the Department of Economic Development or his or her designee (Section 178.550).

This bill provides that beginning July 1, 2018, the Department of Elementary and Secondary Education shall pay monthly, out of appropriated funds for that purpose, to each sheltered workshop a sum determined by specified criteria, but no less than \$21 per day for each handicapped employee. The repeal of Section 178.930 and enactment of Section 178.931 are subject to an emergency clause which provides that the effective date of these provisions shall be July 1, 2018 (Section 178.931).

The bill reauthorizes the Missouri Works Program and the Missouri Works Training Program until August 28, 2030 (Sections 620.809 and 620.2020).

This bill contains an emergency clause.

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HB 1428 -- VACANCIES IN ELECTED COUNTY OFFICE

This bill sets a 60-day time limit for the Governor to fill a vacancy in the office of county commissioner with the advice and consent of the Senate. The vacancies filled by appointment will be held by the appointee for the remainder of the term. The bill does not apply to any county that has adopted a charter for its own government under Article VI, Section 18 of the Missouri constitution.

The bill also requires the county commission in all noncharter counties to fill by appointment, within 14 days, a vacancy in a county elected office to serve until the Governor makes an appointment or until the vacancy is filled by operation of another provision of law. In counties with only two county commissioners,

when there is the absence of an agreement, the presiding judge of the circuit court will make the appointment. The offices of associate circuit judge, circuit judge, circuit clerk, prosecuting attorney, and circuit attorney are excluded from this provision.

SS SCS HB 1446 -- ELECTIONS

This bill changes elections laws. In its main provisions, the bill:

(1) Requires the Department of Revenue to issue an annual report listing sales and use taxes authorized by state law and collected by the department (Section 32.315, RSMo);

(2) Expands the existing exception for small cities, towns, and villages under Section 115.124, which allows candidates for election to assume office without holding an election if a particular election is uncontested and the number of candidates available equal the number of open positions, from cities, towns, or villages with 1,000 or less persons to those with 2,000 or less persons (Section 115.124);

(3) Requires the Secretary of State to furnish specified absentee ballot information upon request of a duly authorized campaign or political party committee representative. The records include voter names and addresses and may be in an electronic format unless otherwise requested. Fees for copying may be charged and will not exceed public record copying charges (Section 115.157); and

(4) Requires specified fire protection districts in Clay County to continue service to residents annexed by a municipality and requires annexation costs to be borne by the municipality. Residents in a new, annexed area may serve on fire protection district boards. A sales tax may be levied upon voter approval after the annexation to provide revenue to the fire protection district. Certain cities are exempt from these requirements as specified in the bill (Section 321.320). This provision has an emergency clause.

SS SCS HCS HB 1456 -- EMERGENCY COMMUNICATION SERVICES

This bill changes the laws regarding funding for emergency 911 services, administration of 911 funding, Missouri 911 Service Board, and the cooperation and contracting between emergency services providers.

MISSING PERSON REPORTS

The bill adds information on guardians to the form for filing a missing persons report (Section 43.401, RSMo).

DEFINITION

This bill adds any authorized 911 or emergency services board to the definition of "political subdivision" (Section 70.210).

TARIFF RATE

The definition of "tariff rate" was amended to include the rate or rates billed by a service supplier to a service user as stated in the service supplier's contracts, service agreements, or similar documents governing the provision of the service (Section 190.300).

CENTRAL DISPATCHING OF EMERGENCY SERVICES IN CLAY COUNTY

The bill maintains that the county commission of certain first class counties without a charter form of government may use all or part of the moneys derived from the emergency telephone tax for central dispatching of emergency services. Currently, the only first class counties this provision applies to are Clay County and Jefferson County. This also specifies that, in Jefferson and Jackson Counties, the county commission may use all or part of the money derived from the charge authorized in Section 190.460 for public safety capital improvements (Section 190.325).

CENTRAL DISPATCHING OF EMERGENCY SERVICES IN MULTIPLE COUNTIES AND MUNICIPALITIES

The bill provides appointment procedures and criteria for county emergency dispatching service boards when the board is meant to consolidate central dispatching services in other political subdivisions that have contracted for such service. The terms of office for existing board members that consolidate with other boards shall end 30 days after the initial members of the newly consolidated board are appointed (Sections 190.327, 190.329, and 190.335).

INTEROPERABILITY SERVICE AGREEMENTS

Upon request of local emergency service agencies or local jurisdictions, certain agencies and entities specified in the bill are authorized to enter into interoperability service agreements for shared talk groups for the purpose of enhancing interoperability of radio systems of talk groups (Section 190.400).

STATE AUDITOR'S AUTHORITY TO CONDUCT PERFORMANCE AND FISCAL AUDITS

The bill authorizes the State Auditor to conduct performance and fiscal audits of any board, dispatch center, joint emergency communications entity, or trust fund involving emergency 911 services (Section 190.334).

MONTHLY FEE FOR COMMUNICATIONS SERVICES ENABLED TO CONTACT 911

The bill changes the name of the Wireless Service Provider Enhanced 911 Service Fund to the Missouri 911 Service Trust Fund (Section 190.420) and authorizes counties, any city not within a county, and certain home rule cities to impose by order or ordinance a monthly fee, not to exceed \$1.50 per device, on subscribers of any communications service or owner of any device enabled to contact 911 solely for the purpose of funding 911 service in the county or city upon approval by the voters. Revenue from this fee except for certain administrative and collection costs of the providers and the Department of Revenue will be deposited into the Missouri 911 Service Trust Fund to be remitted monthly by the Director of the Department of Revenue to the governing body of the county or city (Section 190.455).

If, after one year following the enactment of the fee a county has not complied with the plan, then the authority to impose the fee shall be null and void unless a one-time six-month extension is granted by the Missouri 911 Service Board (Section 190.455).

STATEWIDE PREPAID WIRELESS EMERGENCY TELEPHONE SERVICE CHARGE

Beginning January 1, 2018, the bill imposes a statewide prepaid wireless emergency telephone service charge of 3% on each retail purchase of a prepaid wireless telecommunications service. The amount of the charge must be separately stated to the consumer on an invoice, receipt, or other similar document or otherwise disclosed (Section 190.460).

The amount of the service charge cannot be included in the base for measuring any tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency (Section 190.460).

Beginning January 1, 2019, and ending on January 31, 2019, the seller shall retain 100% of the prepaid wireless emergency telephone service charges collected by the seller. Beginning on February 1, 2019, a seller shall be allowed to deduct and retain 3% of the prepaid service charges. The first \$800,150 in service charges collected after February 1, 2019 will be collected into general revenue for the purpose of reimbursing the Department of Revenue's expenses in administering the 911 service trust fund

(Section 190.460).

The board must set aside between 25% and 100% of the charges deposited into the fund to be remitted to non-charter counties in direct proportion to the amount of charges collected in each county. The board must set aside between 65% and 100% of the charges to be remitted to charter counties and any city not within a county in direct proportion to the amount of charges collected in each county or city. The initial percentage rate set by the board may be adjusted after three years and every two years thereafter. However, at no point can the board set rates that fall below 25% for counties without a charter form of government and 65% for counties with a charter form of government and any city not within a county (Section 190.460).

The prepaid wireless emergency telephone service charge shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes (Section 190.460).

CONSOLIDATION, COOPERATION, AND CONTRACTING BETWEEN BOARDS

The bill authorizes any county, city, or 911 emergency services board established under Chapter 190 or under Section 321.243 to contract or cooperate with any other board as provided in Sections 70.210 to 70.320. Any contracting county or board may seek assistance and advice from the Missouri 911 Service Board regarding terms of the joint contract and the administration and operation of the contracting counties, cities, and boards (Section 190.465).

After August 28, 2018, no public safety answering point operation may be established as a result of its separation from an existing public safety answering point operation without a study by and the approval of the Missouri 911 Service Board (Section 190.465).

The bill also specifies a procedure by which two or more publicly funded 911 central dispatch centers organized under Sections 190.327 to 190.329 or Section 190.335, upon voter approval, can consolidate into one 911 central dispatch center (Section 190.470).

If a county does not have a public agency as defined in Section 190.300, it shall enter into a shared services agreement for providing emergency dispatch services, or form a consolidated emergency telephone services district (Section 190.455).

This bill requires entities located in multiple counties that are entering into a service agreement to provide written notice to the Missouri 911 Service Board if they choose to locate a 911 dispatch

center in a county other than a county with the lowest average wage from the set of counties in which the contracting entities are located (Section 190.465).

If a county has a single board overseeing the dispatching of emergency services, and consolidation of 911 central dispatch centers within the county is desired then the existing board shall vote as to whether the existing board should continue to exist and administer 911 central dispatch services in the county (Section 190.470).

The Director of the Department of Revenue must maintain a centralized database that must be made available to the Missouri 911 Service Board specifying the current monthly fee or tax imposed by each county or city which must be updated no less than 60 days prior to the effective date of the establishment or modification of any monthly fee or tax (Section 190.475).

MISSOURI 911 SERVICE BOARD

The bill adds new powers and responsibilities to the Missouri 911 Service Board, including:

(1) Administering and authorizing grants and loans to certain counties and a certain home rule city that can demonstrate a financial commitment to improving 911 services by providing at least a 50% match and demonstrating the ability to operate and maintain ongoing 911 services. Currently, the only home rule city this provision applies to is Sikeston;

(2) Developing an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to assure funds are used in accordance with the law and purpose of the grant, and conducting audits as deemed necessary;

(3) Setting the percentage rate of the prepaid wireless emergency telephone service charges to be remitted to a county or city as specified in the bill;

(4) Approving a proposal to impose a fee of no more than \$1 under Section 190.455;

(5) Retaining in its records proposed county plans and notifying the Department of Revenue that the county has filed a plan that is ready for implementation; and

(6) Notifying certain communications service providers when the centralized database has been updated or a county or city has

established or modified a tax or monthly fee at least 90 days prior to the effective date of the change (Section 650.330).

The bill allows any county or a certain home rule city to submit an application for loan funds or other financial assistance to the board for the purpose of financing all or a portion of the costs incurred in implementing a 911 communications service project as specified in the bill. Currently, the only home rule city this provision applies to is Sikeston (Section 650.335).

WIRELESS SERVICE PROVIDER ENHANCED 911

The bill repeals the provisions authorizing the Office of Administration to impose, upon statewide voter approval, a wireless service provider enhanced 911 fee not to exceed \$0.50 per wireless telephone number per month and specifying the ballot language for the statewide fee (Sections 190.410, 190.430, and 190.440).

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SS#2 HB 1460 -- STATE REVENUES

Beginning July 1, 2019, this bill increases the fuel tax from \$.17 per gallon to \$.27 per gallon in \$.025 increments over four years. Beginning July 1, 2022, the tax rate of \$.27 applies. The additional revenue generated by the tax increase is used for the actual costs of the State Highway Patrol, subject to appropriation. In addition, the bill authorizes the Department of Agriculture to tax all types of fuel at a substantially equivalent rate by implementing a rule by January 1, 2026. The state auditor will biennially audit funds to ensure their accurate expenditure and provide a report to the General Assembly (Section 142.803, RSMo).

This bill authorizes the "Olympic Dream Freedom Act" which allows a state individual income tax deduction for the value of any prize or award won by a taxpayer in athletic competition in the Olympic, Paralympic, or Special Olympic Games (Section 143.121).

The bill creates the "Emergency State Freight Bottleneck Fund" which is dedicated, subject to appropriation, only to road projects with criteria for such projects specified in the bill (Section 226.145).

The bill contains a referendum clause and the provisions of this bill will become effective upon voter approval.

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HCS HB 1461 -- ADDRESS CONFIDENTIALITY PROGRAM

This bill makes changes to the Address Confidentiality Program.

Currently, the program authorizes the official use of a designated address in lieu of a personal address to protect victims of domestic violence, rape, sexual assault, human trafficking, and stalking. The bill expands the program to apply to victims of any crime who fear for their safety. The bill also applies the program to other individuals living with the victim.

The bill specifies that if a parent is participating in the Address Confidentiality Program, a court order releasing information on a minor child in a custody case shall not release the program parent's address. Additionally, if a parent wishes to relocate a child who is under his or her custody, a parent in the program may provide his or her information under seal to the court for in camera review.

The bill further specifies that an applicant may complete his or her own renewal for the Address Confidentiality Program and does not need to use an application assistant. A participant in the program may be removed if he or she moves outside of Missouri.

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SS SCS HB 1465 -- DEGREES AT PUBLIC INSTITUTIONS

This bill allows the Coordinating Board for Higher Education to approve new degree programs offered by state institutions of higher education. Community colleges may be authorized to offer baccalaureate degrees to meet local workforce needs, and other universities may collaborate with the University of Missouri to offer degrees in engineering, chiropractic, osteopathic medicine, and podiatry. The West Plains Campus of Missouri State University and the State Technical College of Missouri may also offer baccalaureate degrees if authorized by the Coordinating Board. The University of Missouri remains the state's only public research university and the only institution authorized to grant research doctorates and first-professional degrees including dentistry, law, medicine, optometry, pharmacy, and veterinary medicine. No state college or university may seek the land grant designation held by Lincoln University and the University of Missouri or the research designation currently held by the University of Missouri.

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HB 1469 -- MISSOURI MILITARY CODE

This bill changes references to the "reserve military force" in the Missouri Military Code to the "state defense force."

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HB 1484 -- BINGO

This bill allows persons who have, for at least six months, been a bona fide member of an organization licensed to conduct bingo to participate in the operation of a bingo game. The Constitution currently requires at least two years of membership prior to participation. This bill also removes the statutory restrictions on the advertisement of bingo.

This bill will only become effective upon the passage of a Constitutional amendment.

HB 1492 -- SHOW-ME HEROES PROGRAM

Currently, the spouses of active duty National Guard or reservists and active duty military personal, and returning National Guard troops and reservists can participate in the Department of Economic Development's Show-Me Heroes Program for one year following discharge of deployment. This bill extends eligibility in the program to five years from discharge of deployment.

SS#2 SCS HCS HB 1500 -- REDUCTION IN REGULATION OF CERTAIN OCCUPATIONS

This bill modifies provisions relating to certain occupations and professions.

PREVIOUSLY UNREGULATED PROFESSIONS

This bill establishes guidelines for the future regulation of occupations and professions in the State of Missouri. The bill specifies that the state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a reasonable interest for the state to protect the general welfare. If such interest exists, the regulation adopted by the state shall be the least restrictive type of occupational regulation consistent with the public interest to be protected. The bill states that all bills introduced in the General Assembly to regulate an occupation or profession shall be reviewed according to criteria set forth in the bill.

Additionally, the bill requires that the Department of Insurance, Financial Institutions and Professional Registration, or any relevant regulatory agency, report and submit certain information to the General Assembly upon the filing of any bill that proposes a new or additional regulation of an occupation or profession (Section 324.047, RSMo).

DUPLICATE LICENSES

This bill allows a cosmetologist or barber to appear in person at the Board of Cosmetology and Barber Examiners office, or to mail in a notarized affidavit, in order to obtain a duplicate cosmetology or barber license when the original license has been destroyed, lost, mutilated beyond practical usage, or was never received (Section 328.025).

COSMETOLOGY AND BARBERING

Currently, the law requires that applicants for a barber license be free of contagious or infectious diseases; this bill clarifies that the concern is only with diseases that are capable of being transmitted during the ordinary course of business for a barber. The bill repeals the good moral character requirement for barbers and for certain licenses under the purview of the Board of Cosmetology and Barber Examiners. The requirement that an applicant for a cosmetology instructor trainee license be of good moral character and in good physical and mental health is repealed under the bill. Additionally, applicants may be denied licensure if they have been found guilty of any one of a list of offenses, as set forth in the bill.

The bill repeals provisions stating that apprentice training for barbering and cosmetology and training for a cosmetology instructor license shall only be recognized by the Board of Cosmetology and Barber Examiners for a period of five years (Section 328.080).

Nothing in the provisions of law relating to cosmetology shall apply to hairdressing, manicuring, or facial treatments given for which no charge is made.

The board is required to grant a license to practice cosmetology, without first requiring an examination, to an applicant who holds a current cosmetology license in another state if the licensure requirements in that state are similar to, rather than substantially equal to, the licensing requirements in Missouri (Section 329.130).

The bill repeals provisions allowing the board to require a barber to be examined by a physician to ascertain if the barber is free of infectious or contagious diseases and is not afflicted with any physical or mental ailment which would render him unfit to practice the occupation of barbering (Section 328.100).

HAIR BRAIDING

This bill provides that the practices of cosmetology and barbering do not include hair braiding. The bill requires that all

individuals engaging in hair braiding for compensation first register with the Board of Cosmetology and Barber Examiners. The board shall charge registrants a fee of not more than \$20. An applicant may be denied a certificate of registration if he or she has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of certain criminal offenses set forth in the bill, notwithstanding whether sentence is imposed.

The board shall provide persons registering as hair braiders with a mandatory educational video about infection control techniques and diseases of the scalp that is four to six hours in length. A person who registers as a hair braider shall post a copy of his or her certificate of registration in a conspicuous place at his or her place of business. If the registrant is operating outside of his or her place of business he or she shall provide the client or customer with a copy of his or her certificate of registration upon the client's or customer's request.

The board may inspect the registrant's place of business one time per year during business hours to ensure that he or she is not operating outside the scope of practice of hair braiding. Additionally, the board may inspect a hair braiding establishment upon any customer complaints and such additional inspection shall not count toward the one time per year inspection limitation.

If a registrant is found to be operating outside the scope of practice of hair braiding the board may suspend or revoke the registrant's certificate of registration (Section 329.275).

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SCS HCS#2 HB 1503 -- MILITARY AFFAIRS

This bill changes the laws relating to military affairs.

VETERANS SMALL BUSINESS LOANS

The bill allows veteran-owned small businesses to participate in the Missouri Linked Deposit Program. An "eligible veteran-owned small business" is defined as any business owned by an honorably discharged veteran and Missouri resident who has agreed to locate his or her business in the state for at least three years and employs less than 100 employees, a majority of whom are Missouri residents. In considering which small businesses should receive reduced-rate loans through the Linked Deposit Program, a lending institution must give priority to those owned by veterans.

Any veteran who receives a small business loan through the Linked Deposit Program must also complete a boots-to-business program approved by the Department of Economic Development and be assigned

a mentor for 365 days following the loan approval date. The owner and his or her mentor must meet at least once every 90 days (Sections 30.750, 30.756, and 620.3250, RSMo).

MISSOURI MILITARY CODE

The bill changes references to the "reserve military force" in the Missouri Military Code to the "state defense force" (Sections 41.050, 41.070, 41.080, 41.110, 41.206, 41.450, 41.460, 41.490, 41.500, and 115.013).

DISABLED VETERAN LICENSE PLATES

Currently, a person eligible to receive disabled veteran license plates may receive one set of the plates and shall not be charged a fee to receive them. The bill provides that a person may license a second or subsequent motor vehicle for disabled veteran plates, subject to the regular registration and personalized license plate fees (Sections 301.074 and 301.075).

CONGRESSIONAL MEDAL OF HONOR PLATES

This bill specifies that an applicant will pay no additional fee to the regular registration fee for the Congressional Medal of Honor license plates (Section 301.145).

PROFESSIONAL LICENSE APPLICATIONS FOR MILITARY SPOUSES

The bill specifies that military spouses will be given first priority during the processing of all applications for professional licenses (Section 324.006).

SS HB 1504 -- NATIONAL GUARD TRAINING CENTERS

This bill allows the governing bodies or county planning commissions in Newton and McDonald counties to adopt ordinances regulating incompatible land uses and structures within any or all the unincorporated area extending up to 3,000 feet outward from the boundaries of any National Guard training center if the county has participated in the completion of a joint land use study associated with the training center.

HB 1516 -- CHIROPRACTIC SERVICES

This bill authorizes MO HealthNet reimbursement for up to 20 visits per year for services provided to MO HealthNet participants by licensed chiropractic physicians practicing within their scope of

practice.

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HB 1517 -- STATE LEGAL EXPENSE FUND

This bill requires the Attorney General and the Commissioner of Administration, by no later than September 30, 2018, and by the last day of each calendar month thereafter, to submit a report to the General Assembly detailing settlements and judgments paid in the previous month from the State Legal Expense Fund, including any payments from or deposits to the fund, as specified in the bill.

In cases of legal expenses incurred by specified state departments, universities, and colleges, the required report is to be submitted by the legal counsel provided by the respective entity and by the designated keeper of that entity's accounts.

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SS HB 1531 -- CIVIL PROCEEDINGS

This bill provides that a private attorney retained by the state is not entitled to a fee, exclusive of costs and expenses, of more than a set percentage determined by the dollar amount recovered. The total fee payable to retained private attorneys in any matter subject to a contingency fee shall not exceed \$10 million, exclusive of costs and expenses provided for in the contracts and actually incurred by the attorneys. The bill specifies that a contingency fee is payable only from money actually received under a judgment or settlement agreement and shall not be based on any amount attributable to a fine or civil penalty (Section 34.378, RSMo).

This bill modifies the circumstances in which a party may be joined in a civil action. The bill clarifies that a plaintiff's insured may be joined as a defendant and required to interplead when the plaintiff may be exposed to multiple claims. The term "plaintiff" includes an insurance company when the multiple claims exceed the total limits of applicable coverage. The bill further sets forth a procedure by which an insurer or risk management entity may timely deposit all applicable limits of coverage into court in an interpleader action, and will not be further liable for any amount in excess of its contractual limits of coverage so long as the insurer defends its insured from any further claim or lawsuit (Section 507.060).

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SS SCS HB 1558 -- PRIVATE SEXUAL IMAGES

This bill creates the offense of nonconsensual dissemination of

private sexual images, which is a class D felony. A person commits such offense when he or she: intentionally disseminates an image of another person fitting criteria specified in the bill; obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and knows or should have known that the person in the image has not consented to the dissemination. The bill specifies certain exceptions to the offense.

The bill also creates the offense of threatening the nonconsensual dissemination of private sexual images, which is a class E felony. A person commits the offense of threatening the nonconsensual dissemination of private sexual images if he or she gains or attempts to gain anything of value, or coerces or attempts to coerce another person to act or refrain from acting, by threatening to disseminate an image of another person, under the circumstances specified in the bill.

This bill contains an emergency clause.

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SS HCS HB 1606 -- ELEMENTARY AND SECONDARY EDUCATION

Beginning in the 2019-20 school year, this bill requires schools to be in session for 1044 hours of pupil attendance, and eliminates the requirement that schools be in session for any minimum number of days (Sections 160.011, 160.041, 163.021, 163.073, 171.031, and 171.033, RSMo).

The bill requires schools to post certain financial information online, including a searchable expenditure and revenue document or database detailing actual income, expenditures, and disbursements for the current calendar or fiscal year on its district or school website by September 1, 2019. A school is not required to post any confidential information, including any personal information regarding payroll (Section 160.066).

This bill provides that if less than 25% of the public school student transportation funding formula is funded by the state, a school board may vote to reduce its allocation of foundation formula money going to professional development from a minimum of 1% to a minimum of 0.5% (Section 160.530).

The bill provides students the opportunity to choose between the ACT WorkKeys assessment or the ACT assessment in any school year in which the Department of Elementary and Secondary Education (DESE) or a school district directs an administration of the ACT assessment (Section 160.572).

This bill requires the Governor to appoint a teacher representative to the State Board of Education (SBE). The teacher representative will not have the right to vote on any matter or be counted in establishing a quorum. The teacher representative is not allowed in a closed meeting (Sections 161.026 and 161.072).

This bill provides a high school equivalency certificate applicant with the opportunity to voluntarily submit his or her contact information for the purpose of evaluating college and career placement rates of certificate applicants. Subject to appropriation, DESE must subsidize the examination fee for first-time exam takers (Sections 161.094 and 161.095).

The bill also requires DESE to handle career and technical student organization funds (Section 161.106).

This bill changes the Missouri Virtual Instruction Program to "The Missouri Course Access and Virtual School Program." School districts and charter schools must adopt a policy for student enrollment in the Missouri course access and virtual school program that is substantially similar to the student enrollment process for courses offered in the brick-and-mortar school. Public schools shall pay the costs of enrollment in virtual courses for full-time students who attended a public school for at least one semester immediately before enrolling in the virtual courses (Sections 161.670 and 167.121).

The bill allows school bus drivers to have a medical examination every two years instead of every year (Section 162.064).

This bill authorizes the treasurer of a seven-director school district, when entering into a bond to the State of Missouri, to use one or more sureties instead of the two or more sureties required by current law (Section 162.401).

This bill requires any district with an approved gifted education program to have a process, approved by the district's board of education, that outlines the procedures and conditions under which parents or guardians may request a review of the decision that determined that their child did not qualify to receive services through the district's gifted education program. Schools also must establish a policy that allows for subject or whole grade acceleration for any student who demonstrates advanced performance and emotional readiness for acceleration (Sections 162.720 and 162.722).

This bill requires schools to send written notification to a student's parent or legal guardian, DESE, and the State Auditor if the student's personal information was exposed in a data breach

(Section 162.1475).

This bill provides that when including early childhood education students in a school's calculation of average daily attendance for purposes of state funding, the school may fill an enrollment spot vacated by a student leaving the program during the school year with another child who meets the same criteria without affecting the school's calculation of average daily attendance (Section 163.018).

This bill requires the commissioner of education to assign a St. Elizabeth or St. Albans student to another school district if the student's parent requests, the driving distance from the student's residence to his or her school in the district of residence is at least 15 miles, and the new school is at least five miles closer (Section 167.125).

The bill requires schools to provide braille instruction to eligible students unless the individual education program team determines that braille instruction is not appropriate (Section 167.225).

The bill allows a school board or charter school to establish an academic and career counseling program in cooperation with parents and the local community that is in the best interest of and meets the needs of students in the community. Schools may use the Missouri Comprehensive School Counseling Program as a resource. DESE shall develop a process for recognition of a school district's academic and career counseling program (Section 167.266).

The bill requires schools to include information about influenza with any other information sent to parents regarding school health issues (Section 167.637).

This bill requires high schools to provide students with information about careers, salaries, job-finding, and education. The Department of Economic Development shall annually identify occupations that are experiencing a critical need for trained personnel. The Coordinating Board for Higher Education and the Department of Economic Development shall jointly provide information to public institutions of higher education regarding employment trends for each credential offered and the estimated tuition and fees required to obtain the credential. Public institutions of higher education shall publish this information on their website and in their course catalogs (Sections 167.902 and 173.1004).

This bill establishes a "Career Readiness Course Task Force" to explore a course offering, for eighth or ninth grade public school

students, that would cover topics related to various career and educational opportunities, as specified in the bill. The course should focus on career readiness and emphasize the importance of work ethic, communication, collaboration, critical thinking, and creativity. The course should also demonstrate that graduation from a four-year college is not the only path to success and discuss other pathways (Section 167.910).

The bill allows teachers to count hours spent in local business externships as professional development hours (Section 168.024).

This bill requires school sexual education courses to include information about sexual harassment, sexual violence, and consent (Section 170.015).

This bill removes the requirement that school bus drivers over 70 be tested annually on the pre-trip inspection portion of the CDL test (Section 302.272).

The bill permits the Kansas City school district to contract with any governmental agency for the purpose of transporting high school children for extra-curricular activities (Section 304.060).

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SS#3 SCS HCS HB 1617 -- TELEHEALTH

This bill specifies that the Department of Social Services shall reimburse providers for services provided through telehealth if the provider can ensure that services are rendered meeting the standard of care that would be expected if the services were rendered in person. Telehealth services are the delivery of health care using technology to communicate with a health care provider who is at a different location than the patient. Generally, reimbursement for telehealth services must be made in the same way as reimbursement for in-person contact.

The bill specifies that before telehealth services can be provided in a school, the parent or guardian of the child must give authorization.

This bill clarifies that current statute authorizing a health care provider to provide telehealth services shall not be construed to prohibit a health carrier from reimbursing non-clinical staff for services otherwise allowed by law.

This bill repeals several existing provisions relating to telehealth services within MO HealthNet.

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HB 1625 -- SENIOR FARMERS' MARKET PROGRAM

This bill establishes the "Missouri Senior Farmers' Market Nutrition Program." The Department of Agriculture, through a federal grant program with the USDA Senior Farmers' Market Nutrition Program, will provide low-income seniors at least 60 years of age or older with vouchers from county designated distribution sites that may be exchanged for eligible foods at farmers' markets, roadside stands, and community supported agricultural programs.

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SCS HCS HB 1635 -- SEXUAL ASSAULT REPORTING

This bill modifies provisions relating to the reporting of suspected abuse and neglect of a resident of a long-term care facility who is 60 years of age or older or an eligible adult. Currently, a report is required to be made to the Department of Health and Senior Services in the event of suspected abuse or neglect. The bill requires that in the event of suspected sexual assault of the resident, a report shall also be made to local law enforcement.

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HB 1646 -- BRUSH CONTROL ADJACENT TO ROADS

This bill states that one purpose of the brush control law is to prevent brush from interfering with vehicles traveling on the road. If the county is required to take action to control the brush because the owner fails to do so, the county will extend the costs as a special tax due on the landowner's real and personal property tax assessment and will collect the costs in the same manner as state and county taxes.

Notice that must be provided to the landowner of these requirements can be given in writing using any mail service with delivery tracking.

The county right-of-way or county maintenance easement will be deemed to extend 15 feet from the center of the county road or at a distance set forth in the original conveyance. The center of the road will be a point equidistant from both edges of the drivable ground of the road in its current condition.

In the event a county is required to obtain a land survey to enforce these provisions, the costs of the survey will be divided equally between the county and the land owner.

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HB 1665 -- VISITING SCHOLARS CERTIFICATE

This bill allows the State Board of Education to grant an initial visiting scholar certificate as a license to teach in public schools. The applicant must be employed in a content area in which the individual has an academic degree or professional experience. He or she may only teach classes for ninth grade or higher and the hiring school district must verify that the applicant will be employed as part of a business-education partnership initiative designed to build career pathways systems for students. The certificate will last for one year and the applicant can renew it a maximum of two times if certain requirements, as described within the bill, are met.

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HCS HB 1690 -- INSURANCE GUARANTY ASSOCIATION ACT

This bill updates the laws regarding the Missouri Life and Health Insurance Guaranty Association Act to mirror the National Association of Insurance Commissioners model act which was approved by the commission in 2017.

The association provides protection to insureds and claimants against the impairment or insolvency of a life or health insurance company and provides continuation of coverage for policyholders.

Benefits provided by a long-term care rider to a life insurance policy or annuity contract will be considered the same type of benefit as the basic policy or contract to which it relates.

Currently, the Life and Health Insurance Guaranty Association is required to have between five and nine members. The bill modifies the range to between seven and 11 members.

The bill modifies provisions relating to Life and Health Insurance Guaranty Association member assessments. It removes a provision specifying that nonpro rata assessments for administrative and legal costs shall not exceed \$150 per member insurer in any one calendar year, and specifies that the amount of other assessments for long-term care insurance written by the impaired or insolvent insurer shall be allocated according to a methodology included in the plan of operation and approved by the director. The methodology shall provide for 50% of the assessment to be allocated to accident and health member insurers, and 50% to life and annuity member insurers.

These provisions shall not apply to any member insurer that is impaired or insolvent prior to the bill's effective date.

SCS HCS HB 1713 -- ADOPTEE RIGHTS

This bill allows birth parents to obtain a copy of an adopted person's original birth certificate.

This bill allows a birth parent, with proof of identification, or adoptee to request or update a contact preference form, which states whether the birth parent or adoptee would like to be contacted, that will accompany the birth certificate of an adopted person. Currently, only a birth parent may request the form.

If an adopted person is deceased, his or her lineal descendants have the right to obtain a copy of the adoptee's birth certificate, contact form, and medical history form.

CCS SS SCS HB 1719 -- PROFESSIONAL REGISTRATION

PROFESSIONAL EMPLOYER ORGANIZATIONS

This bill establishes regulations and registration requirements for professional employer organizations (PEOs). The bill requires all PEOs to be registered with the Secretary of State. Registration of PEOs may be done individually or as a group. At the time of registration, and every year thereafter, the PEO or PEO group must file with the Secretary of State an audit performed by an independent certified public accountant. A PEO may be eligible for limited registration if it meets certain requirements (Section 285.700, RSMo).

The Secretary of State shall maintain a list of PEOs registered in this state. PEOs shall pay an initial registration fee not to exceed \$500 with an annual renewal fee not to exceed \$250. However, no fee shall exceed the amount reasonably necessary for the administration of the bill (Section 285.720).

Each PEO or PEO group shall maintain either positive working capital or provide a bond, irrevocable letter of credit, or securities with a minimum market value equaling the deficiency plus \$100,000 to the department. PEOs seeking limited registration are not required to meet these requirements (Section 285.725).

The bill establishes the conditions under which a client and a PEO may enter into a professional employment agreement as well as the rights and responsibilities of each party.

Persons may be sanctioned by the Secretary of State for providing professional employer services without registering with the

Secretary of State, or for providing false or fraudulent information to the Secretary of State in conjunction with any registration, renewal, or report required by this bill. Such sanctions may include revocation of license or the imposition of an administrative penalty of not more than \$1,000, among other potential penalties.

This bill provides that a client shall be entitled to the benefit of any tax credit, economic incentive, or other benefit arising as the result of the employment of covered employees of such client. The client's status or certification as a minority-owned or woman-owned business enterprise shall not be affected because such client has entered into an agreement with a PEO or uses the services of a PEO. The PEO shall be responsible for providing workers' compensation coverage for covered employees (Sections 285.700 to 285.750).

DIVISION OF PROFESSIONAL REGISTRATION

The Division of Professional Registration provides clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. Under this bill, that includes verifying that applicants for licensure submit all required documentation and that the documentation is legible (Section 324.001).

PROFESSIONAL LICENSES

This bill prohibits any state board, department, or agency that issues professional licenses from denying a license based on age to any person 18 years old or older. Except for licenses associated with gaming and licenses for an individual who operates a school bus owned by or under contract with a public school or the State Board of Education, who transports hazardous material, or who uses explosives (Sections 324.013, 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 341.170, 344.030, 374.715, and 374.784).

MENTAL HEALTH PROFESSIONALS

This bill adds psychiatric physician assistants, psychiatric advanced practice registered nurses, and psychiatric assistant physicians to the definition of mental health professionals for the purposes of Chapter 631, RSMo. The bill defines a psychiatric assistant physician as a licensed assistant physician under Chapter 334 who has had at least two years of experience as an assistant physician in providing psychiatric treatment to individuals

suffering from mental health disorders and a psychiatric physician assistant as a licensed physician assistant under Chapter 334 and who has had at least two years of experience as a physician assistant in providing psychiatric treatment to individuals suffering from mental health disorders or a graduate of a postgraduate residency or fellowship for physician assistants in psychiatry or is currently in a postgraduate physician assistant residency or fellowship in psychiatry (Section 632.005).

SUICIDE PREVENTION TRAINING FOR HEALTH CARE PROFESSIONALS

Any health care professional in the state can annually complete training in the areas of suicide assessment, referral, treatment, and management, which may qualify as part of the continuing education requirements for licensure as a health care professional. Psychologists are required to complete two hours of such training as a condition of initial licensure. The bill also requires behavior analysts, professional counselors, social workers, baccalaureate social workers, and marital and family therapists to complete two hours of suicide assessment, referral, treatment, and management training as a condition of initial licensure and as a condition of license renewal. The training shall count towards any continuing education required for such license (Sections 324.046, 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718).

PREVIOUSLY UNREGULATED PROFESSIONS

This bill establishes guidelines for the future regulation of occupations and professions in the state. The bill specifies that the state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a reasonable interest for the state to protect the general welfare. The bill states that if such interest exists, the regulation adopted by the state must be the least restrictive type of occupational regulation consistent with the public interest to be protected. The bill states that all bills introduced in the General Assembly to regulate an occupation or profession shall be reviewed according to criteria set forth in the bill.

Additionally, the bill requires that the Department of Insurance, Financial Institutions and Professional Registration report and submit certain information to the General Assembly when a bill is filed that proposes a new or additional regulation of an occupation or profession (Section 324.047).

DIETITIANS

This bill modifies the Dietitian Practice Act to update the

terminology for the national organization name, which changed from the American Dietetic Association to the Academy of Nutrition and Dietetics. The bill also updates the accrediting agency name from the Commission on Accreditation for Dietetics Education to the Accreditation Council for Education in Nutrition and Dietetics. The definitions for "medical nutrition therapy" and "registered dietitian" are modified by adding registered dietitian nutritionists to the definitions.

Additionally, any person who holds a license to practice dietetics may use the abbreviation L.D.N (Sections 324.200 to 324.210).

INTERIOR DESIGNERS

This bill specifies that the duties of the Interior Design Council are transferred to the Division of Professional Registration. The council's role shall be to advise, guide, and make recommendations to the director of the division. The director of the division, rather than the Governor, shall appoint members of the council.

The bill removes the provisions that allow the council to be sued.

Additionally, the bill repeals the requirement that the experience requirements for registered interior designers be verified by at least two client references, business or employment verification, and three industry references (Sections 324.406 to 324.436).

ELECTRICAL CONTRACTORS

Electrical contractors who have an occupational or business license for work as an electrical contractor or master electrician issued by any political subdivision in this state shall be eligible for a statewide license if the applicant meets certain requirements as set forth in the bill.

In order for a business to engage in electrical contracting it must employ at a supervisory level at least one electrical contractor who possesses a statewide license.

Any person operating as an electrical contractor in a political subdivision that does not require a local license, or that operates as an electrical contractor in a political subdivision that requires a local license already possessed by that person, is not required to possess a statewide license to work in that political subdivision.

No political subdivision shall require the holder of a statewide license to obtain a local business or occupational license that requires the passing of any examination or any special requirements

to assess proficiency or mastery of the electrical trades. The holder of a statewide license must be deemed eligible to perform such work in any political subdivision within the State of Missouri (Sections 324.920 and 324.925).

LAND SURVEYORS

Currently, an applicant for land surveyor-in-training is required to provide at least three letters of reference, one of which must be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience.

Additionally, an applicant for licensure as a professional land surveyor must provide at least three letters of reference, all of which must be from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience.

This bill repeals any requirement for letters of reference in order to apply for enrollment as a land surveyor-in-training or to apply for licensure as a professional land surveyor (Sections 327.313 and 327.321).

DUPLICATE LICENSES

This bill allows a cosmetologist or barber to appear in person at the Board of Cosmetology and Barber Examiners office, or to mail in a notarized affidavit, in order to obtain a duplicate cosmetology or barber license when the original license has been destroyed, lost, mutilated beyond practical usage, or was never received (Sections 328.025 and 329.033).

COSMETOLOGY AND BARBERING

Currently, the law requires that applicants for a barber license be free of contagious or infectious diseases; this bill clarifies that the concern is only with diseases that are capable of being transmitted during the ordinary course of business for a barber. The bill repeals the good moral character requirement for barbers and for certain licenses under the purview of the Board of Cosmetology and Barber Examiners. The bill repeals the requirement that an applicant for a cosmetology instructor trainee license be of good moral character and in good physical and mental health. Additionally, applicants may be denied licensure if they have been found guilty of any one of a set list of offenses, as specified in the bill.

The bill repeals provisions stating that apprentice training for barbering and cosmetology and training for a cosmetology instructor

license shall only be recognized by the Board of Cosmetology and Barber Examiners for a period not to exceed five years.

Nothing in the provisions of law relating to cosmetology shall apply to hairdressing, manicuring, or facial treatments given in the home to a person's family or friends for which no charge is made.

The board is required to grant a license to practice cosmetology, without first requiring an examination, to an applicant who holds a current cosmetology license in another state if the licensure requirements in that state are similar to, rather than substantially equal to, the licensing requirements in Missouri.

The bill repeals provisions allowing the board to require a barber to be examined by a physician to ascertain if the barber is free of infectious or contagious diseases and is not afflicted with any physical or mental ailment which would render him unfit to practice the occupation of barbering (Sections 328.080, 329.010, 329.032, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130).

HAIR BRAIDING

This bill provides that the practices of cosmetology and barbering do not include hair braiding. The bill requires that all individuals engaging in hair braiding for compensation first register with the Board of Cosmetology and Barber Examiners. The board shall charge registrants a fee of not more than \$20. An applicant may be denied a certificate of registration if he or she has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of certain criminal offenses set forth in the bill, notwithstanding whether sentence is imposed.

The board shall provide persons registering as hair braiders with a mandatory educational video about infection control techniques and diseases of the scalp that is at four to six hours in length. A person who registers as a hair braider shall post a copy of his or her certificate of registration in a conspicuous place at his or her place of business. If the registrant is operating outside of his or her place of business he or she shall provide the client or customer with a copy of his or her certificate of registration upon the client's or customer's request.

The board may inspect the registrant's place of business one time per year during business hours to ensure that he or she is not operating outside the scope of practice of hair braiding. Additionally, the board may inspect a hair braiding establishment upon any customer complaints and such additional inspection shall not count toward the one time per year inspection limitation.

If a registrant is found to be operating outside the scope of practice of hair braiding the board may suspend or revoke the registrant's certificate of registration (Section 329.275).

NURSES

This bill expands the list of reasons that may cause the board to file a complaint against a licensed nurse.

The bill also allows the Missouri State Board of Nursing to establish an intervention program and an alternative program for the identification, intervention, treatment, and monitoring of nurses and applicants for a nursing license who have a substance use disorder.

Eligibility in either program will be available upon board discretion. The intervention program will be available to certain individuals as set forth in the bill and shall be a minimum of one year in duration. The alternative program will be available to licensees and applicants for licensure who admit to having a substance use disorder. The program shall be from three to five years in duration.

If an individual declines enrollment in either program, the board may proceed with its regular process of investigating a complaint or application.

Upon successful completion of either program, the licensee shall be deemed to have no disciplinary action against his or her license and shall not be required to disclose participation in the program. All records shall be deemed confidential and are not public records.

If a licensee or applicant violates any term of the intervention program or alternative program and denies the violation, the board may convene a hearing to determine whether such violation has occurred. If a violation is found or is admitted to, the licensee's license shall be indefinitely suspended or the applicant's application shall not be acted upon until the licensee or applicant continues to fully participate in the intervention program or alternative program, has one year with no positive drug or alcohol screens, and completes a sobriety notebook.

If a licensee does not successfully complete the intervention or alternative program, the board may pursue disciplinary action and the licensee shall not be eligible to participate in the alternative program.

The statute of limitations for disciplinary proceedings shall be tolled while a licensee or applicant is participating in the intervention program or the alternative program (Sections 335.036, 335.066, and 335.067).

LICENSURE OF PSYCHOLOGISTS

This bill provides that a doctoral degree in psychology from a program accredited, or provisionally accredited, by the Psychological Clinical Science Accreditation System is acceptable to meet various requirements for licensure as a psychologist if the degree program meets certain requirements as specified in the bill (Sections 337.025, 337.029, and 337.033).

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

This bill establishes a new psychology interjurisdictional compact for the practice of telepsychology. The compact does not apply to permanent in-person practice, but regulates the temporary practice of psychology and the day to day practice of telepsychology. Telepsychology is defined in the compact as the provision of psychological services using telecommunication technologies.

Under the compact, psychologists licensed in a compact home state, are allowed to practice telepsychology into other compact states, referred to as receiving states, where the psychologist is not licensed. But the psychologist must:

- (1) Meet certain education requirements;
- (2) Possess a current license to practice psychology from a compact state;
- (3) Have no history of adverse action against his or her license and no criminal record in violation of Psychology Interjurisdictional Compact Commission rules;
- (4) Possess a current E. Passport, as defined in the compact;
- (5) Attest to conformity with standards of practice and competence in telepsychology technology, and knowledge of legal requirements in home and receiving states; and
- (6) Meet any other criteria as required by the commission and defined by rule.

The home state maintains authority over the license of the psychologist practicing telepsychology into a receiving state, but the psychologist is subject to the receiving state's scope of

practice requirements. The receiving state may limit or revoke a psychologist's authority to practice interjurisdictional telepsychology into the receiving state.

A psychologist may practice in a receiving state under the authority to practice interjurisdictional telepsychology only in performance of the scope of practice for psychology as assigned by a state psychology regulatory authority and when the psychologist initiates patient contact from a home state via telecommunications technologies with a patient in the receiving state and in accordance with rules promulgated by the commission.

A psychologist licensed in a compact state may also practice temporarily in other compact states where the psychologist is not licensed, referred to in the compact as distant states. In order to obtain temporary authorization to practice a psychologist must:

- (1) Meet certain education requirements;
- (2) Possess a current license to practice psychology from a compact state;
- (3) Have no history of adverse action against his or her license and no criminal record in violation of commission rules;
- (4) Possess a current interjurisdictional practice certificate (IPC);
- (5) Attest to intended areas of practice and work experience; and
- (6) Meet any other criteria as required by the commission and defined by rule.

The psychologist practicing under a temporary authorization to practice must practice within the scope of practice as authorized by the distant state. The psychologist is subject to the distant state's laws, and the distant state may limit or revoke the psychologist's temporary authorization to practice in the distant state.

When a home state takes adverse action against a psychologist's license the psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice is terminated and his or her E. Passport or IPC is revoked. A compact state must report actions against a licensee to the commission. When a complaint is filed against a licensee for conduct occurring in a receiving state, the licensee's home state psychology regulatory authority must investigate and take appropriate action as if the conduct had occurred within the home

state. In such cases the home state's law shall be used to determine any adverse action against the psychologist's license.

When a psychologist who is practicing under a temporary authorization practice has his or her conduct reported and such conduct occurred in a distant state, then the distant state's psychology regulatory authority shall investigate and take appropriate action. In these types of cases the distant state's law shall control in determining any adverse action against a psychologist's temporary authorization to practice.

The compact allows compact state psychology regulatory authorities to issue subpoenas and cease and desist orders in order to revoke a psychologist's authority to practice interjurisdictional telepsychology and temporary authorization to practice.

A psychologist may not change his or her home state licensure during any investigation. Once an investigation is completed, the home state shall report the conclusions of the investigation to the commission and the psychologist may then change his or her home state licensure. All information provided to the commission by a compact state shall be confidential.

The commission must develop and maintain a coordinated licensure information system or coordinated database, which contains licensure and disciplinary action information on all psychologists practicing under the compact. Compact states must submit a uniform data set to the coordinated database on all licensees which includes information as provided in the compact such as identifying information and any adverse actions taken against the licensee. Compact states may designate information that may not be shared with the public without express permission from the compact state reporting the information.

The compact creates the Psychology Interjurisdictional Compact Commission. Each compact state's psychology regulatory authority shall appoint one delegate to serve as a commissioner. The delegate will have the authority to act on behalf of the compact state. The commission must meet once a year and all meetings are open to the public. The commission may close a meeting to discuss certain matters as established in the compact. All documents of a closed meeting will remain closed unless a majority of the commissioners vote to release such records or upon court order.

The commission shall create bylaws and rules in order to govern its conduct and carry out the purposes of the compact. The compact requires the commission to promulgate certain rules including rules which establish a fiscal year for the commission and procedures for meetings and the election of officers. The commission must publish

the bylaws and file a copy with each compact state.

The commission shall have the authority to:

- (1) Bring and prosecute legal proceedings in the name of the Commission;
- (2) Purchase and maintain insurance and bonds;
- (3) Contract for services of personnel;
- (4) Hire employees;
- (5) Accept donations and grants;
- (6) Lease or purchase property;
- (7) Establish a budget and make expenditures;
- (8) Borrow money;
- (9) Appoint committees;
- (10) Cooperate with law enforcement including providing and receiving information; and
- (11) Adopt and use an official seal.

The commission may also collect an annual fee from each compact state to cover the cost of operations. All receipts and disbursements of funds handled by the commission shall be audited yearly.

The commission shall elect officers and such officers shall serve as the executive board. The board shall have the power to act on behalf of the commission according to the terms of the compact. The board shall be composed of five voting members and one ex-officio nonvoting member. The board shall recommend to the commission changes in the bylaws, rules, compact legislation, annual dues paid by compact states, and any other applicable fees. The board shall also maintain the commission's financial records and prepare and recommend the budget. The board has the responsibility of monitoring compact compliance by member states and prepare and submit compliance reports to the commission.

The members, officers, executive director, employees and representatives of the commission shall be immune from civil suit and liability, both personally and in their official capacity, for any claim arising out of an act or omission committed within the

scope of commission employment. However, immunity from civil liability shall not exist if the person's misconduct was intentional, willful, or wanton. The commission shall defend any member, officer, executive director, employee or representative in any civil action seeking to impose liability arising out of an act or omission that occurred within the scope of commission employment or duties.

The compact provides the procedures the commission must follow in order to promulgate a rule which include public notice and hearing requirements. A majority of compact states may reject a rule promulgated by the commission by enacting a statute or resolution in the same manner used to adopt the compact.

The government of each compact state must enforce the compact and take all actions necessary to effectuate the compact's purposes and intent. The commission shall be entitled to receive service of process and standing to intervene in any judicial or administrative proceeding pertaining to the subject matter of the compact which may affect the powers, responsibilities, or actions of the commission. If the commission is not provided service of process, then any judgment or order shall be void as to the commission, the compact, or promulgated rules.

The compact provides procedures the commission is to follow when a compact state defaults in required performance of its obligations or responsibilities under the compact or promulgated rules. A compact state shall only be terminated from the compact after all other means of securing compliance have been exhausted. A compact state may withdraw from the compact by repealing the compact statutes.

The compact shall go into effect after seven states have enacted the compact legislation (Sections 337.100 to 337.165).

PROFESSIONAL COUNSELORS

An applicant for licensure as a professional counselor who has held a license as a professional counselor in this state or who currently holds a license as a professional counselor in another state shall not be required to have completed any courses related to career development (Section 337.510).

DRUG OUTSOURCERS AND THIRD-PARTY LOGISTICS PROVIDERS

This bill recognizes "drug outsourcers" and "third-party logistics providers" in certain statutes regarding wholesale drugs that currently apply mainly to wholesale drug distributors. The bill adds drug outsourcers and third-party logistics providers to the

list of persons a pharmacy may legally receive prescription drugs from. The bill requires that any person acting as a drug outsourcer or third-party logistics provider first obtain a license from the Board of Pharmacy (Sections 338.315, 338.330, 338.333, 338.337, and 338.340).

DENTAL BOARD

This section adds a definition for "advertisement" and the phrases "clearly legible" and "clearly audible" to provisions relating to complaints that may be filed against dental licensees. It also states that false, misleading, or deceptive advertisements or solicitations shall include advertisements with certain characteristics (Section 332.321).

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SS HCS HBs 1729, 1621 & 1436 -- PREVAILING WAGE

This bill amends Missouri's prevailing wage law.

Prevailing wage shall not be paid for public works where the estimated cost, or accepted bids, are \$75,000 or less. All public works projects estimated to cost, or with an accepted bid of \$10,000 or less for all occupational titles shall be exempt from competitive bidding requirements. Wage determination schedules are provided in the bill (Section 290.230, RSMo).

Employers may use entry-level workers and federally-registered apprentices for on-the-job training provided that the combined total of those workers and apprentices does not exceed a one to one ratio with the number of journeyman in any occupational title on a public works project. The wage rate for the on-the-job training workers shall be 50% of the wage rate for an appropriate journeyman (Section 290.235).

Complaints regarding a violation of certain prevailing wage laws shall be filed with the Department of Labor and Industrial Relations and may only be filed by certain individuals, as specified in the bill (Section 290.240).

Currently, contractors and subcontractors working on public works projects are required to pay employees the prevailing wage for the particular locality in which the project is being completed. This bill instead requires that either the prevailing wage or public works contracting minimum wage be paid for workers on public works. The prevailing wage shall be paid for occupations in localities where at least 1,000 reportable works hours occur, but otherwise workers shall be paid the public works contracting minimum wage (Section 290.257).

The prevailing wage shall be set using the weighted average of the wages for an occupational title, and the public works contracting minimum wage shall be 120% of the average hourly wage in a particular locality (Section 290.257).

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SS HB 1744 -- HIGHER EDUCATION

The bill modifies the A+ Schools Program by removing the requirement that the student's attendance of a high school in the state be the three years immediately prior to graduation (Section 160.545, RSMo).

This bill adds an additional mechanism by which the taxing district of a public school may attach itself to a community college district in order to increase the tax base of the community college district and secure in-district tuition rates for students of the school district. The new mechanism allows the community college to propose the plan to the school district's voters and requires the community college to pay for the election (Section 162.441).

The bill modifies the Missouri Higher Education Savings Program to allow Missouri 529 account holders to transfer money from that account to a Missouri ABLE account while retaining tax exempt status on the transferred money (Section 166.435).

This bill adds approved virtual institutions to the Access Missouri Financial Assistance Program, as described in the bill (Sections 173.1101, 173.1102, 173.1104, 173.1105, and 173.1107).

The bill prohibits public colleges from requiring a student to buy a meal plan or dine on-campus if the student presents medical documentation of a food allergy or medical dietary issue to the institution (Section 173.1592).

This bill contains an emergency clause.

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SS SCS HB 1769 -- FILING FALSE DOCUMENTS

This bill creates the offense of filing a false document, which is committed if, with intent to defraud, deceive, harass, alarm, or negatively impact financially, a person files, causes to be filed, or attempts to file, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, or transferred to the Secretary of State or his or her designee, any county recorder of deeds or his or her designee, any municipal, county, district, or state government

entity or office, or any credit bureau or financial institution specified documents. For the first offense, filing a false document is a class D felony. Filing false documents is a class C felony in certain specified instances. Any person who is found guilty of committing such offense will be ordered to make full restitution to any person or entity that has sustained any actual losses as a result of the commission of such offense.

The bill specifies that a system must be created, by January 1, 2019, in which suspicious filings are logged, and outlines the process for petitioning the court when a person has probable cause to believe a filing is fraudulent.

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SS#2 HCS HB 1796 -- FIRST-TIME HOME BUYER SAVINGS ACT

Beginning January 1, 2019, this bill establishes the "First-Time Home Buyer Savings Account Act" and authorizes an individual income tax deduction for 50% of the contributions to such a savings account dedicated to buying a first home. The bill specifies that the annual contribution deduction limit is \$1,600 for an individual or \$3,200 for a couple filing a joint tax return. A first-time home buyer is an individual who has never owned a single-family, owner-occupied primary residence including a condominium or manufactured home or a divorced individual who has not been listed on a property title for at least three years. The maximum contribution limit for all tax years is \$20,000 and the maximum total amount in the savings account is \$30,000. The bill requires any home purchase with money from an account may not transfer for at least two years, except as specified in the bill.

Funds in the savings account can be used only for eligible expenses of purchasing a primary residence in this state, transferred to another first-time home buyer savings account or used to pay service fees. Any withdrawal of funds for other purposes will be subject to recapture and penalties.

The bill also specifies that any person who has knowledge of radioactive or hazardous contamination and fails to disclose such information in writing to the prospective lessee, purchaser, or transferee is guilty of a class A misdemeanor.

The provisions regarding the income tax deduction expire December 31, six years from the effective date.

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SCS HB 1797 -- NUCLEAR PLANT SECURITY

This bill defines "armed nuclear security guard," "structure or

fenced yard," and "nuclear power plant" for purposes of the laws relating to armed nuclear security guards.

The bill specifies the levels of physical force, including deadly force, an armed nuclear security guard may use against another person at a nuclear power plant or within a structure or fenced yard of a nuclear power plant to prevent certain dangerous actions by the other person.

An armed nuclear security guard, employer of an armed nuclear security guard, or owner of a nuclear power plant will not be subject to civil liability for conduct of an armed nuclear security guard that is permitted in the bill.

The bill also provides that if an offense that would be trespass in the first degree, a class B misdemeanor, occurs at a building of or on real property of a nuclear power plant, it will be a class E felony.

HB 1809 -- BI-STATE DEVELOPMENT AGENCY

This bill adds Franklin County to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan Development District.

HB 1831 -- SALES TAXES

This bill clarifies that disposable diapers are included in the items exempted from sales tax during the Back to School Sales Tax Holiday in August each year.

This bill authorizes a state and local sales and use tax exemption for initiation fees and dues paid to nonprofit organizations exempt from taxation by the IRS under Section 501(c)(7).

SS SCS HB 1832 -- MERCHANDISING PRACTICES

SCRAP METAL PURCHASES

Currently, scrap dealers must keep documentation for any transaction involving certain metals. This bill expands the documentation requirements to add transactions involving motor vehicle, heavy equipment, or tractor batteries (Section 407.300, RSMo).

NATIVE AMERICAN ARTS

This bill prohibits the sale of Native American arts and crafts, and other goods represented as being Native American made, unless the arts and crafts are made by citizens or members of federally recognized Native American tribes. Any merchant who knowingly violates this provision shall be subject to a fine up to \$200 and 90 days in prison (Section 407.315).

CREDIT USER PROTECTION LAW

The bill states that a person commits the offense of illegal use of a card scanner if the person:

- (1) Uses a scanning device to obtain information stored on a credit card without the permission of the cardholder, credit card issuer, or merchant;
- (2) Possesses a scanning device with the intent to defraud or with the knowledge that some other person intends to use the device to defraud;
- (3) Uses a reencoder to copy a credit card without the permission of the cardholder and with the intent to defraud; or
- (4) Possesses a reencoder with the intent to defraud or with the knowledge that another person intends to use the reencoder to defraud.

The offense of illegal use of a card scanner is a class D felony for the first offense and any subsequent offense arising from a separate incident is a class C felony.

A person commits the offense of defacing a credit card reader if the person damages, defaces, alters, or destroys a scanning device and the person has no right to do so. The offense of defacing a credit card reader is a class A misdemeanor.

A violation of either of these offenses constitutes an illegal practice under current merchandising practices statutes, and a violator is subject to any penalties under these statutes. The Attorney General shall have the same powers, rights, and duties regarding violations of either of these offenses as he or she does under current merchandising practices statutes (Sections 407.431, 407.432, 407.433, and 407.436).

SAFEKEEPING OF PERSONAL INFORMATION

This bill changes the amount of time within which a person who owns or licenses personal information of residents of Missouri is

required to inform an affected consumer that there has been a breach of security following discovery or notification of the breach from without unreasonable delay to within 30 days of the discovery or notification (Section 407.315).

SS SCS HB 1838 -- CONVEYANCE OF STATE PROPERTY

This bill authorizes and empowers the Governor to convey all interest in specific property, described in the bill, located in Jefferson City, Missouri. The Commissioner of Administration shall set the terms and conditions for the conveyance as he or she deems reasonable.

CCS SS HB 1858 -- DEPARTMENT OF REVENUE

Beginning July 1, 2019, this bill requires interest on a tax overpayment be paid after 45 days at the same rate of interest as the rate imposed for an underpayment of income tax and removes the provision exempting interest on amounts of less than \$1.

This bill directs the Department of Revenue to create an online mapping feature whereby the taxing information of political subdivisions and special taxing districts will be made readily available. The mapping feature will display the geographical boundaries of such political subdivisions and taxing districts, and shall have the option of superimposing those boundaries on Missouri House of Representatives and Senate districts. Political subdivisions collecting sales tax are required to provide to the department mapping and geographic data pertaining to the its borders and jurisdictions. The department may contract with a third party to maintain the mapping feature. The department shall implement the mapping feature by July 1, 2019.

SS HCS HB 1872 -- MISSOURI RURAL BROADBAND DEVELOPMENT

This bill establishes a grant program within the Department of Economic Development to expand broadband Internet access to unserved and under-served parts of Missouri. Grants may be awarded to fund the acquisition and installation of middle-mile and last-mile infrastructure that support Internet speeds of at least 25 megabits per second download and three megabit per second upload. Grants may be provided to corporations registered in Missouri along with their affiliates, incorporated businesses or partnerships, nonprofit organizations, cooperative associations, and political subdivisions.

The department is directed to develop certain application procedures for the grant program, while other procedural time lines are already provided, and the grant application's requirements are specified in the bill. The department shall give priority to applications for broadband service projects in unserved areas, unserved areas where there is a demonstration of the ability to receive matching funds, and under-served areas, in that respective order.

However, no grant shall be awarded where a broadband service provider applicant has already secured funding through the Connect America Fund, where high cost support has been secured from the federal Universal Service Fund, or where other federal moneys not requiring matching funds were acquired. Funding shall also not be provided for retail end users that already have broadband service of at least 25 megabits per second download with three megabits per second upload.

Any grant awarded under the bill may not fund more than 50% of the total cost of a broadband service project when combined with other governmental funds, and no single project shall be awarded grants that cumulatively exceed \$5 million. The department is also directed to report annually on the participation in the grant program, and any results thereof.

The bill is subject to a three-year sunset clause.

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CCS SS SCS HCS HB 1879 -- PUBLIC ENTITY FINANCIAL TRANSACTIONS

This bill modifies several provisions relating to financial transactions by public entities.

SECURITY-COLLATERAL LIST

Currently, the State Treasurer and the Treasurer of the City of St. Louis are limited in the securities they may require as collateral from banks or financial institutions selected and approved for the safekeeping and payment of deposits. With regard to out-of-state municipal bonds, it must be determined that the bonds are rated in the highest category by at least one nationally recognized statistical rating agency to be qualified as collateral. This bill changes that standard to require the bonds to be rated "investment grade" by at least one such agency (Sections 30.270 and 95.530, RSMo).

The bill also adds brokered or negotiable certificates of deposit that are fully insured by the FDIC to the collateral list (Section 30.270).

STATE PURCHASING AND PRINTING

This bill states that for purposes of Chapter 34, state purchasing and printing, the term "department" does not include public institutions of higher education (Section 34.010).

ORGANIZATIONS FOR THE BLIND AND SHELTERED WORKSHOPS

This bill changes the bidding preference for state purchasing from qualified nonprofit organizations for the blind and sheltered workshops from a flat 10-point bonus award to a sliding scale from five to 15 bonus points based on the revenue generation for and utilization of the qualified nonprofit organizations for the blind and sheltered workshops, as determined in rule by the Commissioner of Administration (Section 34.165).

COMPETITIVE BIDDING FOR COUNTIES

Currently, counties must advertise a request for bids for contracts and purchases of more than \$4,500 with any one person or corporation during a 90-day period. This bill provides that the bidding requirement applies to contracts or purchases involving expenditures of more than \$6,000 (Section 50.660).

Current law requires a county commission to seek competitive bids or proposals on single feasible source purchases of \$3,000 or more, and advertise for bids on such purchases of \$5,000 or more. This bill requires the commission to seek bids and advertise on single feasible source purchases of more than \$6,000 (Section 50.783).

INVESTMENT OF PUBLIC FUNDS

Currently, any public entity or political subdivision may invest public funds if, among other things, on the same date that the public funds are deposited, the financial institution also receives an amount of deposits from other financial institutions equal to the amount of the public funds deposited. This bill repeals this requirement (Section 67.085).

DEPOSITARIES FOR PUBLIC FUNDS

Currently, restrictions are provided on the security of the public funds of specific political subdivisions. This bill stipulates that the requirements apply to all political subdivisions of the state. Furthermore, the bill also allows banks serving as a depository for public funds to invest in the same manner as the State Treasurer is constitutionally permitted (Section 110.010).

CERTIFIED CHECK REQUIREMENTS

Currently, certain bids made by banks, associations, or trust companies are required to be accompanied by a certified check. This bill repeals those requirements (Sections 110.080, 110.140, 165.221, 165.231, and 165.271).

REAL ESTATE BOOK

This bill allows the county real estate book, which contains all lands subject to assessment, to use an alternate address for the purpose of mailing property tax statements to someone other than the owner of the property (Section 137.225).

DORMANT BANK ACCOUNTS

The bill specifies that whenever a consumer deposit account with a banking organization or financial organization has been inactive for 12 months or more and inactivity fees apply to the account, the organization is required to notify the account holder of such inactivity through first class mail postage prepaid marked "Address Correction Requested" or through electronic notice if the consumer has agreed to receive such notices under the federal Truth in Savings Act. Additionally, the bank is required to send annual statements for such account and charge a fee up to \$5 per statement. Such fee shall be withdrawn from the inactive account.

This bill stipulates that the funds of any bank account which has been inactive for a period of five years shall be remitted to the Abandoned Fund Account administered by the State Treasurer (Section 447.200).

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SS#2 SCS HB 1880 -- RURAL ELECTRIC COOPERATIVES

This bill modifies provisions relating to broadband communications services provided by rural electric cooperatives.

Currently, rural electric cooperatives have certain powers, including the power to construct electric transmission and distribution lines or systems. This bill specifies that "electric transmission and distribution lines or systems" are specifically defined to include copper and fiber optic cable, facilities, and technology that carries light signals and data beyond that necessary for the transmission and distribution of electricity. Further, this bill specifies that if a property owner prevails against a rural electric cooperative or cooperative subsidiary in a suit in trespass or inverse condemnation filed after August 28, 2018, the trespass shall be deemed permanent and the actual damages

awarded shall be the fair market value and fixed at the time of the initial trespass, punitive damages shall not be assessed, but the property owner may be compensated for property damage resulting from such trespass and reasonable attorneys' fees. This bill further specifies that power conferred upon rural electric cooperatives shall be subject to a certain antitrust provision of law (Section 394.080, RSMo).

With this bill, the General Assembly declares that expanding and accelerating access to high-speed broadband communications services is in the best interests of citizens. In recognition of this capital intensive deployment, the General Assembly encourages rural electric cooperatives to enter into agreements or contracts with certain entities set forth in this bill. Such agreements may provide for the non-exclusive use of rural electric cooperative infrastructure and easements for the deployment of such services. Further, this bill requires a distribution cooperative that provides broadband service to offer such service to a landowner if such cooperative's broadband infrastructure traverses such landowner's property (Section 394.085).

HB 1887 -- HOMEOWNERS' ASSOCIATIONS

This bill specifies that a deed restriction, covenant, or similar binding agreement running with a parcel of land cannot prohibit or have the effect of prohibiting the display of political signs. A homeowners' association may adopt reasonable rules regarding political signs as specified in the bill. A homeowners' association may not remove a sign or impose a fine or penalty unless written notice of a reasonable rule violation has been given and a three-day time period has passed.

SS HB 1953 -- INFORMATION ON TREATMENT OF DISEASES

BONE MARROW REGISTRY

This bill requires the Department of Health and Senior Services to develop information regarding the bone marrow registry. A primary care provider or urgent care physician may inquire of a new patient who is 18 or older and under 45 whether he or she is registered with the bone marrow registry. If the patient is not registered, the provider or physician will provide the patient with the information on the registry provided by the department (Section 192.1120, RSMo).

ADVISORY COUNCIL ON RARE DISEASES

This bill establishes the "Advisory Council on Rare Diseases and Personalized Medicine" to serve as an expert advisory committee to the Drug Utilization Review Board. The advisory council shall be made up of health care professionals as specified in the bill. The first meeting of the advisory council shall be no later than February 28, 2019, and following the first meeting, the advisory council will meet upon request.

The bill requires the review board to seek the input of the advisory council on a variety of topics, as specified in the bill. Any recommendation of the advisory council must be made in writing and during a public hearing.

This bill requires all advisory council members to annually sign a conflict of interest statement and specifies that at least 20% of the members may not have a conflict of interest to any insurer, pharmaceutical benefits manager, or pharmaceutical manufacturer (Section 208.183).

SS SCS HCS HB 1991 -- WIRELESS FACILITIES INFRASTRUCTURE

This bill enacts the "Uniform Small Wireless Facility Deployment Act," which establishes that an authority shall not enter into an exclusive arrangement regarding the use of the right-of-way for the collocation of small wireless facilities or the installation, operation, marketing, modification, maintenance, or replacement of utility poles. Municipal electric utilities are excluded from the definition of "authority."

Authorities shall be nondiscriminatory in their management of right-of-ways. Wireless providers shall have the right to collocate small wireless facilities on poles in the right-of-way as a permitted use not subject to zoning, except in areas zoned as single-family residential or historic. In the latter case, small wireless facility collocation shall remain subject to the Uniform Wireless Communications Infrastructure Deployment Act.

The bill provides certain specified pole and small wireless facility size restrictions, and provides that wireless providers shall have the right to replace decorative poles when necessary to collocate a small wireless facility. An authority may require concealment measures provided they do not discriminate against a wireless provider. Small wireless facilities completed on and after the effective date of the bill shall not interfere with existing utility facilities or third-party attachments (Section 67.5112, RSMo).

Authorities are also barred from charging for the collocation of

small wireless facilities except as provided by the act. Authorities shall only institute permitting systems for small wireless facility collocations if such permits do not exclusively apply to small wireless facilities, and authorities are further restricted as specified in the bill. Authorities shall not limit the placement of small wireless facilities with minimum horizontal distances. Authorities shall not require applications for routine maintenance on small wireless facilities, the replacement of small wireless facilities with other facilities of the same or smaller size, or for the installation, maintenance, and replacement of micro wireless facilities strung on cables. However, municipal electric utilities may require a permit or fee for small wireless facilities that are strung on cables between utility poles (Section 67.5113).

Authorities shall allow small wireless facility collocation on authority owned poles and wireless support structures outside of right-of-ways in the same manner that the authority permits access for other commercial projects (Section 67.5114).

Any individual with an interest in an authority owned pole shall not enter into any exclusivity agreement interfering with small wireless facility collocation. Permitting and fees for make-ready work are restricted in the bill to competitively neutral terms, along with various other limitations as provided in the bill (Section 67.5115).

An authority shall only charge a wireless provider a rate or fee if such a rate or fee is also required by the authority for similar work. Right-of-way permit fees shall be non-discriminatory and competitively neutral. The total fee for the application for the collocation of a small wireless facility shall not exceed \$100 per pole. The collocation rate shall not exceed \$150 per pole per year (Section 67.5116).

The act shall not be interpreted to allow any entity to provide cable services without complying with any other applicable laws (Section 67.5117).

An authority's zoning authority shall not extend to the engineering, construction, or design of any small wireless facility located in a structure on any campus, stadium, or athletic facility not owned or controlled by the authority, and nothing in the act authorizes Missouri or authorities to regulate wireless services (Section 67.5118).

Within the later of two months after August 28, 2018, or two months after receiving a request from a wireless provider, an authority shall adopt an ordinance or agreement that presents all of the

rates, fees, and other terms that a provider may be subject to in compliance with the act (Section 67.5119).

The bill also permits authorities to adopt indemnification insurance and bonding requirements for small wireless facilities with various enumerated requisites. Bonding shall not exceed \$1,500 per small wireless facility, and the total bond amount for multiple wireless facilities within a single authority's jurisdiction shall not exceed \$75,000 (Section 67.5121).

The act shall expire on January 1, 2021, except that then-existing small wireless facilities permits or collocations shall continue until the end of their respective terms (Section 67.5122).

By December 31, 2018, the Department of Revenue shall report to the General Assembly on the amount of revenue collected by local governments from communication service, direct-to-home satellite service, and video service providers from the previous three fiscal years (Section 67.5125).

The Uniform Small Wireless Facility Deployment Act has a delayed effective date until January 1, 2019.

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SS SCS HCS HB 2034 -- INDUSTRIAL HEMP

This bill exempts industrial hemp, which is defined as Cannabis sativa L. containing no greater than 0.3% THC, from the definition of marijuana and the list of controlled substances. In addition, it is legal for any person who has received an industrial hemp license to grow, harvest, cultivate, and process industrial hemp.

The bill creates an industrial hemp agricultural pilot program to be implemented by the Department of Agriculture and specifies the requirements for an applicant of an industrial hemp registration and agricultural hemp seed production permit. The department must issue a license or permit to an applicant who meets the statutory requirements, upon satisfactory completion of a state and federal fingerprint criminal history background check, and who signs a waiver that holds the department harmless in the event a lawsuit occurs or the growth, processing or other specified actions related to industrial hemp or seed is declared illegal under federal law. Upon issuance of a license or permit, information regarding all license and permit holders must be forwarded to the State Highway Patrol.

An industrial hemp license or agricultural hemp seed production permit is nontransferable except to a spouse or child who otherwise meets the requirements for a license or permit; is valid for a

three-year term unless revoked by the department; and may be renewed as determined by the department.

The department is also allowed to revoke or refuse to issue or renew an industrial hemp license or agricultural hemp seed production permit and to impose a civil penalty of not less than \$2,500 or more than \$50,000 for a violation of the requirements of the license or permit, department rules relating to growing or handling industrial hemp, the monitoring system, or a final order of the department that is specifically directed to the grower's or handler's industrial hemp operations or activities. A registration or permit may not be issued to a person who in the five years preceding the application has been found guilty of or pled guilty to a felony offense under any state or federal law regarding the possession, distribution, manufacturing, cultivation, or use of a controlled substance.

In addition, the department may revoke or refuse to issue or renew a license or permit for failing to comply with statute or for a violation of department rules regarding agricultural operations or activities other than industrial hemp growing or handling. The department must refuse to issue a registration or permit to any applicant for less than 10 acres or more than 40 acres or if the total acreage among all registrants would exceed 2,000 acres of land statewide.

A person who grows industrial hemp without a valid industrial hemp license is subject to an administrative fine of \$500 and must obtain an industrial hemp license within 30 days. If the person obtains the license within 30 days, the fine is refunded. If the person fails to obtain a license within 30 days, the person is fined \$1,000 per day until the person obtains a license or the crop is destroyed.

No retailer of pesticides or agricultural chemicals is liable for the sale, application, or handling of these products by a producer or applicator in any manner or for a purpose not approved by state or federal agencies. No producer or applicator may use or apply pesticides or agricultural chemicals to industrial hemp except as approved by state and federal law.

Every grower or handler must be subject to an industrial hemp plant monitoring system. The department may inspect a grower or handler to ensure compliance with statutes, department rules, the monitoring system, or a final department order directed to the grower's or handler's industrial hemp operations or activities. The department may also inspect any industrial hemp crop during the crop's growth phase and take a representative composite sample for field analysis. Crop exceeding the allowable THC limits may be

required to be destroyed by the grower or handler. If the crop is not destroyed within 15 days, the grower or handler will be subject to a fine of \$5,000 per day until the destruction of the crop and is in addition to any criminal liability incurred by the grower or handler.

The State Highway Patrol may perform aerial surveillance to ensure illegal industrial hemp or marijuana plants are not being cultivated on or near industrial hemp and may coordinate with local law enforcement agencies to certify the destruction of illegal industrial hemp or marijuana plants. The department must notify the State Highway Patrol and local law enforcement agencies of the need to certify that a crop of hemp deemed illegal through field analysis has been destroyed.

The department must develop standard identification documentation for industrial hemp and associated commodities. The department may assess growers and handlers a fee for developing the system. This bill creates the "Industrial Hemp Fund," which consists of the fees collected in this provision.

An institution of higher education, in collaboration with the Department of Agriculture, may engage in the study of the growth, cultivation, or marketing of industrial hemp and seed and must obtain a registration for the growth of industrial hemp or a permit for the growth and handling of agricultural hemp seed. The department may not issue a permit or registration to an institution of higher education to grow or cultivate industrial hemp on more than 20 acres, but may issue a permit for the growth or cultivation on a plot of land less than 10 acres.

The Missouri Crop Improvement Association, in collaboration with the department, may establish and administer a certification program for agricultural hemp seed. The department may breed, plant, grow, cultivate, and harvest cannabis, and collect seeds from wild cannabis plants. The program is voluntary for growers of industrial hemp.

The department must execute its responsibilities relating to the cultivation of industrial hemp in the most cost-efficient manner possible, including in establishing permit and registration fees. For the purpose of testing industrial hemp for pesticides, the department must explore the option of transporting samples from Missouri to contiguous states that participate in an agricultural pilot program authorized by the federal Agricultural Act of 2014.

Currently, a food is considered adulterated if it meets certain criteria. This bill specifies that a food shall not be considered adulterated solely for containing industrial hemp or an industrial

hemp commodity or product.

HB 2101 -- GUARDIAN AD LITEM FEES

Currently, when a person is represented in a civil action by a legal aid society or other nonprofit organization that provides legal services to indigent persons, all costs related to the prosecution may be waived without a motion or court approval. This bill provides that this automatic waiver shall not include guardian ad litem fees. A party requesting waiver of guardian ad litem fees, who is represented by a legal aid society or other nonprofit, must file an updated certification form with the court prior to trial. Any party may present to the court additional evidence on the financial condition of the parties. Any failure to pay guardian ad litem fees shall not preclude a certifying party from filing future suits and shall not be used as a basis to limit the certifying party's prosecution or defense of the action.

SCS HCS HB 2116 -- MOTORBOAT REGULATIONS

This bill specifies that the operator of a watercraft that is in violation of the requirements that the watercraft be equipped with a personal flotation device for each person on board shall be guilty of an infraction and fined not more than \$25. The bill also specifies that the owner of any watercraft in violation of the slow-no wake provisions shall be guilty of an infraction and fined not more than \$25. Court costs will not be imposed for these infractions.

The Department of Public Safety shall promulgate rules for no wake coves for class 3 vessels in specified areas.

This bill exempts certain vessels propelled by outboard jet motors and operating on non-impounded waterways from the passenger seating, guard, and rail provisions.

SS#2 HCS HB 2129 -- ORGAN DONATION EDUCATION

This bill requires public schools to allow any recognized organization that provides unbiased information on organ, eye, and tissue donation to make a 30-minute presentation to the schools' governing bodies. Schools must consider the presentation and decide whether to present the information to students and parents. The bill provides that no student may be required to participate in donation instruction if the student has a sincere belief contrary to such instruction.

This bill specifies, a person who obtains, maintains, or renews a valid driver's license, who operates a motor vehicle, who is not blind, or who has violated a particular state law regarding the Blind Pension Fund is not entitled to a blind pension. Also, a person who owns property worth \$30,000 or more or whose sighted spouse's annual income equals or exceeds 500% of the federal poverty level is not eligible. The value of the home and up to \$100,000 in the person's Achieving a Better Life Experience (ABLE) account is excluded from the asset limit. The Department of Social Services may require any applicant for or recipient of the blind pension to submit to a vision test or reexamination if there is reason to believe the person is not eligible for the pension. The department must notify any eligible blind persons with valid driver's licenses that they must surrender such licenses within 60 days of approval of a blind pension and, if requested, issue a nondriver's license card.

This bill requires vision tests to determine eligibility for a blind pension to measure vision in both eyes. A person is "blind" for the purposes of qualifying for a pension if his or her vision cannot be corrected to better than five two-hundredths, in the better eye, or if his or her visual field is less than or equal to five degrees as tested with five millimeter target on perimeter in the better eye, for a period that lasted or is expected to last at least 12 months. The department is required to determine the appropriate vision test and may require a recipient to be retested in less than five years if the department reasonably believes that the person's vision is not eligible for a pension. Additionally, the ophthalmologist, physician, or optometrist who conducted the vision test may indicate if retesting in less than five years is recommended.

Finally, this bill requires the department to submit to the General Assembly a projected estimate of the monthly pension payment for each upcoming fiscal year based on the department's estimate of projected revenue from the blind pension tax levied, the projected balance in the Blind Pension Fund, the projected cash flow estimates to the fund, and estimates of the number of eligible persons. The bill requires the estimated change in the monthly payment for the upcoming fiscal year be calculated as one-twelfth of the quotient obtained by dividing 75% of the annual change in the amount of funds in the fund for the preceding fiscal year by the projected number of eligible persons.

HB 2183 -- LICENSURE OF HEALTH CARE FACILITIES

This bill allows an applicant for or holder of a hospital license to define the premises of a hospital campus to include tracts of property which are adjacent but for a single intersection (Section 197.052, RSMo).

This bill changes the law so that only a health care facility licensed under Chapter 198 needs to obtain a certificate of need to increase its licensed bed capacity by more than 10 beds or more than 10% of the total bed capacity. Any such facility seeking a nonapplicability review for an increase in total beds or total bed capacity that is 10 beds or less or 10% or less of total bed capacity are only eligible for nonapplicability review if the facility has had no patient care class I deficiencies within the last 18 months and has maintained at least an 85% average occupancy rate for the previous six quarters (Section 197.305).

The bill also allows certain hospital licensure regulations to incorporate by reference Medicare conditions of participation, including later additions or amendments (Section 536.031).

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SS SCS HCS HBs 2280, 2120, 1468 & 1616 -- MO HEALTHNET BENEFITS

Currently, certain pregnant women receiving MO HealthNet benefits continue to be eligible for all pregnancy-related and postpartum benefits for 60 days following the last day of their pregnancy. This bill specifies that pregnant women receiving substance abuse treatment within 60 days of giving birth shall be, subject to appropriations and federal approval, eligible for MO HealthNet benefits for substance abuse treatment and mental health treatment for substance abuse for no more than 12 additional months, as long as the woman remains adherent with treatment.

No later than 15 months following the receipt of any necessary waivers or state plan amendments from the Centers for Medicare and Medicaid Services, the Department of Mental Health and the Department of Social Services shall report to the House Budget Committee and the Senate Appropriations Committee on compliance with federal cost neutrality requirements.

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HB 2330 -- BLAKE SNYDER MEMORIAL HIGHWAY

This bill designates a portion of State Highway 30 in St. Louis County as the "Blake Snyder Memorial Highway." The costs of signs designating the highway shall be paid by private donations.

SCS HB 2347 -- MEMORIAL HIGHWAY DESIGNATIONS

This bill designates highway names and requires the designations to be paid with private funds. In its main provisions, the bill:

- (1) Designates the portion of State Highway 45 Spur from State Highway 45 continuing north to State Highway 92 in Platte County as the "Deputy Edward Culver Memorial Highway;"
- (2) Designates the portion of State Highway 30 from State Highway 21 continuing east to State Highway P in St. Louis County as the "Officer Blake Snyder Memorial Highway;"
- (3) Designates the portion of Interstate 44 from State Highway 360 west to State Highway PP in Greene County as the "Captain Aaron J. Eidem Memorial Highway;"
- (4) Designates a portion of Interstate 70 in Boone County as the "Highway Patrol Sgt. Benjamin Booth Memorial Highway;"
- (5) Designates a portion of Interstate 70 in Boone County as the "Sheriff Roger I. Wilson Memorial Highway;" and
- (6) Designates a portion of State Highway 42 in Maries County and the city of Vienna as the "PFC Ralph A. Branson, Jr. Memorial Highway."

SCS HCS HB 2540 -- INDIVIDUAL INCOME TAX

This bill makes changes to the state individual income tax.

INCOME TAX

Currently, the law provides for a reduction in the top rate of income tax over a period of years from 6% to 5.5%, with each cut becoming effective if net general revenue collections meet a certain trigger. In addition to such reductions, beginning in the calendar year 2019, this bill provides that the top rate of tax shall be reduced by 0.4%.

The bill also creates a definition for "net general revenue collected," which includes all revenue deposited into the General Revenue Fund, less refunds and revenues originally deposited into the General Revenue Fund but designated by law for a specific distribution or transfer to another state fund (Section 143.011, RSMo).

BUSINESS PASS-THROUGH INCOME DEDUCTION

Currently, a pass-through entity can deduct 5% from its 2017 Missouri taxable income. The amount of the deduction will increase 5% each year certain net general revenue limits are met up to a maximum 25% deduction. This bill changes the maximum deduction from 25% to 20% (Section 143.022, RSMo).

PERSONAL & DEPENDENCY EXEMPTIONS

Currently, an individual can deduct \$2,100 as a personal exemption, \$2,100 for a spouse, and \$1,200 for each dependent. This bill provides that Missouri personal and dependency exemptions are not allowed if the federal exemption amount is zero (Sections 143.151 and 143.161).

FEDERAL TAX DEDUCTION

Currently, an individual can deduct his or her federal income tax liability up to \$5,000 or if a combined return, up to \$10,000. Beginning January 1, 2019, this bill phases out this deduction for individuals based on Missouri adjusted gross income limits. The deduction is allowed at 35% for incomes of \$25,000 or less; 25% for incomes of \$25,001 to \$50,000; 15% for incomes of \$50,001 to \$100,000; 5% for incomes of \$100,001 to \$125,000; and completely eliminated for incomes over \$125,000 (Section 143.171).

This bill shall become effective on January 1, 2019.

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SS SCS HB 2562 -- COURTS

NUISANCE PROPERTIES

This bill adds a section relating to service on certain individuals for nuisance properties. Currently, the law allows for the current occupant to be served in lieu of the current owner. This bill limits it to the owner of the property and also allows for service to be made by a private delivery service as long as it is substantially equivalent to certified mail (Sections 67.398 and 67.410, RSMo).

ABANDONED PROPERTY

Allows a person or entity to enter onto a property to beautify it if it appears the property has been abandoned. The owner of the property shall be immune from civil liability for any injury sustained by a person who enters onto a property to beautify it unless the injury resulted from the owner's gross negligence or

willful, wanton, or intentional misconduct (Section 82.462).

COMPLIANCE CREDITS

The bill suspends the application of earned compliance credits upon an offender's entry into a treatment court. Upon successful completion of the treatment court, all earned compliance credits accumulated during the suspension period will be retroactively applied (Section 217.703).

NEIGHBORHOOD RESTORATION ACT

The bill establishes the "Neighborhood Restoration Act." Currently, certain provisions relating to property regulations apply to cities and counties specified in the bill but do not apply to the city of Springfield. This bill includes the City of Springfield among those cities and counties that are regulated by these provisions. These provisions primarily concern nuisance properties (Sections 82.1025, 82.1027, and 82.1028).

KANSAS CITY POLICE OFFICERS

The bill allows for a salary cap increase for Kansas City police officers (Section 84.5100).

OPEN RECORDS

Other provisions of law to the contrary notwithstanding, all pleadings and filings in a dissolution of marriage, legal separation, or modification shall be made available to the public, subject to a few exceptions (Section 452.430).

JUDICIAL CANDIDACY

This bill provides that a person who filed as a candidate in 2010 to become a judge, was eligible to receive an annuity under the MOSERS Year 2000 Plan as a member of the General Assembly or as a statewide elected official, and whose term as a judge began in 2011 is exempt from the provisions of the Judicial Retirement Plan 2011 (Section 476.521).

TREATMENT COURTS

This bill establishes treatment court divisions, which include, but are not limited to Adult Treatment Court, Driving While Intoxicated (DWI) Court, Family Treatment Court, Juvenile Treatment Court, and Veterans Treatment Court. Previously, a treatment court division was called a drug court.

An adult treatment court provides an alternative for the judicial system to dispose of cases which stem from substance use.

A DWI court provides an alternative for the judicial system to dispose of cases which stem from driving while intoxicated.

A family treatment court provides an alternative for a parent or other household member who has a substance use disorder (with or without a mental health disorder) which impacts the safety and well-being of the children in the family.

A juvenile treatment court provides an alternative for a juvenile whose substance use disorder (with or without a mental health disorder) contributed to the commission of a criminal offense.

A veterans treatment court provides an alternative for the judicial system to dispose of cases which stem from substance use or a mental health disorder or military veterans or current military personnel (Section 478.001).

TREATMENT COURT COMMISSIONER

The Supreme Court may assign a treatment court commissioner to serve in a treatment court division of a circuit other than the circuit in which the commissioner is appointed. A treatment court commissioner may serve as a commissioner in any treatment or problem-solving court, as designated by the treatment court coordinating commission (Section 478.003).

TREATMENT COURT PARTICIPATION

This bill specifies that a treatment court team must conduct a staffing prior to each treatment court session to determine the progress of the treatment court participant and the appropriate incentive or sanction to be applied. In any criminal case, if the defendant meets the eligibility criteria for treatment court, the judge may order the defendant to treatment court for treatment either before the entry of the sentence if the prosecuting attorney consents, as a condition of probation, or upon consideration of a motion to revoke probation. A treatment court may accept participants from any other jurisdiction (Section 478.004).

Each treatment court must establish criteria for who is eligible for treatment court and what constitutes successful completion of the program (Section 478.005).

JACKSON COUNTY

This bill repeals a provision that would allow Jackson County to

establish its own docket within the treatment court division. The bill also removes a provision that requires breath alcohol testing to be done a minimum of four times a day (Section 478.007).

TREATMENT COURTS COORDINATING COMMISSION

This bill adds two more members to the Treatment Court Coordinating Commission to be selected by the Supreme Court. One member must be a representative of prosecuting attorneys and one member must be a representative of the criminal defense bar. The commission must establish standards and practices for treatment courts and each treatment court must adopt policies and practices that are consistent with the commission's standards in order to be recognized as a functioning treatment court and to accept new admissions. The commission will provide assistance to the treatment courts to assist with the implementation of the commission's standards. Any funds from the Treatment Court Resources Fund can only be awarded to treatment courts that are in compliance with the commission's standards (Section 478.009).

The remaining sections in the bill change references from "drug court" to "treatment court" (Sections 208.151, 478.466, 478.550, 478.600, 478.716, 488.2230, 488.5358, and 577.001).

This bill repeals a provision regarding veterans treatment courts and a provision stating that being appointed as a drug court commissioner to the 23rd Judicial Circuit is a state-funded position.

MUNICIPAL COURTS

Municipal court judges are prohibited from serving in more than five municipalities at one time. The provision of this bill specifies that a court that serves more than one municipality shall be treated as a single municipality with respect to the prohibition. Additionally, no municipal judge, municipal court personnel, or any prosecutor assigned to the municipal court shall have the authority to hire, fire, or discipline any probation officer or probation personnel. The language exempts certain cities and counties. Currently, a county or municipality that has a municipal court must submit a financial report to the auditor. This bill provides that a county or municipality will meet compliance with this requirement by filing a statement confirming that 20% or less of its general revenue comes from fines, bond forfeitures, and court costs in municipal court cases. Currently, the State Auditor shall establish a procedure for including such information by December 31, 2015 (Sections 479.020, 479.190, and 479.360).

MINOR TRAFFIC VIOLATIONS

If an individual has been held in custody on a notice to show cause warrant for an underlying minor traffic violation, the court, on its own motion or on the motion of any interested party, may review the original fine and sentence and waive or reduce such fine or sentence if the court finds it reasonable given the circumstances of the case. Also, this requires any summons, notice to appear, or citation for a minor traffic violation to include the date and time a defendant is to appear in court when the defendant is first provided the summons, notice to appear, or citation. If the summons does not include such information when first given to the defendant, the summons will be void (Sections 479.353 and 479.354).

CIRCUIT COURT CLERKS

The section specifies that when a circuit court clerk is a party to a suit or action, the writ of summons and all other processes shall be issued by the clerk of the county commission. The amendment specifies that this shall not apply where the circuit court clerk is named as a party under sections relating to the expungement of criminal records (Section 483.075).

GUARDIAN AD LITEM FEES

Currently, when a person is represented in a civil action by a legal aid society or other nonprofit organization that provides legal services to indigent persons, all costs related to the prosecution may be waived without a motion or court approval. This bill provides that this automatic waiver shall not include guardian ad litem fees. A party requesting waiver of guardian ad litem fees, who is represented by a legal aid society or other nonprofit, must file an updated certification form with the court prior to trial. Any party may present to the court additional evidence on the financial condition of the parties. Any failure to pay guardian ad litem fees shall not preclude a certifying party from filing future suits and shall not be used as a basis to limit the certifying party's prosecution or defense of the action (Section 514.040).

CLAIMS AGAINST HEALTH CARE PROVIDERS

This provision provides that in a claim against a health care provider for damages for malpractice or negligence when the defendant is served after the statute of limitation has expired, if such service is not made within 180 days of filing the petition, the court shall dismiss the action. In an action for wrongful death when a defendant is served after the statute of limitation has expired and such service is not made within 180 days of the

petition being filed, the court shall dismiss the action. If the plaintiff has previously taken or suffered a nonsuit, then the dismissal shall be with prejudice (Sections 516.105 and 537.100).

PRIVATE PROBATION SERVICES

This provision requires private probation entities to use the cutoff concentrations utilized by the Department of Corrections with regard to drug and alcohol screening for clients assigned to the entity. Additionally, the private probation service shall not require the clients assigned to the entity to travel more than 50 miles in order to attend their regular probation meetings (Section 559.600).

SINGLE COUNTY CIRCUITS

This bill specifies that in any county circuit with more than 250,000 inhabitants, no individual shall concurrently serve as prosecuting attorney and city attorney for a political subdivision located in that circuit (Section 1).

HJR 59 -- BINGO

Upon voter approval, this Constitutional amendment would require any person participating in the management of any bingo game conducted by a service organization to be a member of the organization for at least six months. The current requirement is that the person be a member for two years. It also removes a restriction on advertising for bingo games.

SS#5 SB 564 -- PUBLIC UTILITIES

RATE SCHEDULES FOR INTERIM ENERGY CHARGES OR PERIODIC RATE ADJUSTMENT

This bill authorizes electrical corporations to apply to the Public Service Commission for an interim rate change mechanism outside of a general rate case to adjust for impacts to utility revenues. However, the authorization shall only be granted from January 1, 2019, to January 1, 2029. Any electrical corporation that applies for an interim rate change mechanism shall quarterly file a surveillance report with required components detailed in the bill (Section 386.266, RSMo).

COMPLAINT PROCEDURE

This bill maintains that a complaint brought to the commission

against a public utility must be for a violation of law under the commission's jurisdiction, any rule promulgated by the commission, or of any utility tariff or order (Section 386.390).

RATE MAKING CONSIDERATIONS OF FEDERAL TAX REFORM

This bill provides that the commission shall have the one-time authority to adjust the rates of electrical corporations that do not have general rate proceedings pending as of the effective date of the bill to reflect the effects of the federal 2017 Tax Cut and Jobs Act. As an alternative to the rate change, an electrical corporation may make deferrals to a regulatory asset, provided that good cause is shown. This portion of the bill is subject to an emergency clause (Section 393.137).

CERTIFICATE OF CONVENIENCE AND NECESSITY

Currently, any electrical plant or other electrical generating facility must receive a certificate of convenience and necessity from the commission before construction can begin. This bill provides that such a certificate need not be obtained for electrical generating facilities with a capacity of one megawatt or less (Section 393.170).

QUALIFYING ELECTRIC PLANTS IN-SERVICE ACCOUNTING AND CAPITAL INVESTMENT

This bill creates a voluntary program for electrical corporations for the creation of regulatory assets using plant-in-service accounting. This program specifies that electrical corporations shall defer 85% of all depreciation expenses and returns associated with qualifying electric plants recorded to plant-in-service to a regulatory asset. The regulatory asset shall then be included in those electrical corporations' rate base without any other offsets or adjustments except as provided in the bill.

Beginning February 28, 2019, an electrical corporation availing itself of the benefits of the regulatory asset creation shall annually submit a five-year capital investment plan to the commission with specific criteria as specified in the bill. Within 30 days of submitting an investment plan, the electrical corporation shall hold a public stakeholder meeting to answer questions and receive feedback. After receiving feedback, the electrical corporation may modify its filed investment plan.

This section of the bill expires on December 31, 2028, except that all regulatory assets created under this section and amortization thereof shall nonetheless continue to be included in an electrical corporation's rate base (Section 393.1400).

PILOT PROJECTS

The bill also states that the commission may approve pilot projects if the project is designed to advance the proposing electrical corporation's knowledge of deploying such technology (Section 393.1610).

DISCOUNTED ELECTRIC RATES

This bill creates an electric rate discount for high energy users who apply for a discounted rate before the public announcement of a growth project. An eligible customer shall receive local, regional, or state economic development incentives, and add incremental load with an average monthly demand of at least 300kW with a load factor of at least 55% within two years after the application for a discounted rate is submitted.

Such a discount shall be a percentage applied to all base rate components of the bill, and shall be applied for up to five years. The average annual discount shall be 40% on all base rate components, and an additional 10% discount for one year after the expiration of the initial discount if the customer takes service from an under-utilized circuit. Any reduced revenues arising from the discounted rate shall be borne by all of the electrical corporation's customer classes.

This provision expires on December 31, 2028, except as stated otherwise in the bill (Section 393.1640).

CONTRACTOR QUALIFICATION AND BIDDING

This bill requires electrical corporations with more than one million Missouri customers to develop a qualification process for the competitive bidding of contractors seeking construction contracts for distribution system projects. The electrical corporation may specify the eligibility requirements for contractors, but the electrical corporation shall not weigh any contractor favorably or unfavorably due to a union affiliation, except when work is being performed under a project labor agreement.

Within 30 days of the effective date of this bill, the electrical corporation shall file a verified statement with the commission stating that it has in place a qualification process. Any general rate proceeding filing thereafter shall be accompanied with a verified statement that the electrical corporation is using a competitive bidding process for installing no less than 10% of combined external installation expenditures in Missouri for

construction services on distribution system projects. Nothing in this bill shall require an electrical corporation to use a qualified contractor or competitive bidding process in the case of an emergency, or to terminate any existing contract prior to its expiration.

The commission shall report to the General Assembly by December 31, 2020, and annually thereafter, on the effects of contractor qualification and bidding (Section 393.1650).

RATE INCREASE LIMITATIONS

This bill limits rate increases for electrical corporations that elect to be subject to the provisions of Section 393.1400, and that have more than 200,000 Missouri customers. An electrical corporation's base rates shall remain static for three years, except that rates may change due to a reduction in revenues resulting from weather, an act of God, war, terrorism, or other uncontrollable event.

If the average overall rate for an electrical corporation with a general rate proceeding pending before the commission as of February 1, 2018, or August 28, 2018, increases by more than 3%, then the electrical corporation shall not collect any amount exceeding that 3% as a penalty.

If the average overall rate for an electrical corporation that does not have a general rate proceeding pending before the Public Service Commission as of February 1, 2018, or August 28, 2018, increases by more than 2.85%, then the electrical corporation shall not collect any amount exceeding that 2.85% as a penalty.

Revenues not recovered due to the penalty and subsequent lowering of rates shall be deferred to the regulatory asset created under Section 393.1400, or recovered through an amortization in base rates. Additionally, if base rates for the any participating electrical corporation's large power service rate class increase by more than 2%, such base rate shall be limited to a 2% increase with any reduced revenues arising from such a limitation being allocated amongst all other customers (Section 393.1655).

SOLAR ENERGY INVESTMENT

This bill requires electrical corporations with one million or more Missouri customers to invest no less than \$14 million in utility-owned solar facilities in either Missouri or adjacent states by December 31, 2023. Electrical corporations with less than one million but not more than 200,000 Missouri customers shall invest at least \$4 million in solar facilities in either Missouri or

adjacent states by December 31, 2023. Electrical corporations with less than 200,000 Missouri customers shall invest no less than \$3.5 million in solar facilities in either Missouri or adjacent states by December 31, 2023.

If the required solar investments result in an increase of average retail rates of more than 1%, then the costs shall be deferred and later recovered through a rate mechanism (Section 393.1665).

SOLAR ENERGY REBATES

The bill requires electrical corporations to issue solar energy rebates equal to \$0.50 per watt for solar energy systems that become operational between January 1, 2019, and June 30, 2019. From June 30, 2019, and December 31, 2023, the solar rebate shall be \$0.25 per watt. However, the solar rebates shall only apply up to 25 kilowatts per system for residential energy users and 150 kilowatts per system for nonresidential energy users. The amount of solar rebates a particular electrical corporation will be required to honor is further limited in the bill.

Electrical corporations shall be allowed to recover the costs of all solar rebates under Missouri's renewable portfolio standard, and shall be allowed to defer and amortize the recovery of such costs through either base rates or a surcharge. However, any recovery resulting in an increase of more than 1% of the average retail rate shall be deferred to a regulatory asset, and recovered through base rates or another rate adjustment mechanism.

The solar rebate provision of the bill expires December 31, 2023, except for the extent provided (Section 393.1670).

NONSEVERABILITY

This bill states that all of its provisions are nonseverable, and that all of its provisions shall be deemed invalid if any individual provision is so held (Section 1).

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SS SCS SB 568 -- COUNTY OFFICIALS' SALARIES

This bill modifies provisions relating to salaries of county officials.

This bill provides that a county salary commission may increase the base salaries of all county office holders, other than the sheriff and full-time prosecutor, by up to \$2,000, so long as the increase in pay applies to all such positions.

The salary of the county sheriff may have a base increase of up to \$6,000 subject to the approval of the county salary commission.

In counties of the third classification, the salary commission may amend the base schedules to include assessed valuation factors in excess of three hundred million dollars. The percentage of any adjustment must be equal for all officials in that county.

Currently, salary commissions may only meet in odd-numbered years. The bill authorizes a commission to meet in even-numbered years as well.

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SB 573 -- ARMED SERVICES

This bill modifies the provision relating to the armed services.

DISPLAY OF THE POW/MIA FLAG

The bill requires all state buildings and state parks to fly the POW/MIA flag along with the United States flag and the Missouri flag. If a state building or state park does not possess a POW/MIA flag, a flag must be requested from a local veterans organization. If a donated flag is unavailable or if displaying the flag under any circumstance would be inconsistent with the state policy for display of national and state flags the state building or state park must be exempt from the provisions of the bill (Sections 8.012 and 253.048, RSMo).

VETERANS SMALL BUSINESS LOANS

The bill allows veteran-owned small businesses to participate in the Missouri Linked Deposit Program. An "eligible veteran-owned small business" is defined as any business owned by an honorably discharged veteran and Missouri resident who has agreed to locate his or her business in the state for at least three years and employs less than 100 employees, a majority of whom are Missouri residents. In considering which small businesses should receive reduced-rate loans through the Linked Deposit Program, a lending institution must give priority to those owned by veterans.

Any veteran who receives a small business loan through the Linked Deposit Program must also complete a boots-to-business program approved by the Department of Economic Development and be assigned a mentor for 365 days following the loan approval date. The owner and his or her mentor must meet at least once every 90 days (Sections 30.750, 30.756, and 620.3250).

MILITARY COMMUNITY REINVESTMENT

The bill creates the "Missouri Military Community Reinvestment Program Act" within the Department of Economic Development to assist military communities in supporting and sustaining their installations, to encourage communities to initiate coordinated response programs and action plans in advance of federal government realignment and closure decisions, and to support community efforts to attract new or expanded military missions and specifies that the appropriation for the program may not exceed \$300,000.

The department and the Missouri Military Preparedness and Enhancement Commission must invite public comments on the administration of the program and jointly develop and establish procedures for implementation of the program. The department must evaluate each application and make recommendations to the commission, which will approve or reject any recommended application. Upon approval, the department will administer grant awards, including tracking and monitoring the administration of the grant funds and whether grantees have achieved the goals set forth in the application.

Eligible amounts for grants include certain match requirements based on an applicant's years in operation. Applications must include a coordinated program of work or a plan of action specifying how the project will be administered and accomplished, including a plan for ensuring cooperation between civilian and military authorities in the conduct of activities and a plan for public participation. The grants may be used for public-to-public partnerships with military installations, local or regional marketing to communicate the value of military installations and military service, programs to assist with the diversification of the economy of the community, performing research regarding factors that affect attractiveness of the community for future military investments, programs to develop or improve the quality of life in military communities, and developing plans to reuse closed or realigned military installations or facilities (Sections 41.1010 and 620.3300).

VETERANS' BILL OF RIGHTS

The bill creates the "Veterans' Bill of Rights," which specifies certain rights to which Missouri veterans are entitled (Section 42.380).

MILITARY INCOME TAX DEDUCTION

The bill allows members of the National Guard or reserve components of the Armed Forces of the United States to deduct such military income from his or her Missouri adjusted gross income to determine

such taxpayer's Missouri taxable income. The percentage of such income that may be deducted will be phased in between tax years 2020 and 2024 in 20% increments.

The income tax deduction will only apply to income received as salary or compensation in performance of Inactive Duty for Training (IDT) of the National Guard, Annual Training Status (AT) of the National Guard, or in reserve components of the Armed Forces of the United States. The deduction does not apply to income received while engaging in civilian federal service, including civil service positions requiring the wearing of military uniform and military affiliation (Section 143.175).

HIRING PREFERENCE FOR VETERANS

The bill allows private, nonpublic employers to grant preference to a veteran, the spouse of a disabled veteran with a service-connected disability, or a surviving spouse of a deceased veteran when hiring and promoting employees (Section 285.250).

SHOW-ME HEROES PROGRAM

Currently, the spouses of active duty National Guard or reservists and active duty military personnel, and returning National Guard troops and reservists can participate in the Department of Economic Development's Show-Me Heroes Program for one year following discharge of deployment. The bill extends eligibility in the program to five years from discharge of deployment (Section 620.515).

HCS SB 581 -- LANDLORD TENANT ACTIONS

This bill allows defendants who lose a landlord tenant action to file for a trial de novo.

This bill specifies that a landlord is no longer required by law to keep all security deposits in a trust account or prohibited from commingling security deposits with other funds of the landlord (Section 535.300, RSMo).

CCS SS#2 SCS SB 590 -- HISTORIC PRESERVATION TAX CREDITS

This bill reduces the cap on historic structure tax credits issued by the Missouri Department of Economic Development from \$140 million to \$90 million with an additional \$30 million mandated for tax credits in qualified census areas as specified in the bill.

Currently, projects approved or applied for prior to January 1, 2010, are exempt from the authorization cap on the amount of tax credits that may be authorized. This bill changes such date to October 1, 2018.

Annual adjustments to the maximum limit on tax credits based on an inflation index are specified in the bill. Additional criteria for awarding tax credits for historic preservation such as net fiscal benefit, size, municipal input, and proof of ability to finance the project are specified.

Any taxpayer with an application approved on or after July 1, 2019, shall submit evidence of the capacity of the applicant to finance the cost and expenses for the rehabilitation of the eligible property, as specified in the bill.

The bill changes the time limit for rehabilitation of properties from two years to nine months. The department is authorized to charge a fee of 2.5% on tax credits issued and a fee of 4% on historic preservation tax credits to be spent as specified in the bill. The bill mandates that 37.5% of the revenue collected from the 4% fee be appropriated from the economic development advancement fund for business recruitment and marketing.

SS SCS SB 592 -- ELECTIONS

This bill changes election laws. In its main provisions, the bill:

- (1) Requires ballot questions abolishing township government in a county to provide for taxes for road and bridge purposes (Sections 65.610 and 65.620, RSMo);
- (2) Changes the vote requirement for certain fourth class city sales of municipal utilities to a majority vote (Section 88.770);
- (3) Allows Centralia and Lebanon to propose a public safety sales tax of 0.5% for voter approval (Section 94.900);
- (4) Requires the state to pay election costs currently exempt for general elections and certain primary elections, but payment of such costs is subject to appropriation. Election costs will include electronic voting machine and poll book costs. Certain deadlines for cost payment are modified as specified in the bill (Sections 115.061, 115.063, 115.065, and 115.077);
- (5) Allows local election authorities to rent and lease their voting machines (Section 115.077);

(6) Beginning January 1, 2019, the bill transfers unobligated funds from the State Election Subsidy Fund to the Election Administration Improvement Fund and requires payments to local election authorities from the administration fund (Sections 115.077 and 115.078);

(7) Increases the number of municipalities exempt from holding elections where there is no competition from municipalities with less than 1,000 inhabitants to those with less than 2,000 inhabitants (Section 115.124);

(8) Changes deadlines for filling vacancies and changing ballots. Courts will not change ballot measures or candidate names on ballots eight weeks prior to an election. Special elections to fill vacancies must be noticed to the election authority at least eight weeks prior to the election and sample ballots provided no later than the sixth Tuesday before an election (Sections 115.125 and 115.127);

(9) Allows candidates, campaign committee representatives, or political party committee representatives to acquire absentee ballot records in an electronic format by paying a fee to the Office of the Secretary of State not more than public record copying fees (Section 115.157);

(10) Allows complaints to be filed with the Elections Division in the Missouri Secretary of State's Office as specified in the bill (Sections 115.155, 115.287, and 115.429);

(11) Allows applications for absentee ballots by email, and changes the deadline for military and overseas voters to request absentee ballots from 5:00 p.m. on the Wednesday prior to the election to 5:00 p.m. on the second Wednesday prior to the election (Sections 115.279, 115.284, 115.287, 115.299, and 115.910);

(12) Requires political party nominating committees to file the name of a candidate for special election to fill a vacancy in the General Assembly by the 21st day after a writ of election is issued and prohibits new party formation for such purposes after that deadline (Sections 115.329 and 115.373);

(13) Repeals a certified mail requirement for petition signatures involving new political party formation and modifies certain petition deadlines (Section 115.335);

(14) Requires candidate to withdraw eight weeks prior to an election and changes the deadline for new candidates to file when there is a death or withdrawal or disqualification. For primary elections, the five-day period to file is now prior to the 10th

Tuesday before the primary election, and for general elections where the only candidate dies or withdraws after 5:00 p.m. on the 10th Tuesday prior to the election, then a vacancy will occur (Sections 115.359 and 115.361);

(15) Allows political party nominating committees to fill candidate spots before 5:00 p.m. of the 10th Tuesday prior to an election of any type (Section 115.363);

(16) Requires candidate names to remain on the ballot if death, withdrawal, or disqualification occurs on or after the eighth Tuesday before the election (Sections 115.373 and 115.379);

(17) States that a tax rate applicable to the community college district shall not be levied as to the school district until the proposal by the board of trustees of the community college district has been approved by a majority vote of the voters of the school district at the election called for that purpose (Section 115.637);

(18) Enacts a penalty of perjury requirement for election violation complaints and allows frivolous complaints to be dismissed by the Office of the Secretary of State. Compensatory damage and false light lawsuits may be brought against those filing frivolous election complaints (Section 115.642);

(19) Creates a petition and ballot process for school districts to transform into community college districts as specified in the bill (Section 162.441); and

(20) Repeals various obsolete provisions and makes technical reference changes.

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SS SCS SB 593 -- CORPORATE GOVERNANCE OF INSURANCE

Beginning January 1, 2019, the bill requires insurers to provide the Director of the Department of Insurance, Financial Institutions and Professional Registration with a Corporate Governance Annual Disclosure (CGAD). The summary will contain an insurer or insurance group's corporate governance structure, policies, and practices so that the director can gain an understanding of the corporate governance framework.

The CGAD shall be prepared before June 1st of each calendar year consistent with regulatory requirements promulgated by the director.

Any insurer that is an insurance group shall submit the required report to the director or commissioner of the lead state for the

insurance group, in accordance with the laws of the lead state as outlined by the most recent financial analysis handbook adopted by the National Association of Insurance Commissions (NAIC).

Any insurer that is an insurance group, shall not be required to submit the report to the director until the lead state for such insurance group has adopted the NAIC Model Act and CGAD model regulations.

This bill requires insurers to establish an internal audit function to provide assurance to the audit committee and insurer management regarding the insurer's governance, risk management, and internal controls in order to protect assets, evaluate control effectiveness and efficiency, and evaluate compliance with policies and regulations.

Insurers or groups of insurers having annual direct written and unaffiliated assumed premium, including international direct and assumed premium excluding premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program, totaling less than \$500 million and \$1 billion respectively, are exempt from the requirements of Sections 375.1025 to 375.1062, RSMo.

This bill repeals a provision relating to certain exemptions for insurance holding companies if their insurance company affiliates had total premiums of less than \$150 million in the previous year with more than 25% of the employees of its affiliates engaged in agricultural operations.

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SB 594 -- COMMERCIAL INSURANCE MARKETS

Beginning January 1, 2019, this bill specifies that certain commercial insurers are exempt from filing rates and policy forms with respect to certain lines of commercial insurance where the aggregate total annual premiums for a single commercial policyholder exceeds \$100,000.

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HCS SCS SB 598 -- TRANSPORTATION UTILITY CORRIDOR

This bill directs the Department of Transportation to establish a utility corridor up to 12 feet in width within the existing right-of-way when space is reasonably available.

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CCS HCS SS SCS SBs 603, 576 & 898 -- VIRTUAL EDUCATION

This bill changes the Missouri Virtual Instruction Program (MOVIP)

to "The Missouri Course Access and Virtual School Program."

The bill requires school districts and charter schools to adopt a policy for student enrollment in the Missouri course access and virtual school program that is substantially similar to the student enrollment process for courses offered in the brick-and-mortar school.

This bill specifies that each school shall pay the costs of enrollment in virtual courses for full-time students who attended a public school for at least one semester immediately before enrolling in the virtual courses. A school may only deny a student's request to enroll in virtual courses with a good cause determination that enrollment in virtual courses is not in the best educational interest of the student. The student may appeal to the school's governing body and then to the Department of Elementary and Secondary Education (DESE).

If a student who is a candidate for A+ tuition reimbursement enrolls in a virtual course the school shall attribute no less than 95% attendance to any such student who completes the course.

This bill specifies that courses already approved through MOVIP by August 28, 2018, shall automatically be authorized to participate in the program. Additionally, any online course or virtual program offered by a school district or charter school which meets the requirements of provisions relating to state funding for virtual schools shall automatically be approved to participate in the Missouri Course Access and Virtual School Program. Such course or program shall be subject to periodic renewal and a school district or charter school offering such a course or program shall be deemed an approved provider.

The bill requires DESE to establish an authorization process for virtual providers and publish an annual report on the course access and virtual school program.

This bill also adds virtual institutions to the Access Missouri Financial Assistance Program so long as they meet several requirements specified in the bill, including an exclusively competency-based education model, 25 full-time Missouri employees, and a physical location or campus within Missouri.

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CCS HCS SS SB 608 -- LIABILITY OF PROPERTY OWNERS

Currently, a land owner is not liable for the death or injury of a trespasser, when the trespasser is substantially impaired by alcohol or illicit controlled substances, unless the land owner

acted with negligence or willful and wanton misconduct. This bill amends the law so that the property owner may be held liable only for willful and wanton misconduct which is the proximate cause of injury to a trespasser (Section 537.349, RSMo).

This bill creates the "Business Premises Safety Act," which provides that a business has no duty to guard against criminal or harmful acts occurring on the business's premises unless the business knows or has reason to know that such acts are being committed or are reasonably likely to be committed in a particular area of the premises, and there is sufficient time to prevent such injury. If the business had a duty to guard against criminal or harmful acts, the business can claim the following as affirmative defenses:

- (1) The business has implemented reasonable security measures;
- (2) The claimant was a trespasser, or attempting to or committing a felony; and
- (3) The acts occurred while the business was closed.

Subsequent remedial measures are not admissible to show negligence or the feasibility of security measures (Sections 537.785 and 537.787).

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HCS SCS SB 623 -- FORECLOSURE PROCEEDS

Currently, any surplus amount received on a tax or other debt sale of real estate by the sheriff or county collector is held by the treasurer for the owners of the property until a redemption period or collector's deed is issued for up to three years. After three years, the surplus funds go to the school fund of the county. This bill adds the record lien holders as primary recipients on any excess proceeds from a foreclosure sale and specifies that the record lien holders will receive a distribution before the owners. Additionally, this bill requires that the proceeds of the sale will be held in trust for the lesser of three years or 90 days following the expiration of the redemption period.

Any claim on the proceeds of the sale must be made within 90 days after the expiration of the redemption period and be made in writing with a reference to the lien of record. If more than one party makes a claim to any surplus funds and cannot reach a satisfactory agreement, the county commission will petition the court for judgment.

SS SCS SBs 627 & 925 -- AGRICULTURE

This bill modifies the laws relating to agriculture.

URBAN AND COMMUNITY GARDENS

The bill specifies that urban and community gardens, as defined in the bill, are to be classified as agricultural and horticultural property for the purposes of property taxation. Urban and community gardens are to be graded as grade #4 by the State Tax Commission for establishing land values for agricultural land. A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, if the use or purpose of the taxpayer's real property has changed the subclass under which the real property is classified. If the assessor determines that the property should be reclassified, he or she will determine the assessment based on the percentage of the tax year that such property was classified in each subclassification (Sections 137.016, 137.021, and 137.115, RSMo).

LIVESTOCK

Currently, livestock is defined to include buffalo. The bill adds the word "bison" to this definition and also modifies the definition of "livestock" to include honey bees for the purposes of the state sales tax law (Sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020).

YIELD TAX ON FOREST CROPLANDS

Currently, any timber cut on land classified as forest cropland is subject to a yield tax of 6%. The bill repeals the yield tax on forestry products (Sections 254.075, 254.150, 254.160, 254.170, 254.180, and 254.210).

CAPTIVE CERVID SLAUGHTER

For purposes of the Meat Inspection Program administered by the Missouri Department of Agriculture, the bill changes the definitions of "meat" and "meat product" to include captive cervids and the definition of "commercial plant" to include an establishment in which captive cervids are slaughtered, and the definition of "unwholesome" to include captive cervids, which have died other than by slaughter (Section 265.300).

MISREPRESENTATION OF MEAT

Currently, no person advertising, offering for sale, or selling a carcass may engage in any misleading or deceptive practice

including misrepresenting the cut, grade, brand or trade name, or weight or measure of any product. The bill also prohibits misrepresenting a product as meat that is not derived from harvested production livestock or poultry (Sections 265.490 and 265.494).

SEEDS AND FERTILIZERS

This bill prohibits any political subdivision from adopting or enforcing any ordinance, rule, or regulation relating to the labeling cultivation, or other use of seed or fertilizers. The provisions of the bill do not apply to any ordinance, rule, or regulation enacted before August 28, 2018 (Section 266.600).

FUEL STANDARDS

Currently, all fuels shall meet American Society for Testing and Materials (ASTM) standards, in addition to rules promulgated by the Director of the Department of Agriculture. The bill allows the director to waive specific requirements, or establish temporary alternative requirements in the event of an extreme and unusual fuel supply circumstance. The waiver must be as limited in scope and applicability as necessary, and applied equally and uniformly to all persons and companies in the impacted fuel supply and distribution system (Section 414.032).

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SCS SB 629 -- TAX INCREMENT FINANCING

Currently, the annual amount of new state revenues that may be appropriated to the Missouri Supplemental Tax Increment Financing Fund for redevelopment projects under the Real Property Tax Increment Allocation Redevelopment Act is capped at \$32 million. This bill excludes from this cap any plan or project involving a health information technology employer employing over 7,000 employees in the state which is estimated to create in excess of 15,000 new jobs with an average annual wage of more than \$75,000, and that is listed by name in an appropriations bill.

This bill also reduces the Supplemental Tax Increment Financing Fund appropriation cap from \$32 million to \$10 million for redevelopment plans or projects approved on or after August 28, 2018, and before August 28, 2028. For projects approved prior to August 28, 2018, which are expanded with buildings of new construction, the originally approved amount shall not be increased by more than \$3 million annually. For redevelopment plans or projects approved on or after August 28, 2028, the cap shall increase to \$20 million.

This bill also provides that, for redevelopment plans or projects approved prior to August 28, 2018, which are expanded with buildings of new construction, and for all redevelopment plans or projects approved after August 28, 2018, no single redevelopment plan or project shall receive an appropriation that exceeds \$3 million annually.

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SCS SB 644 -- UNCLAIMED PROPERTY

This bill creates an infraction and subsequent class A misdemeanor offense for failure to register with the State Treasurer under Section 447.581, RSMo, prior to entering into an agreement to recover lost property from the treasurer for a third party. Claim forms will have a notice requirement informing third parties attempting to claim assets for a fee that they must register.

The treasurer may ban indefinitely the registration of any individual convicted of violating the bill. The treasurer may contact third parties to determine compliance with the bill and may withhold payment until a claim is verified to be legitimate.

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SS SCS SB 652 -- SHERIFFS

This bill modifies provisions relating to sheriffs.

COUNTY SHERIFFS

The bill establishes that a sheriff may hire an under sheriff or deputy sheriff who is a resident of an adjoining state (Section 57.117, RSMo).

SHERIFF'S OFFICE OF THE CITY OF ST. LOUIS

The bill specifies that the office of the sheriff of the City of St. Louis is a law enforcement agency, and that the sheriff and sworn deputies of that office are to be considered law enforcement officers who may be eligible for training and licensure by the Peace Officer Standards and Training (POST) Commission.

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CCS HCS SB 655 -- PROTECTION OF CHILDREN

This bill adds the tier level to which a registered sexual offender is assigned to the information that shall be made available on the Highway Patrol's sexual offender registry website. It also adds some exemptions to the public notification requirement (Section 43.650, RSMo).

The bill also prohibits a recorder from issuing a marriage license to anyone under the age of 16, and prohibits a license from being issued authorizing the marriage of anyone 21 years old or older to someone under 18 (Section 451.090).

Currently, prosecutions for certain unlawful sexual offenses involving a person 18 years of age or younger must be commenced within 30 years of the victim turning 18. This bill provides that such prosecutions may be commenced at any time.

Finally, the bill changes language relating to the sexual offender registry, including creating a tiered system to mirror the federal Sexual Offender Registration and Notification Act (SORNA) provisions (Sections 589.400 to 589.414).

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HCS SB 659 -- DEPARTMENT OF NATURAL RESOURCES

This bill modifies the provisions relating to the Department of Natural Resources.

STATE PARKS

The bill requires the Department of Natural Resources to submit a report to the General Assembly on or before January 1, 2019, and annually thereafter, regarding the maintenance, repair, and construction at State Parks and Historic Sites. The report must include certain information including the total cost of maintenance; repair and construction projects during the prior fiscal year; specific information on projects where costs exceed the state competitive bid minimum; a list of projects for the upcoming year that meet certain criteria; the amount of revenue generated and the operating expenditures for each park and historic site; and the total revenue generated at all parks and historic sites averaged over the past two fiscal years (Section 253.147, RSMo).

COAL COMBUSTION RESIDUAL

This bill repeals the current exemption from solid waste permitting requirements for coal combustion generation facilities in Kansas City and authorizes the department to promulgate rules and approve site-specific target levels for the management, closure, and post-closure of coal combustion residual (CCR) units. The rules may allow for the use of risk-based decision making and establish target levels for soil and groundwater impacted by CCR constituents.

Until the department has an approved and effective state program, the department is authorized to issue guidance or enter into enforceable agreements with site owners or operators to establish risk-based target levels using the Missouri Risk-Based Corrective Action (MRBCA).

The department must promulgate the rules by December 31, 2018, for CCR surface impoundments, but is not authorized to promulgate rules requiring a construction or operating permit for CCR impoundment closure or corrective action, or post-closure ground water monitoring for certain CCR surface impoundments. The rules, including location restrictions and design standards cannot be more restrictive than federal regulations, with a few exceptions explained in the bill (Section 260.242).

LEAD-ACID BATTERY FEE

The bill extends from December 31, 2018, to December 31, 2023, the \$.50 fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated (Section 260.262).

RADIOACTIVE WASTE INVESTIGATION FUND

This bill creates the "Radioactive Waste Investigation Fund" to be used by the Department of Natural Resources to investigate concerns of exposure to radioactive waste. Upon request of a local governing body, the department will use the money in the fund to investigate and collect soil and dust samples. The department will work with local officials to design a testing plan, including collecting at least 500 samples within a one-mile radius, that will provide conclusive evidence to determine if the area is contaminated, and report the results to the body that requested the investigation. Monies from the Hazardous Waste Fund can be transferred, upon appropriation, to the Radioactive Waste Investigation Fund. Transfers to the fund cannot exceed \$150,000 per fiscal year (Sections 260.391 and 260.558).

ENVIRONMENTAL RESTORATION ACT

The bill creates the "Environmental Restoration Corporation Act," which allows for the formation of a nonprofit corporation to hold, manage, or own environmentally impaired property that is subject to an ongoing cleanup or remedial action. In addition to the powers of all nonprofit corporations, any environmental restoration corporation has certain additional powers as specified in the bill, including the ability to acquire, accept, convey, dispose, encumber, manage and own real property that is subject to certain clean up or remedial action and to enter into contracts with

private or public entities to conduct, manage, oversee, and regulate activities that may be necessary for the implementation of clean up and remedial actions on such property. The property must be located in Jefferson, Washington, St. Francois, Iron, Madison, Reynolds and Wayne counties.

Any environmental restoration corporation will be managed by a board of no less than five directors, who will initially be appointed by the incorporators. The bill specifies the make-up of the board and its duties and requirements. All actions of the corporations must be taken at meetings open to the public, except for confidential matter relating to personnel, contracts, or litigation.

If an environmental restoration corporation receives public funds for any activities at a specific property, the corporation must allow for periodic audits by the State Auditor and upon request, provide an annual report to the General Assembly concerning the receipt and use of the funds.

Any conveyance of property to a third party may include an environmental covenant or conservation easement. Prior to acquiring interest in real property subject to restoration activities, a corporation must undertake all due diligence activities under U.S. Environmental Protection Agency regulations to qualify as a bona fide prospective purchaser, which would make the corporation immune from liability under certain Missouri laws. However, the corporation must comply with all regulatory requirements. A corporation owes no duty of care and has no liability to any trespasser who enters onto the corporation's property (Section 260.1150).

PETROLEUM STORAGE TANK INSURANCE FUND

Currently, the fund expires on December 31, 2020. The bill extends the expiration date to December 31, 2025 and establishes the "Task Force on the Petroleum Storage Tank Insurance Fund." The task force shall be composed of eight members, with three being from the House of Representatives and appointed by the Speaker, three from the Senate, and two industry stakeholders. The task force shall conduct research and compile a report, by December 31, 2018, on certain topics relating to the Petroleum Storage Tank Insurance Fund (Sections 319.129 and 319.140).

FUEL STANDARDS

Currently, all fuels shall meet American Society for Testing and Materials (ASTM) standards, in addition to rules promulgated by the Director of the Department of Agriculture. This bill allows the

director to waive specific requirements, or establish temporary alternative requirements in the event of an extreme and unusual fuel supply circumstance. The waiver must be as limited in scope and applicability as necessary, and applied equally and uniformly to all persons and companies in the impacted fuel supply and distribution system (Section 414.032).

WATER SUPPLY AND SEWER SYSTEM GRANTS

The bill increases the potential grant amount administered by the Department of Natural Resources for the benefit of public water supply districts, sewer districts, rural community water or sewer systems, or municipal sewer systems. The current grant limitation of \$1,400 per water connection is increased to \$3,000 per connection (Section 640.620).

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CCS HCS SB 660 -- MENTAL HEALTH

POST TRAUMATIC STRESS AWARENESS DAY

This bill establishes June 27th each year as Post Traumatic Stress Awareness Day (Section 9.270, RSMo).

MEDICAL INSURANCE INFORMATION

This bill allows the Department of Mental Health to request medical insurance information regarding an individual receiving department service from an entity contracted with the department. The information must be in compliance with laws on confidentiality (Section 208.217).

PSYCHOLOGIST LICENSURE

This bill provides that a doctoral degree in psychology from a program accredited, or provisionally accredited, by the Psychological Clinical Science Accreditation System is acceptable to meet various requirements for licensure as a psychologist if the program meets certain requirements as described in the bill.

This bill adopts the Psychology Interjurisdictional Compact in order to regulate the day-to-day practice of telepsychology by psychologists across state boundaries. The compact regulates psychological services using telecommunication technologies only, it does not apply to in-person, face-to-face practice by an out-of-state psychologist except to authorize the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for up to 30 days per calendar year. The compact allows a psychologist in one compact state to practice, via

telecommunication technologies, in another compact state without having to obtain a license in that other state. The compact requires each compact state to meet certain requirements before their licensees can practice in other compact states, including having a mechanism in place for receiving and investigating complaints about licensees. The compact also establishes certain requirements for all psychologists practicing in accordance with the compact. Any psychologist practicing across state lines under this compact is still required to act within the scope of practice established by the state in which the services are taking place. The compact creates a joint public agency known as the Psychology Interjurisdictional Compact Commission. This commission will promulgate rules to facilitate and coordinate implementation and administration of the compact. The commission shall also create a coordinated database for licensure information and a reporting system for licensure and disciplinary action information for all licensed psychologists to whom the compact is applicable. This compact only comes into effect when it has been adopted by seven states. Any compact state can withdraw from the compact by repealing these sections (Sections 337.025, 337.029, 337.033, 337.100, 337.105, 337.110, 337.115, 337.120, 337.125, 337.130, 337.135, 337.140, 337.145, 337.150, 337.155, 337.160, and 337.165).

INVOLUNTARY MEDICATIONS

This bill provides that after a person accused of committing an offense has been committed to the Department of Mental Health due to lack of mental fitness to stand trial, the legal counsel for the department shall have standing to participate in hearings regarding involuntary medications for the accused. When a motion to proceed on the issue of the mental fitness of the accused is filed, the Department of Mental Health shall have standing to participate in hearings on such motions (Section 552.020).

RESIDENTIAL FACILITY OR DAY FACILITY INSPECTIONS

This bill changes the inspection requirements for residential treatment facilities or day programs for persons who are affected by a mental disorder, mental illness, intellectual disability, or developmental disability. The bill removes the requirement that the written report of noncompliance be sent by certified mail with return receipt requested. Currently, a re-inspection must be conducted within 55 days of the original inspection. This bill extends this deadline to 60 days (Section 630.745).

MENTAL HEALTH EMPLOYEES

This bill exempts the first Sunday of November each year when Daylight Saving Time ends from current law requirements that limit

the number of hours a state employee may work in a 24-hour period in certain secured mental health facilities (Section 630.945).

SB 683 -- TRANSPORTATION OF CRANES

This bill adds small cranes to the list of vehicles eligible for annual permits from the Missouri Department of Transportation. The department may also set parameters for the transport of small cranes.

CCS HCS SB 687 -- STUDENT TRANSPORTATION

This bill provides that if less than 25% of the public school student transportation funding formula is funded by the state, a school board may vote to reduce its allocation of foundation formula money going to professional development from a minimum of 1% to a minimum of 0.5% (Section 160.530, RSMo).

The bill also removes the requirement that school bus drivers 70 years of age or older be tested annually on the pre-trip inspection portion of the CDL test (Section 302.272).

The bill also allows the Kansas City school district to contract with any governmental agency for the purpose of transporting high school children for extra-curricular activities (Section 304.060).

SS SB 705 -- RATE ADJUSTMENTS

This bill enables water and sewer corporations to apply to the Public Service Commission for an interim rate change outside of a general rate proceeding to ensure that revenue requirements are met.

This bill also requires water corporations with more than 1000 Missouri customers to develop a qualification process for the competitive bidding of contractors seeking construction contracts for distribution system projects.

Within 30 days of the effective date of this bill and the water corporation's filing of a general rate proceeding, the water corporation shall file a verified statement with the commission stating that it has in place a bid qualification process. Any general rate proceeding filing thereafter shall be accompanied with a verified statement that the electrical corporation is using a competitive bidding process for installing no less than 10% of combined external installation expenditures in Missouri for

construction services on distribution system projects.

The commission shall report to the General Assembly by December 31, 2020, and annually thereafter, on the effects of contractor qualification and bidding.

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CCS HCS SS SCS SB 707 -- VEHICLE SALES

This bill changes certain vehicle sales laws. In its main provisions, the bill:

- (1) Raises the bond requirement for motor vehicle dealers from \$25,000 to \$50,000 (Sections 301.213 and 301.560, RSMo);
- (2) Modifies dealer license plate classifications and provides procedure for reissue of certificates and plates when dealerships are transferred (Sections 301.550, 301.553, 301.557, 301.560, and 301.580);
- (3) Requires motor vehicle dealers to submit regular business hours, a phone number, and electronic mail address and maintain a working phone and electronic mail address for use by the Department of Revenue and the general public (Sections 301.559 and 301.560);
- (4) Sets limits on the issuance of dealer plates for new and used dealers based on annual sales. Currently, six sales per year are required for dealer status and the issuance of one dealer plate, this bill changes that requirement to eight sales per year and adds a fee of \$50 for the first plate and \$10.50 for each subsequent plate upon application for a license, and allows a dealer to apply for a third plate beginning at 15 sales per year (Section 301.560);
- (5) Requires a dealer license plate to be made with fully reflective material with a common color scheme and design that is clearly visible at night (Section 301.560);
- (6) Allows discretion to suspend a dealer license instead of making such action mandatory for certain violations (Section 301.562);
- (7) Enacts new regulations for holding "off premise events" involving the sale of specified vehicles by license holders at areas away from their normal place of business. The criteria for holding these off premise events is specified in the bill (Section 301.566); and
- (8) Allows use of motor vehicle inspections obtained by dealers prior to sale for registration and transfer if the inspection is

obtained within 60 days of the sale and the application for transfer or registration is made within 90 days of the inspection date (Section 307.350).

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SB 708 -- AUTOMOBILE INSURANCE COVERAGE

Currently, the State of Missouri requires liability insurance coverage for injury to, or destruction of, property of others in any one accident of not less than \$10,000. This bill increases the amount to not less than \$25,000.

The amount of money a person can deposit with the State Treasurer so that such person can self insure instead of purchasing an insurance policy is increased from \$60,000 to \$75,000. These provisions have an effective date of July 1, 2019 (Sections 105.1073, 303.020, 303.022, 303.030, 303.120, 303.190, and 303.240, RSMo).

Currently, automobile insurance policies in this state cannot be renewed with types or limits of coverage that are not at least equal to those in the existing policy; the existing policy must be canceled and a new policy issued in its place.

This bill removes this restriction, but requires written notice of the reduction in coverage to be provided to the insured no less than 15 days prior to the effective date of the proposed reduction. Such notice may be provided at the same time as written notice of policy renewal (Sections 379.110 and 379.118).

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CCS HCS SCS SB 718 -- HEALTH CARE

This bill modifies provisions relating to health care.

DIABETES AWARENESS MONTH

The bill designates the month of November as Diabetes Awareness Month (Section 9.158, RSMo).

SHOW-ME FREEDOM FROM OPIOID ADDICTION DECADE

The years of 2018-2028 shall be designated as the Show-Me Freedom from Opioid Addiction Decade (Section 9.192).

MEDICAL RECORDS

For the purposes of furnishing a copy of a patient's health history or health records upon request, such request may be satisfied with

a statement or record that no such health history or treatment record responsive to the request exists (Section 191.227).

CAREGIVER, ADVISE, RECORD, AND ENABLE (CARE) ACT

This bill creates the "Caregiver, Advise, Record, and Enable (CARE) Act," which requires a hospital or ambulatory surgical center to provide each patient or patient's legal guardian with an opportunity to designate a caregiver prior to the patient's discharge. Such caregiver designation, or lack thereof, shall be documented by the hospital or ambulatory surgical center. The hospital or ambulatory surgical center shall notify a patient's caregiver of the patient's discharge or transfer as soon as practicable. Hospitals, ambulatory surgical centers, or employees or contractors of such entities shall not be liable in any way for the actions of a caregiver. This bill shall not interfere with the rights of an attorney-in-fact under a durable power of health care.

The Department of Health and Senior Services shall provide a standard form that can be used to satisfy the requirements of the CARE Act. However, a hospital or ambulatory surgical center can continue to use their current forms to satisfy these requirements if the form is compliant with Centers for Medicare and Medicaid Services standards (Section 191.1150).

ADVERSE ACTIONS AGAINST CERTAIN INDIVIDUALS OR ENTITIES

The bill specifies that no individual or health care entity shall be subject to adverse action by the state if the individual or health care entity, acting in its normal course of business, acts in good faith upon an order relating to the medical use of hemp extract (Section 192.947).

DRUG TAKE-BACK PROGRAM

The bill allows unused controlled substances to be accepted from the public through collection receptacles, drug disposal boxes, and other means provided through drug take back programs by a drug enforcement agency authorized collector in accordance with federal regulations, regardless of whether or not the authorized collector originally dispensed the drug. The bill requires the Department of Health and Senior Services to develop an education and awareness program about drug disposal by August 28, 2019 (Sections 195.070 and 195.265).

ADVISORY COUNCIL ON RARE DISEASES AND PERSONALIZED MEDICINE

The bill establishes an "Advisory Council on Rare Diseases and Personalized Medicine" in the MO HealthNet Division to assist the

Drug Utilization Review Board when making recommendations or determinations regarding prior authorization and reauthorization criteria for rare disease drugs and other topics relating to rare diseases. The bill specifies the council's membership and requires the council to meet no later than February 28, 2019. The council's recommendations to the board shall be in writing. All members of the council shall sign a conflict of interest statement each year and at least 20% of the members shall not have a conflict of interest with any insurer, pharmaceutical benefits manager, or pharmaceutical manufacturer (Section 208.183).

EYE DROPS FOR NEWBORN INFANTS

The administration of eye drops to a newborn infant is not required if a parent or legal guardian objects to the treatment because it is against the religious beliefs of the parent or guardian. The bill repeals a provision requiring the physician, nurse, or midwife to report in writing his or her compliance in administering the eye drops (Section 210.070).

ASSISTANT PHYSICIANS

This bill changes the examination requirement for an assistant physician to require that an assistant physician complete Step 2, instead of Step 1 and Step 2, of the United States Medical Licensing Examination within a three-year period before applying for licensure, but in no event more than three years after graduation from a medical college.

An assistant physician licensure fee cannot be more than the licensure fee for a physician assistant. Additionally, no rules can require an assistant physician to complete more hours of continuing medical education than a licensed physician.

The bill repeals the requirement that an assistant physician has to enter into a collaborative practice agreement within six months of initial licensure.

A health carrier shall reimburse an assistant physician on the same basis that it covers a service when it is provided by another comparable mid-level provider.

No rule or regulation shall require the collaborating physician to review more than 10% of the assistant physician's patient charts or records during the one-month period that the physician is continuously present while the assistant physician is practicing medicine.

An assistant physician may prescribe buprenorphine for up to a 30-

day supply without refill in certain circumstances.

An assistant physician who is providing opioid addiction treatment can receive a certificate of prescriptive authority without having completed 120 hours of practice in a four-month period with a collaborating physician (Sections 334.036 and 334.037).

COLLABORATIVE PRACTICE AND SUPERVISORY AGREEMENTS

Currently, physicians are authorized to enter into a collaborative practice agreement with three advanced practice registered nurses (APRN) and three assistant physicians and a supervising agreement with three licensed physician assistants. This bill authorizes physicians to enter into a collaborative practice agreement or a supervising agreement with six APRNs, assistant physicians, licensed physician assistants, or any combination thereof.

The limitation on collaborative practice agreements and supervision agreements shall not apply to the supervision of certified registered nurse anesthetists in the provision of anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.

Currently, a physician and a physician assistant in a supervisory agreement shall practice no further than 50 miles by road from each other. This bill repeals the 50-mile limitation and states that the physician assistant shall practice within a geographic proximity to be determined by the Board of Registration for the Healing Arts.

No supervision requirements in addition to the minimum federal law shall be required for a physician-physician assistant team working in a certified community behavioral health clinic or a federally qualified health center.

Advanced practice registered nurses and physician assistants may prescribe buprenorphine for up to a 30-day supply without refill in certain circumstances (Sections 334.037, 334.104, 334.735, and 334.747).

PSYCHOLOGISTS

The bill provides that a doctoral degree in psychology from a program accredited, or provisionally accredited, by the Psychological Clinical Science Accreditation System is acceptable to meet various requirements for licensure as a psychologist if the degree program meets certain requirements as specified in the bill (Sections 337.025, 337.029, and 337.033).

MAINTENANCE MEDICATION

Current law provides that dispensing of maintenance medication based on refills authorized by the physician or prescriber on the prescription be limited to no more than a 90-day supply of the medication and the patient shall have already been prescribed the medication for three months. This bill provides that the supply limitations shall not apply if the prescription is issued by a practitioner located in another state or dispensed to a patient who is a member of the United States Armed Forces serving outside the United States (Section 338.202).

PATIENT SATISFACTION SCORES

The bill specifies that patient scoring of pain control shall not be required when defining data standards for quality of care and patient satisfaction. Beginning August 28, 2018, the Director of the Department of Insurance, Financial Institutions and Professional Registration shall discontinue the use of patient satisfaction scores (Section 374.426).

HEALTH INSURANCE

The bill requires every insurance company and health service corporation to offer, in all insurance policies, coverage for medication-assisted treatment for substance use disorders (Section 376.811).

Currently, the provision requiring health carriers to provide coverage for early refills of an eye drop prescription is set to expire on January 1, 2020. This bill repeals the expiration date (Section 376.1237).

The bill also modifies the definition of "mental health condition" for purposes of health insurance coverage by removing chemical dependency from the definition (Section 376.1550).

IMPROVED ACCESS TO TREATMENT FOR OPIOID ADDICTIONS ACT

The bill creates the "Improved Access to Treatment for Opioid Addictions Program," (IATOA), which shall disseminate information and best practices regarding opioid addiction, subject to appropriations. Assistant physicians who participate in the IATOA program shall complete the requirements to prescribe buprenorphine within 30 days of joining the program. The Department of Mental Health may develop curriculum, examinations, and certification on the subject of opioid addiction and treatment. An assistant physician in the IATOA program may serve several functions. When

an overdose survivor comes to an emergency room, an assistant physician shall provide treatment options and support to the survivor, when reasonably practicable (Section 630.875).

MENTAL HEALTH PROFESSIONALS

The bill adds psychiatric physician assistants, psychiatric advanced practice registered nurses, and psychiatric assistant physicians to the definition of mental health professionals for the purposes of provisions of law relating to alcohol and drug abuse and comprehensive psychiatric services and adds a definition for each term (Section 632.005).

This bill contains an emergency clause for certain sections relating to opioids.

CCS HCS SB 743 -- ELEMENTARY AND SECONDARY EDUCATION

Beginning in the 2019-20 school year, this bill requires schools to be in session for 1044 hours of pupil attendance, and eliminates the requirement that schools be in session for any minimum number of days (Sections 160.011, 160.041, 163.021, 163.073, 171.031, and 171.033, RSMo).

Currently, the law only permits alternative and special purpose charter schools to give an admissions preference to high-risk students. This bill eliminates that restriction, allowing all charter schools to give such a preference (Section 160.410).

The bill provides students the opportunity to choose between the ACT WorkKeys assessment or the ACT assessment in any school year in which the Department of Elementary and Secondary Education (DESE) or a school district directs an administration of the ACT assessment (Section 160.572).

This bill requires the Governor to appoint a teacher representative to the State Board of Education. The teacher representative will not have the right to vote on any matter or be counted in establishing a quorum. The teacher representative will not be allowed in a closed meeting (Sections 161.026 and 161.072).

The bill also requires DESE to handle career and technical student organization funds (Section 161.106).

This bill extends the sunset for the early learning quality assurance report pilot program from August 28, 2019 until August 28, 2022 (Section 161.217).

This bill authorizes the treasurer of a seven-director school district, when entering into a bond to the State of Missouri, to use one or more sureties instead of the two or more sureties required by current law (Section 162.401).

This bill requires any district with an approved gifted education program to have a process by which parents or guardians may appeal the decision that their child does not qualify for the school's gifted education program. Schools also must establish a policy that allows for subject or whole grade acceleration for any student who demonstrates advanced performance and emotional readiness for acceleration (Sections 162.720 and 162.722).

This bill provides that when including early childhood education students in a school's calculation of average daily attendance for purposes of state funding, the school may fill an enrollment spot vacated by a student leaving the program during the school year with another child who meets the same criteria without affecting the school's calculation of average daily attendance (Section 163.018).

This bill requires the aggregate annual increase in the valuation of property assessed by the State Tax Commission to be considered new construction and improvement (Section 164.011).

This bill prohibits DESE from creating any report relating to the Missouri school improvement program in which data from a district's regularly enrolled students are aggregated with data from students residing in facilities that serve neglected or delinquent children. DESE shall aggregate all students residing in such facilities and issue reports as if the students and facilities were a separate local educational agency (Section 167.128).

The bill also requires schools to provide braille instruction to eligible students unless the individual education program team determines that braille instruction is not appropriate (Section 167.225).

The Department of Economic Development shall annually identify occupations that are experiencing a critical need for trained personnel and notify the State Board of Education (SBE). The SBE shall send the data, along with information about careers, salaries, job-finding, and education, to all Missouri high schools for distribution to students each year (Section 167.902).

The bill allows teachers to count hours spent in local business externships as professional development hours (Section 168.024).

This bill requires DESE to develop a process for recognition of a

school district's school library information and technology program before July 1, 2019 (Section 168.770).

This bill provides that beginning July 1, 2018, DESE shall pay monthly, out of appropriated funds for that purpose, to each sheltered workshop a sum determined by specified criteria, but no less than \$21 per day for each handicapped employee (Section 178.931).

The bill permits the Kansas City school district to contract with any governmental agency for the purpose of transporting high school children for extra-curricular activities (Section 304.060).

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SB 768 -- TAXATION OF TELECOMMUNICATIONS COMPANIES

PROPERTY TAX ASSESSMENT OF TELEPHONE COMPANIES

Currently, a telephone company has its tangible personal property assessed in the same manner as a railroad. Beginning January 1, 2019, this bill allows a telephone company to elect to have its tangible personal property assessed in accordance with depreciation schedules.

The bill contains a fee in lieu of tax requirement that applies to telephone companies in school districts that receive less tax revenue as a result of the tax modifications. Companies in these districts will remit a fee as specified in the bill to such school districts unless an increase in tax levy by the district occurs making the outcome revenue neutral for the school district. Once no school district is eligible to collect such a fee, this provision will expire.

The bill requires the State Tax Commission to include in its annual report information on the difference in assessed valuation of any telephone company assessed under the provisions of this bill and provide this information to any school district that requests it.

SALES TAX EXEMPTIONS FOR TELECOMMUNICATIONS SERVICES

This bill provides that, for the purposes of sales and use tax exemptions for certain manufacturing and the use or consumption of energy for manufacturing, the term "product" shall include telecommunications services and the term "manufacturing" shall include the production, or production and transmission, of telecommunications service.

The bill provides that such definitions were the original legislative intent and abrogates the Missouri Supreme Court's

decision in IBM Corporation v. Director of Revenue 491 S.W.3d 535 (Mo. banc 2016) to the extent that such decision is inconsistent with such definitions and the Court's decisions in Southwestern Bell Tel. Co. v. Director of Revenue 78 S.W.3d 763 (Mo. banc 2002) and Southwestern Bell Tel. Co. v. Director of Revenue 182 S.W.3d 226 (Mo. banc 2005).

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HCS SCS SB 769 -- FINANCIAL INSTITUTIONS

This bill modifies several provisions relating to financial institutions.

SECURITY-COLLATERAL LIST

Currently, the State Treasurer and the Treasurer of the City of St. Louis are limited in the types of securities they may require as collateral from banks or financial institutions selected and approved for the safekeeping and payment of deposits. This bill adds brokered or negotiable certificates of deposit that are fully insured by the FDIC or the National Credit Union Share Insurance Fund to the collateral list (Sections 30.270 and 95.530, RSMo).

INVESTMENT OF PUBLIC FUNDS

Currently, any public entity or political subdivision may invest public deposits if, among other things, on the same date that the public funds are deposited the financial institution also receives an amount of deposits from other financial institutions equal to the amount of the public funds deposited. This bill repeals this requirement (Section 67.085).

DEPOSITARIES FOR PUBLIC FUNDS

Currently, the law provides restrictions on the security of the public funds of specific political subdivisions. This bill stipulates that the requirements apply to all political subdivisions of the state. The bill also allows banks serving as a depository for public funds to invest in the same manner as the State Treasurer (Section 110.010).

CERTIFIED CHECK REQUIREMENTS

Currently, the law requires certain bids made by banks, associations, or trust companies to be accompanied by a certified check. This bill repeals those requirements (Sections 110.080, 110.140, 165.221, 165.231, 165.241, and 165.271).

TAX ON CORPORATIONS

Any entity not subject to tax on corporations, which includes certain financial institutions, is not required to file a tax return for corporate income taxes (Section 143.433).

For any year there is a reduction in the tax rate on corporations, there will be a corresponding and proportional reduction in the tax rate imposed on banking institutions, credit institutions, and corporate franchises (Section 148.720).

DORMANT BANK ACCOUNTS

Whenever an account with a bank has been inactive for 12 months or more, the bank is required to notify the account holder of such inactivity through first class mail postage prepaid marked "Address Correction Requested." Additionally, the bank is required to send annual statements for such accounts and charge a fee up to \$5 per statement. Such fees shall be withdrawn from the inactive account.

The bill also stipulates that the funds of any bank account which has been inactive for a period of five years shall be remitted to the Abandoned Fund Account administered by the State Treasurer (Section 447.200).

CCS HCS SB 773 -- TAXATION

This bill modifies several provisions relating to taxation.

LOCAL SALES TAX REPEAL

This bill extends the date by which a local taxing jurisdiction shall place a question on the ballot regarding the repeal of a local sales tax on certain motor vehicles purchased from out-of-state dealers from November 2018 to November 2022 (Section 32.087, RSMo).

DEPARTMENT OF REVENUE REPORT

This bill requires the Department of Revenue to annually issue a report containing certain information on all sales and use tax levies imposed in this state (Section 32.315).

AMATEUR SPORTING EVENT TAX CREDIT

This bill reauthorizes the Amateur Sporting Events Tax Credit until August 28, 2024, while making various other changes. Bid fees and financial guarantees are added to the definition of "eligible costs" used to determine the amount of a tax credit authorized, and

the bill extends the deadline for a tax credit applicant to submit eligible costs and proper documentation from 30 to 90 days following the conclusion of a sporting event. The bill also adds the Amateur Athletic Union, the National Christian College Athletic Association, the National Junior College Athletic Association, the United States Sports Specialty Association, and rights holder members of the National Association of Sports Commissions to the list of "site selection organizations" that determine tax credit qualifying sporting events. The definition of "sporting events" is expanded to include collegiate competitions.

The bill provides that the tax credit authorized by the Amateur Sporting Events Tax Credit program for the hosting of a qualifying sporting event shall be the least of 100% of eligible costs, an amount equal to \$5 for every admission ticket, or an amount equal to \$10 for every paid participant registration if the sporting event did not sell admission tickets. The latter two values shall be calculated using the actual number of tickets sold or registrations paid, not estimates.

Furthermore, for purposes of having a certified support contract necessary for receiving a tax credit, site selection organizations need not use a competitive bid process when organizing any previously-awarded event that is held due to a contract extension or any collegiate football bowl games or other neutral-site games with at least one out-of-state team. However, in no event shall the amount of tax credits authorized exceed \$2.7 million in any fiscal year for sporting events located in Jackson County, St. Louis County, or St. Louis City (Sections 667.3000 and 667.3005).

This provision shall sunset six years after its effective date.

ATHLETES AND ENTERTAINERS TAX

Currently, the revenue generated from an income tax on certain nonresident athletes and entertainers is distributed among several funds and will currently end on December 31, 2020. This bill extends the distributions until December 31, 2030 (Section 143.183).

CORPORATE INCOME TAX

This bill changes the calculation of taxable income of corporations by disallowing any inter-company transactions between corporations that file a consolidated income tax return in this state to be considered sales and business transactions in determining taxable income in Missouri (Section 143.451).

HISTORIC PRESERVATION TAX CREDITS

This bill modifies several provisions relating to historic buildings.

Currently, the Department of Economic Development (DED) shall not approve tax credits for the rehabilitation of historic structures which, in the aggregate, exceed \$140 million, increased by any amount of tax credits for which approval shall be rescinded for any reason. For each fiscal year beginning on or after July 1, 2018, the bill reduces the aggregate cap to \$90 million. DED shall authorize up to an additional \$30 million in Historic Preservation tax credits above the \$90 million cap provided that any such tax credits are authorized solely for projects located in a qualified census tract, which is defined as a census tract with a 20% poverty rate or higher as determined by a map published by DED, as described in the bill. If the \$90 million cap and the \$30 million supplemental cap are both authorized in a fiscal year, the \$90 million cap shall be adjusted by the percent increase in inflation. Only one such adjustment shall be made for each instance in which the inflation adjustment is triggered.

Currently, the law exempts projects approved or applied for prior to January 1, 2010, from the authorization cap on the amount of tax credits that may be authorized. This bill changes such date to October 1, 2018 (Section 253.550).

This bill also modifies the Historic Preservation Tax Credit by requiring DED to consider additional factors prior to determining whether a credit shall be awarded, including the projected net fiscal benefit of the project, the overall size and quality of the project, the level of economic distress in the area, and input from the local elected officials in the local municipality as to the importance of the project to the municipality. Such additional factors shall not apply to projects receiving less than \$250,000 in tax credits (Section 253.559.3).

All taxpayers with applications receiving approval on or after July 1, 2019, shall submit evidence of the capacity of the applicant to finance the cost and expenses for the rehabilitation of the eligible property, as described in the bill (Section 253.559.7).

This bill requires that a taxpayer receiving approval for tax credits shall commence rehabilitation within nine months, rather than two years, of the date of approval (Section 253.559.8).

Currently, the law allows DED to charge a fee of 2.5% on the amount of tax credits issued by the department. This bill allows the department to charge a fee of 4% on the amount of Historic Preservation tax credits issued by the department. Of the revenue

generated by the 4% fee rate, 37.5% shall be appropriated from the Economic Development Advancement Fund for business recruitment and marketing (Section 620.1900).

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CCS HCS SS SCS SB 775 -- FEDERAL REIMBURSEMENT ALLOWANCE

This bill extends the sunsets from September 30, 2018, to September 30, 2019, for the federal reimbursement allowance taxes for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Intellectually Disabled.

Additionally, the bill repeals existing provisions of law regarding hospital reimbursement allowance calculations and alternative reimbursements for outpatient services. Instead, each fiscal year, the amount of federal reimbursement allowance levied under the Hospital Reimbursement Allowance Tax cannot exceed 45% of the total payments to hospitals from the Federal Reimbursement Allowance Fund and associated federal match, including payments made to hospitals from state-contracted managed care organizations that are attributable to the reimbursement fund and associated federal match. By October 1 of each subsequent fiscal year, the Department of Social Services is required to report this calculation and the underlying data to the House Budget Committee and the Senate Appropriations Committee.

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HCS SS SCS SB 782 -- DEPARTMENT OF NATURAL RESOURCES

This bill modifies provisions relating to the Department of Natural Resources.

FENCE MAINTENANCE ALONG THE MISSOURI ROCK ISLAND RAILROAD CORRIDOR

The bill requires the Division of State Parks within the Department of Natural Resources to maintain the fence coinciding with the boundary between individual landowner property and the historic Missouri Rock Island railroad corridor, with costs being paid by the State Park Earnings Fund. Nothing should be construed to require an individual landowner to locate a fence on his or her own property (Section 253.175, RSMo).

COAL COMBUSTION RESIDUAL

This bill repeals the current exemption from solid waste permitting requirements for coal combustion generation facilities in Kansas City and authorizes the department to promulgate rules and approve site-specific target levels for the management, closure, and post-

closure of coal combustion residual (CCR) units. The rules may allow for the use of risk-based decision making and establish target levels for soil and groundwater impacted by CCR constituents.

Until the department has an approved and effective state program, the department is authorized to issue guidance or enter into enforceable agreements with site owners or operators to establish risk-based target levels using the Missouri Risk-Based Corrective Action (MRBCA).

The department must promulgate the rules by December 31, 2018, for CCR surface impoundments, but is not authorized to promulgate rules requiring a construction or operating permit for CCR impoundment closure or corrective action, or post-closure ground water monitoring for certain CCR surface impoundments. The rules, including location restrictions and design standards cannot be more restrictive than federal regulations, with a few exceptions explained in the bill (Section 260.242).

LEAD-ACID BATTERY FEE

The bill extends from December 31, 2018, to December 31, 2023, the \$.50 fee that is collected on the retail sale of a lead-acid battery as well as the fees for any hazardous waste generated (Section 260.262).

DEPARTMENT FEES

Currently, several Department of Natural Resources fees expire December 31, 2018. This bill extends, until December 31, 2024, the expiration of the hazardous waste generator permits, land reclamation permits, and water pollution control permits. The bill also repeals the expired provisions requiring a comprehensive review, with stakeholders, of the water pollution control permits structure (Sections 260.380, 260.475, 444.768, 444.772, 644.054, and 644.057).

RADIOACTIVE WASTE INVESTIGATION FUND

The bill creates the "Radioactive Waste Investigation Fund" to be used by the Department of Natural Resources to investigate concerns of exposure to radioactive waste. Upon request of a local governing body, the department will use the money in the fund to investigate and collect soil and dust samples. The department will work with local officials to design a testing plan, including collecting at least 500 samples within a one-mile radius, that will provide conclusive evidence to determine if the area is contaminate, and report the results to the body that requested the

investigation. Monies from the Hazardous Waste Fund can be transferred, upon appropriation, to the Radioactive Waste Investigation Fund. Transfers to the fund cannot exceed \$150,000 per fiscal year (Sections 260.391 and 260.558).

PETROLEUM STORAGE TANK INSURANCE FUND

Currently, the fund expires on December 31, 2020. The bill extends the expiration date to December 31, 2025 and establishes the "Task Force on the Petroleum Storage Tank Insurance Fund." The task force shall be composed of eight members, with three being from the House of Representatives and appointed by the Speaker, three from the Senate, and two industry stakeholders. The task force shall conduct research and compile a report, by December 31, 2018, on certain topics relating to the Petroleum Storage Tank Insurance Fund (Sections 319.129 and 319.140).

WATER SUPPLY AND SEWER SYSTEM GRANTS

This bill increases the potential grant amount administered by the Department of Natural Resources for the benefit of public water supply districts, sewer districts, rural community water or sewer systems, or municipal sewer systems. The current grant limitation of \$1,400 per water connection is increased to \$3,000 per connection (Section 640.620).

MISSOURI CLEAN WATER LAW

The bill species that agricultural stormwater discharges and return flows from irrigated agriculture are exempt from permitting requirements under the Missouri Clean Water Law and should not be considered unlawful unless the discharges have entered the waters of the state and rendered the waters harmful, detrimental, or injurious to public health, safety, or welfare, to industrial or agricultural uses, or to wild animals, birds, fish, or other aquatic life.

Nothing in this bill should be construed to affect, limit, or supersede any law or regulation of concentrated animal feeding operations (Section 644.059).

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HCS SB 793 -- JUVENILE COURT PROCEEDINGS

This bill changes "adult" to mean anyone 18 years old or older and "child" to mean anyone under the age of 18. The bill also requires children to be prosecuted in juvenile courts unless the child is certified as an adult or is being prosecuted for a traffic or curfew violation. Additionally, the bill specifies that no person

under the age of 18 may be detained in an adult jail unless the person has been certified as an adult.

The bill also specifies that offenders under the age of 18 who have been certified as adults are eligible for dual jurisdiction of both criminal and juvenile codes, whereas the provision currently applies to such offenders under the age of 17 and one-half. Dual jurisdiction allows an offender who has been found guilty in an adult court to complete a juvenile sentence in a Division of Youth Services facility.

This bill adds a surcharge of \$3.50 for all civil suits filed in the state, and the assessment of the surcharge shall expire on August 28, 2024. The surcharge shall be deposited into the newly created "Juvenile Justice Preservation Fund," for the administration of the juvenile justice system. There shall also be a surcharge of \$2 on all traffic violations for which the defendant pled guilty, and the surcharge shall also be deposited into the fund. The surcharge shall expire if the provisions of the fund expire. The bill gives discretion to a prosecutor to fine a defendant \$500 for each offense in which the victim was a child. Such fine shall also be deposited into the fund. The permission to charge this fine shall expire if the provisions of the fund expire.

The bill also provides an affirmative defense for the offense of prostitution if the defendant was under 18 and was acting under the coercion of an agent, and it increases the penalty for the offense of patronizing prostitution from a class A misdemeanor to a class E felony when the person the offender patronizes is between the ages of 14 and 18 and from a class E felony to a class D felony when the person the offender patronizes is under the age of 14. The bill also increases the penalty for the offense of promoting prostitution in the first degree in cases where the offender uses compulsion by use of a drug or intoxicating substance to render the person incapable of controlling his conduct or appreciating its nature to between 10 and 15 years in prison. The bill also adds promoting prostitution of a person 16 or 17 years of age to the offense of promoting prostitution in the second degree.

If a person was under 18 at the time he or she committed the offense of prostitution, the person may apply to the court in which he or she pled guilty or was sentenced for an order to expunge all records of the offense from all official records. If the court determines that the person was acting under the coercion of an agent when committing the offense, the court shall enter an order of expungement.

The bill has a delayed effective date of January 1, 2021, for a majority of the provisions of the bill. Expanding services from 17

to 18 is considered a new service and will not become effective until there is sufficient funding to expand the services.

HCS SB 800 -- JUVENILE COURT PROCEEDINGS

Currently, any order or judgment entered by the juvenile court takes precedence over any order or judgment concerning status or custody of a child under 21 years of age, as long as the order or judgment remains in effect. This bill specifies that the order or judgment by the juvenile court shall take precedence over other orders concerning status or custody of a child under 21 years of age, or orders of guardianship, so long as the juvenile court exercises continuing jurisdiction. The bill specifies additional powers a court exercising jurisdiction over a child under 21 shall have. This bill provides provisions regarding custody, support, or visitation orders entered by a court having jurisdiction over a child under 21 (Section 211.093, RSMo).

The bill permits a private attorney filing a petition for adoption to petition the juvenile court to terminate the rights of a parent or to receive specific consent to adopt or waiver of consent to adopt. This bill repeals existing provisions relating to the form and manner of the consent to adopt or waiver of consent to adopt (Section 211.444).

This bill allows a court to terminate the parental rights of a biological father if he is an alleged perpetrator of forcible rape or rape in the first degree that resulted in the conception and birth of the child if the court finds that by:

- (1) Clear, cogent, and convincing evidence that the biological father committed the act against the biological mother;
- (2) Clear, cogent, and convincing evidence that the child was conceived as a result of that act; and
- (3) The preponderance of the evidence that the termination of parental rights is in the best interests of the child.

In any action to terminate the parental rights of a father under these provisions, the court may order, with the mother's consent, that the mother and child are entitled to obtain from the father, payment for the reasonable expenses of pregnancy, childbirth or early child care; child support; inheritance rights under the probate code; the designation of the child as beneficiary of the father's life insurance; or any other reasonable payments. The father shall not be entitled to any custody, guardianship, visitation, or other parent-child relationship. No state agency

shall require the mother to seek child support if the mother declines to do so and such refusal shall not render the mother or child ineligible to receive public assistance benefits (Section 211.447).

SS#2 SCS SB 802 -- NONPROFIT ORGANIZATIONS

This bill enables the Commissioner of Administration to designate a non-profit organization as a minority business enterprise or women's business enterprise for the exclusive purpose of competing in other states.

CCS HCS SB 806 -- GUARDIANSHIP PROCEEDINGS

This bill adds debts for medical assistance owed to the State of Missouri under Section 473.398, RSMo, to the classes into which all claims and statutory allowances against the estate of a decedent shall be divided (Sections 473.397 and 473.398).

The bill changes and adds certain duties and reporting requirements for guardians and conservators. It also specifies that existing guardians and conservators have one year to meet any reporting requirements that change as of August 28, 2018. The bill gives the court authority, as part of its review and in its discretion, to contact the Department of Health and Senior Services or other appropriate agencies to investigate the conduct of the guardian (Section 475.016).

The bill adds a definition for "conservator ad litem" and for "interested persons" and amends the definition for "habilitation" and changes the term "least restrictive environment" to "least restrictive alternative" (Section 475.010).

Currently, under law in guardianship and conservator proceedings, the court is to consider the suitability of a list of persons for appointment. This bill provides that such persons are listed in the order of priority. The court may not appoint an unrelated third party unless there is no relative suitable and willing to serve, or if the appointment of a relative or a nominee is not in the best interest of the incapacitated or disabled person. Additionally, the bill requires individuals, except those specified in the bill, to submit to a background check at their own expense, and to file a report of the results of the check with the court at least 10 days prior to the appointment hearing date unless waived by the court for good cause. Guardians certified by a national accrediting organization may file proof of certification in lieu of the reporting requirements (Section 475.050).

Any person may file a petition for the appointment of himself or herself or some other qualified person as guardian of a minor. The petition shall include the name and address of the person having custody of the minor or who claims to have custody of the minor. If the petitioner requests the appointment of co-guardians additional information, as specified in the bill, is required to be in the petition. The bill also specifies the information in the petition that must be provided to the respondent when the appointment of a conservator is made due to the respondent's disability (Sections 475.060, 475.061, and 475.062).

This bill adds the person or entity nominated to service as the guardian or conservator to the list of people required to receive notice of a filed petition to appoint a guardian or conservator for a minor (Section 475.070).

When the petition for the appointment of a guardian or conservator is filed based on grounds other than minority, the potential ward or protectee must be served with written notice in person. The notice must state the time and place for the petition to be heard by the court and the name and address of counsel appointed to represent the potential ward or protectee, among other information required to be in the notice. Notice must also be served on any person proposed to serve as guardian or conservator and on any cotenants or codepositors with the respondent. When the petition for the appointment of a guardian or conservator is filed based on grounds other than minority and a public administrator is nominated, the public administrator shall receive certain documents such as the petition and medical opinions and shall have an opportunity to be heard at the hearing (Sections 475.075, 475.078, 475.079, 475.080, and 475.082).

The bill also allows a guardianship to terminate if the court determines that the guardian is unable to provide guardianship services due to the ward's absence from the state or other specified circumstances of the ward. If a ward or protectee petitions the court to return rights to him or her, the petition may be an informal letter to the court, and anyone who interferes with the transmission of the letter or petition may be cited for contempt of court after notice and a hearing. The court may also, on its own motion, set the matter for a hearing if it has reason to believe the powers of a guardian or conservator should be increased or decreased or additional rights should be returned to the ward. Limited guardians and limited conservators may also petition the court at any time to increase the guardian's or conservator's powers or to remove rights from the ward. If a guardian has been appointed for a minor, a parent of the minor may petition the court for periods of visitation, and the court may order the visitation

if it is in the best interest of the child (Sections 475.083 and 475.084).

The bill allows a conservator to, after notice to interested persons and with the express authorization by the court, make financial and property decisions, as specified in the bill, on behalf of a protectee. The bill specifies what the court must consider when exercising or approving a conservator's exercise of his or her powers expressed in the bill. The bill also establishes what a conservator has the power to do without authorization or approval from the court (Sections 475.094 and 475.130).

The bill repeals certain provisions related to the powers and duties of a guardian or limited guardian of an incapacitated person (Section 475.120).

The bill adds that prior to a court order for the management of the estate of a protectee, in setting the amount of support allowance for the protectee or other persons entitled to such support, the court must consider the previous standard of living of the spouse or family, composition of the estate, income and other assets, and expenses (Section 475.125).

Currently, no medical or surgical procedure can be performed on a ward without the guardian's consent. This bill allows emergency treatment to be administered without the guardian's consent if such treatment is required. If the court appoints an attorney for the respondent, the order shall specify that the attorney has a right to obtain all medical and financial information of the respondent, and no medical care provider or financial institution shall be liable for damages or otherwise for the release of the information to the attorney. Upon entry of appearance by private counsel on behalf of the respondent, the court may permit the court-appointed attorney to withdraw only if, after a hearing, the court finds cause to permit the withdrawal. Additionally, the bill sets out what a court is required to consider when determining the amount of support allowance for a protectee or any other person entitled to such support.

The bill provides that, unless it is waived by the court for cause, a protectee is entitled to 10 days' prior notice of a required court hearing on the petition for the sale of the protectee's real or tangible personal property. The protectee is not entitled to notice of a hearing on the petition for the sale of the protectee's intangible personal property (Section 475.230).

Currently, a conservator must file a settlement of the conservator's accounts with the court, if required by the court. The annual settlement shall be made within 30 days after the

anniversary of the appointment of the conservator. This bill revises that provision to require the conservator to file the settlement at least annually or more often if required by the court, the settlement must detail the current status of the estate under conservatorship, and it is required to be filed within 60 days after the anniversary of the appointment of the conservator. The bill specifies what information the settlement must include (Sections 475.270 and 475.290).

If a ward's estate and available public benefits are inadequate for the proper care of the ward, the ward's guardian is not obligated to use the guardian's own financial resources for the support of the ward. The guardian may apply to the county commission for such care. A guardian shall not have the authority to seek admission of a ward to a mental health or intellectual disability facility for more than 30 days without a court order. Additionally, a social service agency serving as guardian of an incapacitated person is required to notify the court within 15 days after any change in the identity of the professional individual who has primary responsibility for providing guardianship services to the incapacitated person (Section 475.276).

A transaction entered into by the conservator for the conservator's personal gain or in which a conflict of interest exists is voidable, unless the transaction falls into one of the four exceptions as provided in the bill. A public administrator serving as conservator is prohibited from entering into transactions for personal gain. A conservator is prohibited from combining personal property and estate property and designating estate property so that any ownership appears in records maintained by a financial institution or party other than the conservator or protectee. With court approval, the conservator may delegate to an agent the conservator's duties and powers (Sections 475.341, 475.342, and 475.343).

The bill provides that the probate division of the court has jurisdiction over issues of the adjudication of incapacity and disability and over appointment of a guardian or conservator of an adult who is 18 or older or over whose parents have a matter pending under Chapters 210 or 452 (Section 475.357).

This bill establishes specified rights that every incapacitated person has in every guardianship (Section 475.361).

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CCS HCS SCS SBs 807 & 577 -- HIGHER EDUCATION

This bill removes public institutions of higher education from Chapter 34 purchasing regulations (Section 34.010, RSMo).

The bill also modifies the A+ program. Students will be eligible if they have attended a high school in Missouri for three years and graduated. The bill eliminates the requirement that the three-years attendance has occurred immediately prior to graduation (Section 160.545).

This bill adds an additional mechanism by which the taxing district of a public school may attach itself to a community college district in order to increase the tax base of the community college district and secure in-district tuition rates for students of the school district. The new mechanism allows the community college to propose the plan to the school district's voters and pay for the election (Section 162.441).

The bill allows the Coordinating Board for Higher Education to approve new degree programs offered by state institutions of higher education. Community colleges may be authorized to offer baccalaureate degrees to meet local workforce needs, and other universities may collaborate with the University of Missouri to offer degrees in engineering, chiropractic, osteopathic medicine, and podiatry. The University of Missouri remains the state's only public research university and the only institution authorized to grant research doctorates and first-professional degrees including dentistry, law, medicine, optometry, pharmacy, and veterinary medicine (Sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.500, and 178.636).

This bill requires students entering public institutions of higher education for the first time after July 2019 to score at least 70% on the Missouri Higher Education Civics Achievement Examination as a condition of graduation. The exam shall consist of 50 to 100 questions similar to the questions in the United States citizenship examination (Section 170.013).

The bill adds several professions, including air ambulance pilots, air ambulance registered professional nurses, air ambulance registered respiratory therapists, uniformed employees of the Office of the State Fire Marshal, and emergency medical technicians, and their children and spouses, to the list of those eligible to receive a public safety officer or employee survivor grant from the Coordinating Board for Higher Education within the Department of Higher Education (Section 173.260).

This bill changes the cap on tuition increases at public institutions of higher education. Currently, tuition increases are capped at the rate of inflation. This bill allows institutions to increase their tuition by inflation plus a percentage, capped at 5%, that would produce an increase in net tuition revenue no

greater than the amount by which the state operating support was reduced in the previous fiscal year (Section 173.1003).

The bill adds approved virtual institutions to the Access Missouri Financial Assistance Program (Sections 173.1101, 173.1102, 173.1104, 173.1005, and 173.1107).

This bill also establishes the "College Credit Disclosure Act," which requires a higher education institution that grants college-level credit but is not accredited by a federally recognized regional accreditor to disclose during the admission application process that the institution is not accredited. The institution must provide the disclosure in writing to an enrolling student before the student registers for any class that grants credit, and the student must sign the disclosure. The bill specifies the language of the required disclosure. The bill exempts any institution that is affiliated with a religious organization if the institution is accredited by a federally recognized faith-related accreditor (Section 173.1450).

Beginning in the 2020-21 school year, the bill requires every public institution of higher education to publish a report measuring both the institution's ability to adequately meet student mental health needs, and compliance with the standards promulgated by the International Association of Counseling Services relating to mental health services on college campuses (Section 173.2530).

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SCS SB 814 -- DEAF AND HARD OF HEARING NOTATION

This bill includes individuals with hearing loss that impairs the capacity to discriminate ordinary speech in the class of persons eligible for a deaf or hard of hearing notation on their driver's license. The Missouri Commission for the Deaf and Hard of Hearing will make a video explaining the "DHH" notation and the right to receive it and the video will be posted in each driver's license office. The video is conducted in sign language and captioned in English.

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CCS SB 819 -- PROTECTION OF CHILDREN

This bill modifies provisions relating to the protection of children.

SOCIAL INNOVATION GRANT PROGRAM

This bill establishes the "Social Innovation Grant Program" within the Office of Administration. The executive director shall

establish a "Social Innovation Grant Team" comprised of specified individuals with relevant expertise for any critical state concern for which a social innovation grant is being utilized. A "critical state concern" is defined as an instance or circumstance in which Missouri is currently, or will likely be in the future, responsible for the costs associated with a particular act of the state through annual appropriations. Such areas of concern include families in generational child welfare, opioid-addicted pregnant women, and children in residential treatment with behavioral issues. A "social innovation grant" is defined as a grant awarded to a non-profit organization to design a short-term demonstration project that can be replicated to optimize state funding and services for a critical state concern.

The grant team shall:

- (1) Formulate a request for proposals for social innovative grants;
- (2) Evaluate responsive proposals and select those bids for demonstration projects that provide the greatest opportunity for addressing the critical state concern in a cost-effective and replicable way; and
- (3) Monitor demonstration projects and evaluate them on specified criteria.

Upon the conclusion of a demonstration project, the grant team shall submit a report to the General Assembly evaluating the project. The grant team shall identify methods to fund the grant program, including state partnerships with nonprofit organizations and foundations. All social innovation grants shall be subject to appropriation (Section 37.940, RSMo).

This provision shall expire August 28, 2024.

PHYSICIAN REFERRALS OF CHILDREN EXPOSED TO DRUGS OR ALCOHOL

Currently, any physician or health care provider may refer a family in which a child may have been exposed to a Schedule I, II, or III controlled substance or alcohol to the Department of Health and Senior Services. This bill permits the physician or health care provider instead to refer the family to the Children's Division within the Department of Social Services. Additionally, this bill repeals the requirement that the Department of Health and Senior Services offer service coordination services to the family and initiate such services within 72 hours of notification (Sections 191.737 and 191.739).

VITAL RECORDS

This bill specifies that no fee shall be required, or collected for a birth, death, or marriage certificate if the request is made by the Children's Division, the Division of Youth Services within the Department of Social Services, the guardian ad litem, or the juvenile officer on behalf of a child under the jurisdiction of the juvenile court (Section 193.265).

IMMUNIZATIONS

This bill states that a child who has not completed all immunizations appropriate for his or her age may enroll in a public, private, or parochial day care center, preschool or nursery school if the child is homeless or in the Children Division's custody and cannot provide satisfactory evidence of the required immunizations. Satisfactory evidence must be presented within 30 days of enrollment. If the child has begun the process of immunization, he or she may continue to attend as long as the process is being accomplished (Section 210.003).

MISSOURI CHILDREN'S SERVICE COMMISSION

This bill repeals the Missouri Children's Service Commission and moves the Coordinating Board for Early Childhood from the commission to the Department of Social Services (Sections 210.101, 210.102, and 210.103).

ASSESSMENT AND TREATMENT SERVICES AND CASE MANAGEMENT

This bill modifies the definition of "assessment and treatment services for children under 10 years old" to remove the requirement that the assessment and screening be conducted every six months for a child under 10 years old and in the custody of the state. Instead, the assessment and screening shall be conducted for children of all ages in accordance with the periodicity schedule of the American Academy of Pediatrics.

Currently, contracts entered into by the Children's Division with qualified children's services providers and agencies shall require that a case management plan be developed for each child no later than 14 days after an initial investigation or referral. This bill changes that time frame to 30 days. Additionally, by December 1, 2018, the division shall convene a task force to review the recruitment, licensing, and retention of foster and adoptive parents statewide and shall submit recommendations to the General Assembly, the Joint Committee on Child Abuse and Neglect, and the Governor by December 1, 2019 (Sections 210.110 and 210.112).

THE SUPPORTING AND STRENGTHENING FAMILIES ACT

This bill establishes the "Supporting and Strengthening Families Act." A parent or legal custodian of a child may delegate to an attorney-in-fact, without compensation, any powers regarding the care and custody of a child for a period not to exceed one year, unless an exception applies as specified in the bill. Such delegation does not change parental or legal rights established by a court order or deprive the parent or legal custodian of any rights regarding child custody, visitation, or support. A parent who intentionally uses a power of attorney to permanently avoid legal responsibility for the care of the child is guilty of violating current law on transferring child custody without a court order. A child subject to the power of attorney shall not be considered placed in foster care, and the parties shall not be subject to any licensing regulations for foster care or community care for children.

The use of a power of attorney by a parent who uses a community service program to assist in the delegation of the custody of a child shall not constitute abandonment, abuse, or neglect. Community service programs for families in crisis must conduct a background check of an attorney-in-fact and any adult members of his or her household prior to the placement of the child. Community service programs may not place a child with an attorney-in-fact who has committed a felony or is on either the child abuse and neglect registry or sex offender registry. If the community service program has reasonable cause to suspect that a parent is using a power of attorney to permanently avoid legal responsibility for the care of the child, then the program shall report the parent to the Children's Division, who shall conduct an investigation. Personnel and volunteers of a community service program are required to report to the Children's Division if he or she suspects that a child is being abused or neglected.

An attorney-in-fact must make arrangements to ensure that the child attends classes at an appropriate school based upon the residency requirements of the school, and the child's school shall be notified of the existence of the power of attorney and be provided a copy of the power of attorney. The delegation of care under the bill shall not modify a child's eligibility for benefits, such as free or reduced lunch, that the child is receiving at the time of the execution of the power of attorney.

This bill specifies the information to be included on a form delegating any powers regarding the care and custody of a child under this bill (Sections 210.115, 475.024 475.600, 475.602, and 475.604).

RECORDS OF CHILD ABUSE AND NEGLECT INVESTIGATIONS

This bill specifies that the Children's Division may accept a report for a child abuse or neglect investigation or family assessment if the child or alleged perpetrator resides in Missouri, may be found in Missouri, or if the incident occurred in Missouri. If the division receives a report in which neither the child nor the perpetrator resides in Missouri or may be found in Missouri and the incident did not occur in Missouri, the division shall document the report and communicate it and any relevant information and records to the appropriate agencies in the state where the child is believed to be located.

The division shall be permitted to co-investigate a report of child abuse or neglect, as well as share records and information with child welfare, law enforcement, or judicial officers in Missouri or another state, territory, or nation when the division determines it is appropriate to do so.

Currently, the Children's Division is required to retain or remove identifying information contained in a child abuse or neglect investigation report according to specified time lines depending on the type of report. This bill requires the division to retain or remove all information in a report, including identifying information, and modifies the retention time lines. Investigation reports where the division finds insufficient evidence of abuse or neglect shall be retained for 10 years following the end of the investigation when the investigation is initiated by a mandated reporter and five years for all other reports. Reports where the division is unable to locate the child alleged to have been abused or neglected shall be maintained for 18 years from the date of the report (Sections 210.145 and 210.152).

FOSTER CARE BACKGROUND CHECKS

This bill modifies the current law regarding background checks for persons in an applicant foster parent's home prior to licensing. The division shall obtain fingerprints from specified individuals in the applicant's household and the State Highway Patrol shall assist the division in providing a criminal fingerprint background check in compliance with existing state law. After the initial background check has been completed, the State Highway Patrol shall provide ongoing electronic updates to the background check. These ongoing checks shall end when the applicant ceases to be a licensed foster parent (Section 210.487).

ADOPTION AND FOSTER CARE RECORDS

This bill specifies that records relating to foster home or kinship

placements of children in foster care shall be considered closed records under state law. Such records may be disclosed as specified in this bill. A parent or legal guardian of a child in foster care may have access to investigation records kept by the Children's Division regarding the denial, suspension, or revocation of the license of a foster home in which the child was placed. The division's response to a request for the release of such information shall not include financial, medical, or other personal information relating to the foster home provider and the foster home provider's family, unless the division determines that the information is directly relevant to the disposition of the investigation and report.

The division may disclose or utilize information and records relating to foster homes in its discretion and as needed for the administration of the foster care program. The Director of the Department of Social Services shall authorize the disclosure of such information in cases of child fatalities or near-fatalities to courts, juvenile officers, law enforcement agencies, and prosecuting and circuit attorneys upon written request and as related to their duties under law. Finally, the division may disclose such information and records to specified individuals that have a need for the information to conduct their lawful duties.

This bill also provides that all papers, records, and information known to or in the possession of an adoptive parent or adoptive child that pertain to an adoption may be disclosed by the adoptive parent or adoptive child. Nothing in this bill shall be construed to create a right to have access to information not otherwise allowed under existing state law concerning information in adoption records (Sections 210.498, 453.121, and 610.021).

THE TRAUMA-INFORMED CARE FOR CHILDREN AND FAMILIES TASK FORCE

This bill creates the "Trauma-Informed Care for Children and Families Task Force," which shall promote the healthy development of children and families by promoting comprehensive trauma-informed support systems and interagency cooperation. The bill specifies task force membership and meeting requirements. The task force includes two members of the House appointed by the Speaker and two members of the Senate approved by the President Pro Tem. The task force shall examine early identification of children and families at risk of experiencing trauma, referral of such children and families to appropriate trauma-informed support services, and implementation of trauma-informed approaches and interventions in schools, organizations, homes, and other settings. The task force shall submit a report and any recommendations to the General Assembly and the Joint Committee on Child Abuse and Neglect by January 1, 2019 and will terminate on January 1, 2019 (Section

210.1030).

TERMINATION OF PARENTAL RIGHTS

Currently, a juvenile officer or the Children's Division may file a petition for involuntary termination of the parental rights of a child's parent when the parent has been found guilty of or pled guilty to certain felonies involving sexual offenses when the child or any child in the family was a victim. This makes filing a petition in such instances mandatory and adds felony pleas or convictions of child pornography and genital mutilation to the list of mandatory conditions for filing a petition (Section 211.447).

MINOR BANK ACCOUNTS

This bill specifies that a minor who is 16 years or older and in the legal custody of the Children's Division may contract with a bank to open a checking or savings account. The minor shall be responsible for all costs and penalties associated with the account.

Additionally, a minor shall be able to contract for admission to a rape crisis center if the minor is qualified as specified in the bill (Section 431.056).

POST ADOPTION CONTACT AGREEMENTS

Currently, written consent to an adoption shall be required from the mother of the child and the presumptive or putative father or the child's current adoptive parents or other legally recognized mother and father. This bill requires written consent from all three categories of individuals. Additionally, a birth father or the current adoptive parents of a child may execute a written consent to adoption before or after the birth of the child and before or after the commencement of adoption proceedings. Properly executed consent to adoption under this provision is irrevocable. The consent shall be signed in the presence of two adult witnesses, one of whom may be the attorney representing the party executing the consent. The court shall receive and acknowledge a properly executed consent to adoption if such consent is in the best interests of the child.

This bill permits out of state adoptive petitioners to appear by their attorney or by video conference.

This bill removes a requirement that a court consider whether the adoption would be in compliance with the Uniform Child Custody Jurisdiction Act.

Finally, this bill permits adoptive parents and the birth parents of a child to enter into a written post adoption contact agreement to allow contact, communication, and the exchange of photographs after the adoption between the parties. Any agreement shall be voluntary, contain provisions specified in the bill, be in writing, signed by the parties to the agreement, and approved by the court. The court shall enforce an agreement unless doing so would not be in the best interest of the child (Sections 453.015, 453.030, and 453.080).

STATUTE OF LIMITATIONS FOR CERTAIN OFFENSES

Currently, there are various time periods during which the statute of limitations for prosecutions is tolled. This bill adds to the various time periods any period of time after which a DNA profile is developed from evidence collected in relation to the commission of a crime and included in a published laboratory report until the date upon which the accused is identified by name based upon a match between the DNA evidence profile and the known DNA profile of the accused.

In addition, currently, the law provides that prosecutions for certain unlawful sexual offenses involving a person 18 years of age or younger must be commenced within 30 years of the victim turning 18. This bill provides that such prosecutions may be commenced at any time for offenses committed after August 28, 2018 (Sections 556.036 and 556.037).

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CCS HCS SS SCS SB 826 -- HEALTH CARE

This bill modifies provisions relating to health care.

HEALTH CARE RECORDS

Currently, health care providers are required to provide, upon request, copies of patients' health history or treatment records. However, providers are allowed to charge a search and retrieval and copying fees for the records. This bill allows a provider to respond to such a request with a statement or record that no such health history or treatment record exist and to charge a fee for providing such a statement or record (Section 191.227, RSMo).

LIMITATIONS ON PRESCRIBING OPIOIDS

This bill limits certain initial prescriptions of opioid controlled substances to no more than a seven-day supply for the treatment of acute pain. Prior to prescribing the opioid, a practitioner shall consult with the patient regarding the quantity of the opioid and

the patient's option to fill the prescription in a lesser quantity, as well as inform the patient of the risks associated with the prescribed opioid. If, in the practitioner's medical judgment, more than a seven-day supply is required to treat the patient, the practitioner may issue a prescription for the quantity needed after noting in the patient's medical record the condition triggering the necessity for a greater quantity and that a nonopioid was not appropriate. The provisions of this bill shall not apply to prescriptions for a patient who is currently undergoing treatment for cancer, is receiving hospice care or palliative care, is a resident of a long-term care facility, or is receiving treatment for substance abuse or opioid dependence.

The bill further states that no pharmacy or pharmacist shall be liable or subject to disciplinary action for dispensing or refusing to dispense medication in good faith pursuant to an otherwise valid prescription that exceeds these prescribing limits (Sections 195.010 and 195.080).

DISPOSAL OF UNUSED CONTROLLED SUBSTANCES

This bill specifies that a Drug Enforcement Agency-authorized collector, in accordance with federal regulations, may accept unused controlled substances even if the authorized collector did not originally dispense the drug. Unused controlled substances may be accepted from ultimate consumers, from hospice or home health care providers on behalf of ultimate users, or from any person lawfully entitled to dispose of an ultimate user's property if the ultimate user has died. Collection can be through collection receptacles, drug disposal boxes, mail back packages, or drug take back programs. This provision shall supersede and preempt any local drug disposal ordinance or regulation.

Additionally, the Department of Health and Senior Services shall develop an education and awareness program regarding drug disposal, including the development of a web-based resource and promotional activities (Sections 195.070 and 195.265).

These provisions have an emergency clause.

ADVISORY COUNCIL ON RARE DISEASES AND PERSONALIZED MEDICINE

This bill establishes the "Advisory Council on Rare Diseases and Personalized Medicine" in the MO HealthNet Division to assist the Drug Utilization Review Board when making recommendations or determinations regarding prior authorization and reauthorization criteria for rare disease drugs and other topics relating to rare diseases. The bill specifies the council's membership and requires the council to meet no later than February 28, 2019. The council's

recommendations to the board shall be in writing. All members of the council shall sign a conflict of interest statement each year and at least 20% of the members shall not have a conflict of interest with any insurer, pharmaceutical benefits manager, or pharmaceutical manufacturer (Section 208.183).

LONG-ACTING REVERSIBLE CONTRACEPTIVES

This bill specifies that any long-acting reversible contraceptive (LARC) prescribed to and obtained for a MO HealthNet participant may be transferred to another MO HealthNet participant if the LARC was not delivered to, implanted in, or used on the original participant, as specified in the bill (Section 208.1070).

NEWBORN EYE DROPS

This bill modifies existing law regarding the administration of prophylactic eye drops to newborns after delivery by repealing the requirement that the administration of eye drops be reported within 48 hours to the local board of health or county physician. The bill also creates an exception to the required administration of such eye drops if a parent or legal guardian objects on grounds that doing so is against the religious beliefs of the parent or legal guardian (Section 210.070).

VACCINE PROTOCOLS

This bill modifies the minimum age for the administration of certain vaccines, including viral influenza, from 12 years of age to at least seven years of age or the age recommended by the Centers for Disease Control and Prevention, whichever is higher. Additionally, a pharmacist shall inform the patient that the administration of the vaccine will be entered into the ShowMeVax system. The patient may indicate that he or she does not want such information entered into the system (Section 338.010).

PRESCRIPTIONS

This bill modifies current law regarding written prescriptions to permit a pharmacist who receives a prescription for a brand name drug or biological product to select a less expensive generically equivalent drug or interchangeable biological product unless requested otherwise by the patient or prescribing practitioner who indicates that substitution is prohibited, as specified in the bill. If an oral prescription is involved, the practitioner or practitioner's agency shall instruct the pharmacist if a generic drug or interchangeable biological product may be substituted (Section 338.056).

MAINTENANCE MEDICATIONS

Currently, the law provides that dispensing of maintenance medication based on refills authorized by the physician or prescriber on the prescription be limited to no more than a 90-day supply of the medication and the patient must have already been prescribed the medication for three months. This bill provides that the supply limitations shall not apply if the prescription is issued by a practitioner located in another state or dispensed to a patient who is a member of the United States Armed Forces serving outside the United States (Section 338.202).

PHARMACY BENEFIT MANAGERS

This bill specifies that, no pharmacy benefits manager (PBM) shall include in a contract entered into or modified after August 28, 2018, with a pharmacist or pharmacy a provision requiring a covered person to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of the co-payment under the health benefit plan or the amount an individual would pay if payment was in cash. A pharmacy or pharmacist shall have the right to provide to a covered person information regarding the amount of the covered person's cost share for a prescription and other information specified in the bill. Additionally, no PBM shall, directly or indirectly, charge or hold a pharmacist or pharmacy responsible for any fee amount related to a claim that is not known at the time of adjudication, unless the amount is the result of improperly paid claims or the charges for administering a plan (Section 376.387).

PRESCRIPTION EYE DROPS

Currently, the law that requires health carriers to provide coverage for early refills of an eye drop prescription is set to expire on January 1, 2020. This bill repeals the expiration date (Section 376.1237).

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SB 840 -- PROFESSIONAL REGISTRATION

LICENSURE RECIPROCITY

This bill requires certain oversight bodies, as defined in the bill, that issue professional licenses to grant a Missouri license to an applicant that holds a current, valid license issued by another state and waive any examination, educational, or experience requirements for licensure, if that state's licensure requirements are substantially similar to those of Missouri.

The oversight body shall not waive any examination, educational, or experience requirements for any applicant that is currently under disciplinary action in the other state, or if the oversight body determines that such applicant would endanger the public health, safety, or welfare of Missouri citizens.

The provisions of the bill shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.

This bill shall not conflict with any interjurisdictional or interstate compact adopted by Missouri statute, as specified in the bill and shall not conflict with any reciprocity agreements with other states in effect on August 28, 2018.

Provisions of law relating to policies and procedures for issuing licenses and certificates for applicants who hold a valid license issued by another state or for establishing reciprocity agreements with other jurisdictions are repealed for certain occupations and professionals listed in the bill (Sections 256.462, 256.468, 324.009, 324.071, 324.215, 324.421, 324.487, 324.920, 324.1110, 328.085, 329.085, 329.130, 330.030, 331.030, 333.041, 333.042, 333.051, 337.510, 337.520, 337.615, 337.627, 337.644, 337.665, 337.727, 339.521, 339.523, 344.030, 345.050, 346.055, 374.735, 374.785, 643.228, 700.662, 701.312, and 701.314, RSMo).

DIETITIANS

This bill modifies the Dietitian Practice Act to update the terminology for the national organization name change from the American Dietetic Association to the "Academy of Nutrition and Dietetics." The bill also updates the accrediting agency name from the "Commission on Accreditation for Dietetics Education" to the "Accreditation Council for Education in Nutrition and Dietetics." The definitions for "medical nutrition therapy" and "registered dietitian" are modified by adding registered dietitian nutritionists to the definitions.

Additionally, any person who holds a license to practice dietetics may use the abbreviation L.D.N (Sections 324.205 and 324.210).

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CCS HCS SS SCS SB 843 -- BOARDS AND COMMISSIONS

This bill modifies provisions relating to a number of state administrative boards, commissions, and councils. In its main provisions, the bill:

- (1) Decreases the membership on the Missouri State Capitol

Commission from 11 to nine members, by requiring the Governor to appoint two, rather than four, members of the general public. The membership of the commission is also modified so that the minority leaders of the House and Senate will appoint the minority party members of the commission. The commission shall evaluate and approve projects including the "21st-Century State Capitol Restoration Project" which shall include the development and implementation of a comprehensive master plan for the restoration and preservation of the Capitol building, grounds, and any annex areas. The term "annex areas" will include a building currently occupied by the Missouri Department of Transportation if used to house members or staff of the General Assembly. The commission shall further exercise ongoing supervision and coordination of the Capitol building, grounds, and any annex areas. The commission is required to issue an annual report based on the fiscal year and specified appropriation requirements for the Capitol building, grounds, and annex areas on or before October 1 of each year to the General Assembly and the Budget Director (Sections 8.003, 8.007, 8.010, 8.015, and 8.017, RSMo).

(2) Modifies the membership of the Missouri Military Preparedness and Enhancement Commission by requiring the Governor to appoint two additional members (Section 41.1010);

(3) Consolidates the State Board of Health and the State Board of Senior Services into the newly created State Board of Health and Senior Services (Sections 91.640, 189.015 to 189.035, 191.400, 192.005 to 192.710, 192.230, and 701.040); and

(4) Makes changes relating to boards of record control.

The State Historical Records Advisory Board is reduced from 12 members appointed by the Governor to seven members appointed by the Secretary of State. The Missouri Board on Geographic Names adds a new member from the Department of Agriculture and reduces the at-large membership from nine to eight. The membership on any local records board established under Section 109.255 changes from one member representing first or second class counties and one member representing third or fourth class counties to two members and removes the requirement to have one member from a village, a township, and higher education (Sections 109.221, 109.225, and 109.255).

(5) Removes the expiration date for the Foster Care and Adoptive Parents Recruitment and Retention Fund and a tax refund checkoff to such fund are removed and the administration of the Fund is changed from the Foster Care and Adoptive Parents Recruitment and Retention Fund Board, which is repealed by the bill, to the Missouri State Foster Care and Adoption Board (Sections 143.1015 and 453.600);

(6) Modifies membership criteria for the council on library development (Section 181.022);

(7) Changes the composition of the Missouri Women's Council. The Council is reduced from 15 to 13 members with nine, rather than 11, members appointed by the Governor. Such members shall serve terms of four, rather than three, years and may be reappointed. The council, rather than the Governor, shall annually elect a chair and vice-chair (Section 186.007);

(8) Repeals the Missouri Area Health Education Centers Council and the Director of the Department of Health and Senior Services shall assume all duties of the Council (Section 191.980);

(9) Repeals the State Hospital Advisory Council (Section 192.240);

(10) Repeals the Unmarked Human Burial Consultation Committee and its duties are assumed by the Missouri Advisory Council on Historic Preservation (Sections 194.400 to 194.409);

(11) Allows the State Board of Health and Senior Services, rather than the Life Sciences Research Board, to be responsible for overseeing the umbilical cord blood bank grant program (Section 191.756);

(12) Repeals a subcommittee on the development of a comprehensive entry point system for long-term care within the MO HealthNet Oversight Committee. The Professional Services Payment Committee is also repealed (Sections 208.197 and 208.955);

(13) Changes the membership of the Board for Certification of Interpreters from five members to three. One of the members shall be deaf, one shall be a certified interpreter, and one shall be either deaf or a certified interpreter (Sections 209.287 and 209.307);

(14) Reduces the membership of the Children's Trust Fund Board from 21 to 17 members with eight, rather than 12, public members appointed by the Governor. The representative categories of membership on the board are modified (Section 210.170);

(15) Modifies the membership of the Task Force on the Prevention of Sexual Abuse of Children to remove members of the General Assembly; add the directors of Children's Division, the Department of Mental Health, and the Children's Trust Fund Board; removes two teachers and adds a school principal and a school counselor; and remove the at-large member. Additionally, the bill requires the Director of the Department of Social Services to appoint all

members currently appointed by the Governor. The bill directs the Task Force to focus on the prevention and treatment of child sexual abuse. The Department of Social Services, beginning January 1, 2019, shall work with the Task Force to make yearly reports to the General Assembly. Finally, the Task Force may adopt and submit to the Commissioner of Education and the State Board of Education policy recommendations addressing sexual abuse of children as specified in the bill (Sections 160.2100, 160.2110, 210.1200, and 210.1210);

(16) Codifies the creation of the Missouri Advisory Council on Historic Preservation, which was originally created by executive order. The council shall have authority to review and approve nominations to the National Register, review completed state historic preservation plans, and provide guidance to the state historic preservation officer (Sections 253.408 and 253.412);

(17) Creates a waiver of occupational licensing fees by both state and political subdivision licensing authorities for specified military and low-income families. The waiver is for a two-year period with requirements as specified in the bill (Section 324.015);

(18) Currently, the Governor, with the advice and consent of the Senate, appoints members to the following advisory commissions and committees: the Advisory Commission for Clinical Perfusionists, the Missouri Acupuncturist Advisory Committee, the Advisory Commission for Dental Hygienists, the Advisory Commission for Anesthesiologist Assistants, the Advisory Commission for Physical Therapists, and the Advisory Commission for Physician Assistants. This bill transfers appointment power to the Director of the Division of Professional Registration (Sections 324.177, 324.180, 324.478, 332.086, 334.430, 334.625, and 334.749).

(19) Transfers the duties of the Interior Design Council to the Division of Professional Registration. The council's role shall be to advise, guide, and make recommendations to the director of the division. The director of the division, rather than the Governor, shall appoint members of the council (Sections 324.406, 324.421, 324.424, 324.427, 324.430, and 324.436);

(20) Modifies application requirements for land surveyors (Sections 327.313 and 327.321);

(21) Modifies criteria for membership and appointment to the State Nursing Board (Section 335.021);

(22) Transfers certain fund administration to the State Foster Care and Adoption Board which is created under Section 210.617

(Section 453.600);

(23) Changes the composition of the Missouri Film Commission by removing the General Assembly members from the commission (Section 620.1200);

(24) Creates the "Missouri Route 66 Centennial Commission" as specified in the bill (Section 620.2200);

(25) Allows the Director of the Department of Mental Health, rather than the Governor, to appoint certain members of the Missouri Commission on Autism Spectrum Disorders and such members may be reappointed (Section 633.200);

(26) Modifies the Elevator Safety Board. Currently, two members of the Elevator Safety Board shall be building officials with responsibility for administering elevator regulations, one from each municipality having a population of at least 350,000 inhabitants. This bill provides that the two members shall be building officials, with one having the responsibility for administering elevator regulations. The requirement that each such member come from a municipality with a certain population is repealed (Section 701.353); and

(27) Repeals certain obsolete boards and commissions including the Missouri State Penitentiary Redevelopment Commission (Sections 217.900 to 217.910).

SCS SB 862 -- ELECTRICAL CONTRACTORS

This bill modifies provisions relating to electrical contractors.

Electrical contractors who have an occupational or business license for work as an electrical contractor or master electrician issued by a political subdivision shall be eligible for a statewide license if the applicant meets certain requirements as set forth in the bill.

Any person operating as an electrical contractor with a local license in a political subdivision that requires a local license shall not be required to possess a statewide license to continue to operate in such political subdivision.

No political subdivision shall require the holder of a statewide license to obtain a local business or occupational license that requires the passing of any examination or any special requirements to assess proficiency or mastery of the electrical trades. The holder of a statewide license shall be deemed eligible to perform

such work from any political subdivision within the State of Missouri.

CCS HCS SS SB 870 -- EMERGENCY MEDICAL SERVICES

This bill modifies several provisions relating to emergency medical services.

MUTUAL AID REGION WITH KANSAS AND OKLAHOMA

The bill provides that all law enforcement officers in the law enforcement mutual aid region, defined in the bill, shall be permitted in critical incidents to respond to lawful requests for aid in any other jurisdiction in the law enforcement mutual aid region. The on-scene incident commander, as defined by the National Incident Management System, shall have the authority to make a request for assistance in a critical incident and shall be responsible for on-scene management until command authority is transferred to another person.

In the event that an officer makes an arrest or apprehension outside his or her home state, the offender shall be delivered to the first officer who is commissioned in the jurisdiction in which the arrest was made.

If the Director of the Missouri Department of Public Safety determines that the State of Kansas or the State of Oklahoma has enacted legislation or that the Governor of the respective state has issued an executive order or similar action that permits the state's border counties to enter into a similar mutual-aid agreement, then the director shall execute and deliver to persons specified in the bill a written certification of such determination. Upon execution and delivery of such certification, and the parties receiving the certification providing a unanimous written affirmation, the provisions of the agreement shall be effective unless otherwise provided by law (Section 44.098, RSMo).

EMERGENCY SERVICES DISTRICTS

Currently, the law provides that ambulance and fire protection districts are entitled to a reimbursement of between 50% and 100% of the amount of the district's tax increment deposited into the Special Allocation Fund of a tax increment financing district. This bill provides that ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rates prior to the time the assessment is paid into the fund. If the redevelopment plan, area, or project is amended, the ambulance or fire protection

district or the governing body of a county operating a 911 center providing emergency or dispatch services shall have the right to recalculate the reimbursement rate.

This bill requires plans for Chapter 100 industrial development projects to identify ambulance and fire protection districts that are impacted by such projects, and to include an analysis of the costs and benefits of such projects to such districts.

This bill also allows ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services to receive a reimbursement of between 50% and 100% of the amount of ad valorem property tax revenues the district or county would have received in the absence of a property tax abatement or exemption provided for under a Chapter 100 industrial development project. Ambulance and fire protection districts and the governing body of a county operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rate prior to the time the assessment is determined by the county assessor. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or county shall have the right to recalculate the reimbursement rate.

This bill also modifies the Urban Redevelopment Corporations Law by allowing ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services to receive a reimbursement of between 50% and 100% of the amount of ad valorem property tax revenues the district or county would have received in the absence of the property tax abatement or exemption provided for under current law. Ambulance and fire protection districts and the governing body of a county operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rate prior to the time the assessment is determined by the county assessor. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or the governing body of a county operating a 911 center providing emergency or dispatch services shall have the right to recalculate the reimbursement rate (Sections 99.848, 100.050, 100.059, and 335.110).

RETIREMENT PLAN BOARD MEMBER TRAINING

This bill changes the required number of hours for training for certain public employee retirement plan board members. New members shall complete an education program of at least six hours and board members who have served one or more years shall attend at least two hours annually of continuing education programs (Section 105.666).

SURVIVOR BENEFITS

This bill adds several professions, including air ambulance pilots, air ambulance registered professional nurses, air ambulance registered respiratory therapists, uniformed employees of the Office of the State Fire Marshal, and specified emergency medical technicians, and their children and spouses, to the list of those eligible to receive a public safety officer or employee survivor grant from the Coordinating Board for Higher Education within the Department of Higher Education. The bill also adds those professions to the list of those eligible to receive compensation under the Line of Duty Compensation Act (Sections 173.260 and 287.243).

CERTAIN DEFINITIONS

This bill changes the term "emergency medical technician intermediate" to "advanced emergency medical technician."

Additionally, the term "first responder" is replaced by "emergency medical responder."

Finally, the definition of "medical control" is modified to include both online and offline medical control (Sections 135.090, 190.094, 190.100, 190.103, 190.105, 190.131, 190.143, 190.196, 190.246, and 191.630).

EMS MEDICAL DIRECTORS

This bill requires the state EMS medical director to be elected by the members of the regional EMS medical director's advisory committee, to serve a four-year term, and to coordinate EMS services between the EMS regions, as well as to promote educational efforts for agency medical directors, represent Missouri EMS nationally, and incorporate the EMS system into Missouri's health care system (Section 190.103).

EMS TRAINING

This bill modifies education, training, and accreditation requirements for emergency medical technicians and paramedics. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review (Sections 190.131 and 190.142).

TREATMENT PROTOCOLS

Emergency medical technicians and paramedics shall only perform medical procedures as directed by treatment protocols approved by the regional medical director or as authorized through direct

communication with online medical control.

Emergency medical technician paramedics (EMT-Ps) who have completed certain training, received authorization, and whose ambulance service has adopted certain protocols may make a good faith determination that certain behavioral health patients must be placed in a temporary hold for transport to the nearest appropriate facility. Physical restraint of a patient shall be permitted only to provide for bystander, patient, or emergency personnel safety, as approved by local medical control, or in cooperation with onscene law enforcement. All incidents involving patient restraint shall be reviewed by the ambulance service physician medical director.

This bill also specifies that the EMT-Ps who have made such determinations shall no longer rely on the common law doctrine of implied consent and are not to be held civilly liable nor be considered to have waived certain specified defenses if employed by a government employer.

Any ambulance services adopting the authority and protocols under this bill shall have a memorandum of understanding with local law enforcement agencies to achieve a collaborative and coordinated response to patients displaying a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs (Sections 190.103 and 190.147).

DISCIPLINARY INVESTIGATIONS

Currently, licensed EMS providers who are the subjects of disciplinary investigations are instructed that they are not entitled to have holders of certain certificates, permits, or licenses present at an interview. This bill removes this prohibition against holders of certain certificates, permits, or licenses. Additionally, the bill provides that the Administrative Hearing Commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the Department of Health and Senior Services as to licensure disposition based on such evidence (Section 190.165).

EMS RECORDS

This bill provides that any information regarding the physical or mailing address, phone number, fax number, or email address of a licensed ambulance service or certified training entity shall not be considered confidential.

Nothing in this provision shall prohibit the Department of Health and Senior Services from releasing certain aggregate information in

accordance with state law (Section 190.173).

EMS PERSONNEL LICENSURE INTERSTATE COMPACT

This bill authorizes Missouri to become a member state of the "Recognition of EMS Personnel Licensure Interstate Compact" and to adopt the provisions of authorization as specified in the bill. The purpose of the compact is to facilitate the exchange of information between member states regarding EMS personnel licensure, adverse actions, and significant investigatory information. The State Advisory Council on Emergency Medical Services shall monitor the implementation of the compact and make recommendations regarding Missouri's participation in the compact. Applicants for initial licensure as an emergency medical technician submitted after the recognition of the compact shall submit to a background check as provided in the bill.

A home state's license authorizes an individual to practice in a remote state under the privilege to practice if the home state meets certain requirements, as set forth in the bill. In order to exercise the privilege to practice under the terms and provisions of the compact, an individual shall:

- (1) Be at least 18 years of age;
- (2) Possess a current unrestricted license in a member state as an emergency medical technician (EMT), advanced emergency medical technician (AEMT), paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and paramedic; and
- (3) Practice under the supervision of a medical director.

If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state until the individual's home state license is restored. Additionally, if an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

The circumstances under which an individual may practice in a remote state in the performance of emergency medical services are set forth in the bill, in conjunction with any rules created by the Interstate Commission for EMS Personnel Practice.

If a member state's governor declares a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), the terms of EMAC shall prevail over the terms or

provisions of the compact with respect to any individual practicing in a remote state in response to such declaration against an individual's license issued by the home state. A remote state may take adverse action on an individual's privilege to practice within the remote state.

The Interstate Commission for EMS Personnel Practice has powers as set forth in the bill, including the collection of an annual assessment from member states. Missouri shall not authorize an annual assessment greater than \$10,000 or an annual increase equal to the CPI-U. The commission shall meet at least once during each calendar year. The commission may hold closed meetings to discuss matters as specified in the bill.

The commission shall prescribe bylaws and rules to carry out the purposes and exercise the powers of the compact. The powers and duties of the commission are set forth in the bill.

Any member state may withdraw from the compact by enacting a statute repealing the same. A member state's withdrawal does not take effect until six months after enactment of the repealing statute (Sections 190.101, 190.142, and 190.900 to 190.939).

PHYSICAL RESTRAINTS USED ON PREGNANT OR POSTPARTUM OFFENDERS

Currently, a correctional center or city or county jail in a charter county or in St. Louis is prohibited from using restraints on a pregnant offender in her third trimester during transportation, medical appointments, labor, or 48 hours post delivery, unless extraordinary circumstances exist. Extraordinary circumstances occur when the offender is a substantial flight risk or restraints must be used to ensure the safety of the offender or others. When restraints are used, they must be the least restrictive and reasonable under the circumstances. Additionally, the corrections officer, sheriff, or jailer who determined that the restraints were necessary must document the incident within 48 hours. If a health care provider requests for restraints to not be used, then the corrections officer, sheriff, or jailer must remove all restraints.

The Sentencing and Corrections Oversight Commission and the Advisory Committee shall conduct biannual reviews of every report written on incidents where restraints were used by a corrections officer.

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The Sentencing and Corrections Oversight Commission and the Advisory Committee shall conduct biannual reviews of every report written on incidents where restraints were used by a corrections officer.

Correctional centers and city and county jails shall ensure that employees are trained on the use of restraints for pregnant and postpartum offenders. Furthermore, the facilities must inform female offenders of procedures regarding care and custody of pregnant offenders and place such procedures in a common place (Section 217.151).

CLOSURE OF CERTAIN RECORDS

This bill specifies that the portion of a record that is individually identifiable health information under the "Health Insurance Portability and Accountability Act" (HIPAA) may be closed records as provided under Sections 610.100 to 610.105, if maintained by fire departments and fire protection districts. However, fire departments and fire protection districts still must produce incident reports that contain certain information as defined in the open records laws, and those reports are open records (Section 320.086).

BLOOD WITHDRAWALS

This bill states that a hospital and certain medical personnel may withdraw blood from a person in custody for the purpose of determining the alcohol content if they have the consent of the patient or are provided with a warrant (Section 577.029).

PEER SUPPORT SPECIALISTS

This bill prohibits peer support specialists from disclosing any confidential communication properly entrusted to the counselor by

law enforcement and emergency personnel while receiving counseling (Section 590.1040).

HCS SB 871 -- COURT ADMINISTRATION

This bill modifies provisions relating to court administration.

PROTECTION ORDERS

Currently, a court may not grant an ex parte child protection order if a prior custody order is pending. This bill specifies that ex parte orders may be granted so long as no prior custody order involving the respondent and the child is pending (Section 455.513, RSMo).

COURT REPORTERS

Currently, for the preparation of all appellate transcripts of testimony or for proceedings in any circuit court, the court reporter shall receive \$3.50 per page. This bill repeals the specification that the court reporter is to receive only \$3.50 per page in all circuit court proceedings. Also, the bill repeals the provision specifying that the court reporter is to be reimbursed \$3.50 per legal page for the preparation of such transcripts (Section 478.625).

JUDGES

This bill adds an additional associate circuit judge to the 11th Judicial Circuit (St. Charles County) and an additional associate circuit judge in Cole County, both to be first elected in 2020 (Section 478.600).

CIRCUIT COURT CLERKS

The bill specifies that when a circuit court clerk is a party to a suit or action, the writ of summons and all other processes shall be issued by the clerk of the county commission. This shall not apply where the circuit court clerk is named as a party under sections relating to the expungement of criminal records (Section 483.075).

STATUTE OF LIMITATION

This bill provides that in a claim against a health care provider for damages for malpractice or negligence when the defendant is served after the statute of limitations has expired, if such service is not made within 180 days of filing the petition, the

court shall dismiss the action. Likewise, in an action for wrongful death when a defendant is served after the statute of limitations has expired and such service is not made within 180 days of the petition being filed, the court shall dismiss the action. In each case the dismissal shall be without prejudice, unless the plaintiff has previously taken or suffered a nonsuit, then the dismissal shall be with prejudice (Sections 516.105 and 537.100).

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CCS HCS SS SB 881 -- TRANSPORTATION

This bill changes transportation laws. In its main provisions, the bill:

(1) Greatly reduces the requirements for an annual report to the Joint Committee on Transportation Oversight and specifies that the department may provide existing publications to the committee (Section 21.795, RSMo);

(2) Defines the term "related facility" in order to facilitate the implementation of port authority economic development involving AIM zones (Section 68.075);

(3) Adds Franklin County to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan Development District (Section 70.370);

(4) Expands the term "contiguous and compact" as used in the annexation laws by providing that it includes a situation whereby the unincorporated area proposed to be annexed would be contiguous and compact to the existing corporate limits of the city, town, or village but for an intervening roadway or railroad right-of-way, regardless of whether any other city, town, or village has annexed the roadway or otherwise has an easement in the roadway. For an annexation to which an objection has been made, the municipality must demonstrate that the "shared" border is at least 15% of the total perimeter of the land to be annexed. How the "shared" border is determined given the intervening roadway or railroad right-of-way is specified (Sections 71.012 and 71.015);

(5) Allows taxation of reliever airport property as agricultural or horticultural land and prohibits increases in taxation based on commercial property valuation (Sections 137.010, 137.016, and 137.017);

(6) Allows the State Highways and Transportation Commission to comply with federal law by funding certain disability act requirements for rest stops and other highway infrastructure

(Sections 226.770 and 226.780);

(7) Allows the department to set the utility corridor at 12 feet in width when space is reasonably available. Existing law applies to any type of modifications within utility corridors, and the department is required to set standardized rules for issuing variances to utility corridor requirements (Section 227.240);

(8) Authorizes the formation of certain concession agreements using the public and private partnership model under Section 227.615, but requiring only agreements between a private party and the governing body of a political subdivision. Any sale of state or county assets is still subject to a vote of the people. Certain conditions for such public-private concession agreements are specified in the bill (Section 227.601);

(9) Exempts all types of autocycles, whether or not they have a specific type of roof, from the helmet requirements currently imposed on motorcycle riders under Section 304.005. It also defines autocycles in a separate manner from other vehicles such as motorcycles or motortricycles which have straddle seating and handlebars. Autocycles will be eligible for new registration classification under their own category for a fee of \$10 beginning August 28, 2018, but existing autocycle registrations will remain valid until their expiration date. Certain requirements involving record keeping, odometer readings, and other information will now apply to autocycles as they are now defined as a separate category of motor vehicle. Motorcycle and motortricycle registration will expire on June 30 of the requisite two-year period (Sections 301.010, 301.020, 301.055, 301.130, 301.350, and 304.005);

(10) Changes the definition of "local log truck" and "local log truck tractor" to allow the trucks to pull a trailer that has up to three axles. It also requires the return of specified temporary license plates to the Department of Revenue for destruction when new registration plates are issued. Temporary plates for commercial vehicles in excess of 24,000 lbs. are exempt. A sunset clause is removed under Section 301.140 (Sections 310.010 and 301.140);

(11) Allows veterans to receive extra sets of disabled veteran license plates if the same fees are paid (Sections 301.074 and 301.075);

(12) Extends the registration period for those who originally provided a physician statement as proof of a permanent disability to renew license plates or placards from four to eight years. The bill also requires any individual, group, organization or entity that becomes ineligible for disabled license plates or placards, as

specified in the bill, to surrender the disabled license plates or placards within 30 days (Section 301.142);

(13) Specifies that no additional fee will be charged for Congressional Medal of Honor license plates (Section 301.145);

(14) Clarifies that the biometric data, digital images, source documents, and licensee signatures required to be collected or retained to comply with the requirements of the federal REAL ID Act of 2005 shall be digitally retained for no longer than the minimum duration required (Section 302.170);

(15) Expands waiver of a driving test requirement to include a practical knowledge test requirement for purposes of a motorcycle license where one completes a specified civilian or military training course. The Department of Revenue may waive both driving skills tests and knowledge tests for a commercial driver's license based on specified military service within one year of an application. The department may retain documents related to the waiver of commercial license requirements by active duty or retired members of the military (Section 302.173);

(16) Allows certain urban Kansas City school boards to contract for transportation of high school students with other public entities as specified in the bill (Section 304.060);

(17) Allows the department to issue annual permits for certain small cranes that are similar in size to equipment already receiving such permits (Section 304.180);

(18) Prohibits specified commercial motor vehicle safety inspections on the shoulder of highways with posted speed limits in excess of 40 miles per hour except on entrance and exit areas where there is adequate room to safely perform such inspections (Section 304.232);

(19) Includes specified types of equipment along with the vehicles that are allowed to make use of emergency lighting (Section 307.175); and

(20) Authorizes the use of valid vehicle inspections, made by a dealer within 60 days of the purchase date, by the new car owner for purposes of registration or transfer so long as the application for registration or transfer is made 90 days or less from the date of the valid vehicle inspection (Sections 307.175 and 307.350).

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SS SB 882 -- EDUCATION SAVINGS PROGRAM

This bill changes the name of the Missouri Higher Education Savings Program to the Missouri Education Savings Program and modifies the program to allow Missouri 529 account holders to transfer money from such 529 account to a Missouri Achieving a Better Life Experience (ABLE) account while retaining tax exempt status on any money transferred.

In addition, the bill authorizes funds from a 529 account to be used at a designated elementary and secondary institution as a qualified education expense, allowing the taxpayer to receive a tax deduction for such expense and adds the Commissioner of Education to the Missouri Education Savings Program Board.

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CCS SB 884 -- TAXATION

This bill modifies several provisions relating to taxation.

RETAIL SALES LICENSES

Currently, the Director of Revenue requires all applicants for a retail sales license and all current licensees in default in filing a return and paying taxes due to file a bond with the director. This bill removes that requirement and instead allows the director of revenue, in his or her discretion, to require retail sales licensees in default to file the bond (Section 144.087, RSMo).

INDIVIDUAL INCOME TAXES

This bill specifies that when an income bracket is eliminated from the tax table, the top remaining tax rate shall apply to all income in excess of the second highest remaining income bracket.

This bill also creates a definition for "net general revenue collected," which includes all revenue deposited into the General Revenue Fund, less refunds and revenues originally deposited into the General Revenue Fund but designated by law for a specific distribution or transfer to another state fund (Section 143.011).

CORPORATE INCOME TAXES

For all tax years beginning on or after January 1, 2020, this bill reduces the corporate income tax rate from 6.25% to 4% (Section 143.071).

This bill removes the requirement that an affiliated group of corporations have 50% or more of its income derived from sources within this state in order to file a consolidated return, and eliminates transactions between affiliated members of the group

from such consolidated return (Section 143.431). For all tax years beginning on or after January 1, 2020, this bill modifies the Multistate Tax Compact by requiring corporations subject to income tax in this state to apportion and allocate income according to the income tax provisions provided in Chapter 143, and disallows the three-factor apportionment option available in the Multistate Tax Compact (Section 32.200). For all tax years beginning on or after January 1, 2020, this bill modifies the law relating to the allocation and apportionment of corporate income by requiring corporations to determine their income derived from sources within this state according to the provisions of this bill.

ALLOCABLE INCOME

Net rents and royalties from real property located in the state, and capital gains from the sale of such property, is allocable to the state. Net rents and royalties from tangible personal property are allocable to the state to the extent that the property is used in this state, or in their entirety if the corporation's commercial domicile is in this state and is not organized or taxable by the state in which the property is utilized, as described in the bill. Capital gains from the sale of tangible personal property is allocable to this state if the property had a situs in the state at the time of sale, or if the corporation's commercial domicile is in this state and is not organized or taxable by the state in which the property had a situs, as described in the bill. Interest and dividends are allocable to this state if the corporation's commercial domicile is in this state. Patent and copyright royalties are allocable to this state to the extent that the patent or copyright is utilized in this state, or to the extent that the patent or copyright is utilized in a state in which the corporation is not taxable and the corporation's commercial domicile is in this state.

APPORTIONABLE INCOME

All apportionable income shall be apportioned to this state by dividing the total receipts of the corporation in this state during the tax period by the total receipts of the corporation everywhere during the tax period, and multiplying such result by the net income.

Receipts from the sale of tangible personal property shall be considered in this state if the property is received in this state by the purchaser, as described in the bill. Receipts from all other sales shall be considered in this state if the corporation's market for such sales is in this state, as described in the bill.

In the case of certain industries where unusual factual situations

produce inequitable results under the apportionment and allocation provisions of this bill, the Director of the Department of Revenue shall promulgate rules for determining the apportionment and allocation factors for each such industry. In such a case, a corporation may petition the director, as described in the bill (Sections 143.451, 143.455, 143.471, and 620.1350).

This bill provides that the method of allocation and apportionment elected by a corporation shall expire after five years, or whenever the Director of the Department of Revenue finds and notifies such corporation that such method does not show the income applicable to this state, whichever occurs first. After such expiration or revocation, the corporation may elect to use the same or a different method. Failure to make such an election shall constitute an election to comply with the allocation and apportionment provisions provided by the bill (Section 143.461).

SB 891 -- BUY MISSOURI WEEK

This bill designates the week beginning the second Saturday in October as "Buy Missouri Week" to support the men and women who produce and sell goods made in Missouri.

CCS SCS SB 892 -- PUBLIC EMPLOYEE RETIREMENT SYSTEMS

This bill modifies provisions of public employee retirement plans.

PROSECUTING AND CIRCUIT ATTORNEYS RETIREMENT SYSTEM

This bill changes provisions regarding the retirement system for prosecuting and circuit attorneys.

When a county votes to make the Office of Prosecuting Attorney a full-time position then the position will qualify for the same retirement benefits as a full-time prosecutor of a first class county. Contributions to the Prosecuting Attorneys' and Circuit Attorneys' Retirement Fund (PACARS) will be paid the same as first class counties (Section 56.363, RSMo).

Beginning January 1, 2019, all members who are eligible to receive an annuity equal to 50% of the final average compensation upon retirement will contribute 2% of their salary to the fund, and beginning in the year 2020, such members shall contribute 4% of salary to the fund. Upon retirement and at the discretion of the board of trustees, a member can receive a lump sum of his or her total contribution not to exceed 25% of average pay, in addition to any retirement benefits (Section 56.807).

A person who becomes a member on or after January 1, 2019, may retire with a normal annuity with 12 or more years of service and reaching the age of 65. Upon termination of employment such member is entitled to a deferred normal annuity payable at age 60 (Section 56.814).

Currently, a former member who has forfeited creditable service may have the service restored again, in addition to requirements, by becoming an employee within 10 years of termination and contributing an amount to the retirement fund equal to any lump sum payment of contributions received upon termination of service (Section 56.833).

All members serving in a county that has elected to make the position of prosecuting attorney a full-time position shall receive one year of creditable vesting service for each year served as a part-time or full-time prosecuting attorney. However, a member serving as a part-time prosecuting attorney shall receive six-tenths of a year of creditable benefit service for each year served. Any member who has less than 12 years of creditable benefit service upon retirement shall receive a reduced full-time benefit.

A member who vested as a part-time prosecuting attorney and ceased being a member for more than six months before returning as a full-time prosecuting attorney shall be entitled only to part-time benefits, and any creditable service earned as a full-time prosecutor shall begin a new vesting period. A member cannot receive benefits while employed as a prosecuting attorney (Section 56.840).

LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

This bill will allow a metropolitan planning organization organized under 23 U.S.C. Section 134 and designated by the Governor to be considered a political subdivision of the state and allow them to be eligible for membership in the Missouri Local Government Employees' Retirement System (Section 70.227).

This bill allows employees of soil and water conservation districts to become members of the Missouri Local Government Employees' Retirement System upon a majority vote of the district's land representatives voting to disestablish the district.

Prior to the disestablishment of a soil and water conservation district, the district must pay off all outstanding indebtedness owed including moneys owed to any retirement plan for unfunded accrued liabilities of past and current employees (Section

278.157).

PUBLIC SCHOOL RETIREMENT SYSTEM OF KANSAS CITY

This bill modifies provisions relating to the Public School Retirement System of Kansas City.

The retirement system's funded ratio as of January 1st of the year preceeding the year of a proposed increase shall be at least 100% before adjusting for the effect of the proposed increase.

The member contribution rate for 2019 and subsequent periods shall be 9% of compensation unless a lower member contribution rate applies as set forth in the bill.

Currently, the actuary for the retirement system determines the rate of contribution payable by employers each year. For calendar year 2019, the employer contribution rate shall be 10.5%. From January 1, 2020, through June 30, 2021, the rate shall be 12%. For the 12-month period beginning July 1, 2021, and for each subsequent 12-month period beginning July 1 of each year, the employer contribution rate shall be determined as set forth in the bill.

The board of trustees shall certify to the employers the contribution rate to be effective for July 1, 2021, and for each following July 1st no later than six months prior to the date such rate is to be effective.

Starting January 1, 2019, each employer shall transfer its employer contributions to the retirement system promptly following the end of each payroll period at the time the employer transfers member contributions (Sections 169.291, 19.324, 169.350, and 169.360).

PUBLIC SCHOOL RETIREMENT SYSTEM

This bill allows any teachers retired from the Public School Retirement System of Missouri to be employed in a position covered under the Public Education Employee Retirement System (PEERS) without stopping their retirement benefit. Such teachers may earn up to 60% of the minimum teacher's salary as set forth in Section 163.172 and will not contribute to the retirement system or earn creditable service.

The employer's contribution rate will be paid by the hiring employer. If such person is employed in excess of these limitations, the person will not be eligible to receive their retirement allowance for any month the person is employed and such person shall contribute to the retirement system if he or she is in an eligible position (Section 169.560).

This bill requires the Department of Elementary and Secondary Education (DESE) to establish a "STEM Career Awareness Program" for middle school students (Section 161.261, RSMo).

The bill also requires DESE to develop a high school graduation policy that will allow a student to substitute a computer science course for any math, science, or practical arts unit required for high school graduation. DESE will convene a work group including representatives from elementary and secondary education, institutions of higher education, business, and industry. This work group will develop rigorous academic performance standards for the computer science courses. DESE shall develop a procedure for teachers to receive an endorsement on their teaching license if they demonstrate sufficient knowledge of computer science (Section 170.018).

The bill also requires DESE to handle career and technical student organization funds (Section 161.106).

The bill authorizes schools to rely on technical coursework and skills assessments developed for industry-recognized certificates and credentials when developing career and technical education pathways for their students (Section 162.1115).

The bill establishes the "Career Readiness Course Task Force" to study the possibility of offering a middle school career readiness course (Section 167.910).

The bill also requires the Career and Technical Education Advisory Council to annually recommend a list of industry certifications, state-issued professional licenses, and occupational competency assessments. A school district may use the list as a resource in establishing programs of study that meet their regional workforce needs (Section 170.028).

The bill provides that Missouri taxpayers who hire a STEM student attending a Missouri college for an internship in Missouri, or a STEM graduate from a Missouri college for a full-time STEM position in Missouri, may apply to have \$10,000 of state tax liability placed in the Missouri Science, Technology, Engineering and Mathematics (STEM) Fund, subject to appropriation by the General Assembly and approval by the Department of Higher Education. The cumulative amount of taxes transferred to the fund is capped at an annual total of \$200,000 (Section 173.670).

The bill also modifies the composition of the Career and Technical Education Advisory Council by adding the Director of the Department of Economic Development or his or her designee (Section 178.550).

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SS SCS SB 907 -- LAND CONVEYANCE

This bill authorizes the conveyance of certain state properties located in Jefferson City, Independence, St. Louis, Mack's Creek, Butler County, Ste. Genevieve County, and Cole County.

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HCS SCS SB 917 -- COAL COMBUSTION RESIDUAL

This bill repeals the current exemption from solid waste permitting requirements for coal combustion generation facilities in Kansas City.

This bill also authorizes the Department of Natural Resources to promulgate rules and approve site-specific target levels for the management, closure, and post-closure of coal combustion residual (CCR) units. The rules must be as protective as 40 CFR 257. The rules may allow for the use of risk-based decision making and establish target levels for soil and groundwater impacted by CCR constituents. The Missouri Risk-Based Corrective Action (MRBCA) rule and accompanying guidance may be used for establishing target levels for all CCR constituents to be left in place after closure and post-closure of a CCR unit.

The department must promulgate the rules by December 31, 2018, for CCR surface impoundments. The department is not authorized to promulgate rules requiring a construction or operating permit for CCR impoundment closure or corrective action, or post-closure ground water monitoring for certain CCR surface impoundments.

No later than December 31, 2018, the department must amend or promulgate rules applicable to utility waste and CCR landfills. The rules, including location restrictions and design standards cannot be more restrictive than federal regulations, with a few exceptions set out in the bill.

Until the department has an approved and effective state program, the department is authorized to issue guidance or enter into enforceable agreements with site owners or operators to establish risk-based target levels using the MRBCA.

As of January 1, 2019, the department must require each owner, operator, or permittee of a CCR unit to pay a one-time enrollment fee of \$62,000, provided that the CCR unit is not a utility waste

landfill, or \$48,000 per CCR unit, depending on when the CCR unit is closed, and an annual fee of \$15,000 per unit thereafter. The bill specifies requirements for the submittal of the fees.

All fees received under these provisions must be deposited into the "Coal Combustion Residuals Subaccount" of the Solid Waste Management Fund, and are dedicated solely to the department for conducting activities required by the bill.

The department may pursue penalties for failure to pay the required fees. However, the department shall not apply any standards that conflict with 40 CFR 257 to purchases of landfills adjoining municipal power stations prior to December 31, 2018, unless there is an imminent threat to human health and the environment.

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CCS HCS SB 951 -- HEALTH CARE

This bill modifies provisions relating to health care.

DIABETES AWARENESS MONTH

This bill establishes November as "Diabetes Awareness Month" (Section 9.158, RSMo).

SHOW-ME FREEDOM FROM OPIOID ADDICTION DECADE

This bill establishes 2018 to 2028 as the "Show-Me Freedom from Opioid Addiction Decade" (Section 9.192).

HEALTH CARE RECORDS

Currently, health care providers are required to provide, upon request, copies of patients' health history or treatment records. However, providers are allowed to charge a search and retrieval and copying fees for producing the records. This bill allows a provider to respond to such a request with a statement or record that no such health history or treatment records exist and to charge a fee for providing such a statement or record.

Additionally, the amount of the fees for the search, retrieval, and copying of health care records stated in the statute shall be the fees in effect on February 1, 2018, to be increased or decreased annually under this provision (Section 191.227).

TELEHEALTH

This bill repeals existing provisions of law relating to MO HealthNet telehealth, including provisions relating to MO HealthNet

reimbursement for asynchronous store-and-forward technology, MO HealthNet telehealth rules promulgation, originating sites, and the Telehealth Services Advisory Committee.

This bill requires the Department of Social Services to reimburse health care providers for telehealth services if such providers can ensure that the services are rendered with the same standard of care that would be provided in person. The department shall not restrict the originating site through rule or payment as long as the provider can ensure the services meet the requisite standard of care. No payment for telehealth services shall depend on a minimum distance requirement between the originating and distant sites. Reimbursement for asynchronous store-and-forward may be capped at the reimbursement rate for services provided in person. Prior to the provision of telehealth services provided in a school, the parent or guardian of a child shall provide the necessary authorization.

Additionally, this bill specifies that a health carrier shall not be prohibited from reimbursing non-clinical staff for services provided through telehealth if otherwise allowable by law (Sections 191.1145, 208.670, 208.671, 208.673, 208.675, and 208.677).

DISPOSAL OF UNUSED CONTROLLED SUBSTANCES

Under this bill, a Drug Enforcement Agency-authorized collector, in accordance with federal regulations, may accept unused controlled substances even if the authorized collector did not originally dispense the drug. Unused controlled substances may be collected from ultimate users, from hospice or home health care providers on behalf of ultimate users, or from any person lawfully entitled to dispose of the ultimate users' property if the ultimate user died. The unused controlled substances can be collected via collection receptacles, drug disposal boxes, mail back packages, or drug take back programs. This provision shall supersede and preempt any local drug disposal ordinance or regulation to the extent it is in compliance with federal law.

Additionally, the Department of Health and Senior Services shall develop an education and awareness program regarding drug disposal, including the development of a web-based resource and promotional activities (Sections 195.070 and 195.265).

HOSPITAL REGULATIONS

Under this bill, an applicant or holder of a hospital license may define or revise the premises of a hospital campus to include property adjacent to the campus but for a single intersection.

Additionally, hospital licensure regulations may incorporate by reference Medicare conditions of participation (Sections 197.052 and 577.029).

LONG-TERM CARE CERTIFICATES OF NEED

This bill changes the definition of "new institutional health service," as it applies to changes in licensed bed capacity, to apply only to long-term care facilities. Currently, a health care facility seeking to increase its total number of beds by 10 or less or 10% or less of its total bed capacity over a two-year period may be eligible for a non-applicability review under the certificate of need program. Under this bill, a long-term care facility shall only be eligible for a non-applicability review if the facility has had no patient care class I deficiencies within the last 18 months and has maintained at least an 85% average occupancy rate for the previous six quarters (Section 197.305).

DEPARTMENT OF MENTAL HEALTH CONTRACTS

Currently, the law permits the Department of Social Services to enter into contracts with an entity for the provision of the medical insurance information of certain persons applying for or receiving MO HealthNet benefits. Such information is limited to those insurance benefits that could have been claimed and paid by an insurance policy or are otherwise covered by MO HealthNet. Under this bill, the Department of Mental Health may enter into such contracts for the medical insurance information of persons receiving Department of Mental Health services (Section 208.217).

NEWBORN EYE DROPS

This bill modifies existing law regarding the administration of prophylactic eye drops to newborns after delivery by repealing the requirement that the administration of eye drops be reported within 48 hours to the local board of health or county physician. This bill also creates an exemption to the requirement to administer the eye drops if a parent or legal guardian objects (Section 210.070).

ASSISTANT PHYSICIANS

This bill changes the examination requirement for an assistant physician to require that an assistant physician complete Step 2 instead of Step 1 and Step 2, of the United States Medical Licensing Examination within a three-year period before applying for licensure, but in no event more than three years after graduation from a medical college. This bill repeals the requirement that an assistant physician has to enter into a collaborative practice agreement within six months of initial

licensure.

An assistant physician licensure fee cannot be more than the licensure fee for a physician assistant. No rules can require an assistant physician to complete more hours of continuing medical education than a licensed physician. A health carrier or health benefit plan shall reimburse an assistant physician on the same basis that it covers a service when it is provided by another comparable mid-level provider.

No rule or regulation shall require the collaborating physician to review more than 10% of the assistant physician's patient charts or records during the one-month period that the physician is continuously present while the assistant physician is practicing medicine.

An assistant physician may prescribe buprenorphine for up to a 30-day supply without refill in certain circumstances. An assistant physician who is providing opioid addiction treatment may receive a certificate of prescriptive authority without having completed 120 hours of practice in a four-month period with a collaborating physician.

However nothing in these provisions shall limit the authority of hospitals or hospital medical staff to make employment or medical staff credentialing or privileging decisions (Sections 334.036 and 334.037).

COLLABORATIVE PRACTICE AND SUPERVISORY AGREEMENTS

Currently, the law authorizes physicians to enter into a collaborative practice agreement with up to three advanced practice registered nurses (APRN) and up three assistant physicians, and a supervising agreement with up to three licensed physician assistants. This bill authorizes physicians to enter into a total of six collaborative practice agreement or supervising agreements with APRNs, assistant physicians, or licensed physician assistants, in any combination thereof. However, the bill clarifies that the limitation on collaborative practice agreements shall not apply to the supervision of certified registered nurse anesthetists in the provision of anesthesia services under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.

Currently, the law also states that a physician and a physician assistant in a supervisory agreement shall practice no further than 50 miles by road from each other. This bill repeals the 50-mile limitation and states that the physician assistant shall practice within a geographic proximity to be determined by the Board of

Registration for the Healing Arts. No supervision requirements in addition to the minimum federal law shall be required for a physician-physician assistant team working in a certified community behavioral health clinic or a federally qualified health center.

Under this bill APRNs and physician assistants may prescribe buprenorphine for up to a 30-day supply without refill in certain circumstances (Sections 334.037, 334.104, 334.735, and 334.747).

PSYCHOLOGISTS

This bill provides that a doctoral degree in psychology from a program accredited, or provisionally accredited, by the Psychological Clinical Science Accreditation System is acceptable to meet various requirements for licensure as a psychologist if the degree program meets certain requirements as set forth in the bill (Sections 337.025, 337.029, and 337.033).

PATIENT SATISFACTION SCORES

Under this bill, the Director of the Department of Insurance, Financial Institutions and Professional Registration shall not require patient scoring of pain control in defining data standards for quality of care and patient satisfaction. Beginning August 28, 2018, the director shall discontinue the use of patient satisfaction scores and shall not make them available to the public to the extent allowable by federal law (Section 374.426).

HEALTH INSURANCE COVERAGE

The bill requires every insurance company and health service corporation to offer, in all health insurance policies, coverage for medication-assisted treatment for substance use disorders (Sections 376.811 and 376.1550).

Additionally, this bill repeals the exclusion of chemical dependency from the definition of "mental health condition" in relation to mental health insurance coverage.

BLOOD DRAWS BY CERTAIN MEDICAL PROFESSIONALS

This bill requires a licensed physician, registered nurse, phlebotomist, or trained medical technician to draw blood at the request of a law enforcement officer to determine the alcohol content of the blood of a person in custody but only if such medical personnel has the consent of the patient or a warrant and the medical personnel does not believe it would endanger the life or health of the person in custody (Section 577.029).

IMPROVED ACCESS TO TREATMENT FOR OPIOID ADDICTION ACT

This bill establishes the "Improved Access to Treatment for Opioid Addictions Program" to disseminate information and best practices regarding opioid addiction and to facilitate collaborations to better treat and prevent opioid addiction in Missouri, as specified in the bill. The program shall facilitate collaborations between health care providers and provide resources to providers.

This bill also specifies that assistant physicians who participate in the program shall complete the necessary requirements to prescribe buprenorphine within 30 days of joining. The program may develop curriculum and benchmark examinations on the subject of opioid addiction and treatment. A remote collaborating physician working with an on-site assistant physician shall be considered on-site for the purposes of the program. Additionally, an assistant physician collaborating with a physician who is waiver-certified for the use of buprenorphine may participate in the program in any area of the state and provide all services and functions of an assistant physician and other duties as specified in the bill.

Under this bill, when an overdose survivor arrives in an emergency department, the assistant physician serving as a recovery coach or another properly trained coach shall meet with the survivor and provide treatment options and support (Section 630.875).

MENTAL HEALTH PROFESSIONALS

The bill adds psychiatric physician assistants, psychiatric advanced practice registered nurses, and psychiatric assistant physicians to the definition of mental health professionals for the purposes of provisions of law relating to alcohol and drug abuse and comprehensive psychiatric services and adds a definition for each term (Section 632.005).

SB 954 -- EXPUNGEMENT OF CONVICTIONS FOR UNLAWFUL USE OF A WEAPON

This bill allows individuals found guilty, prior to January 1, 2017, of the offense of unlawful use of a weapon based on the carrying of a concealed weapon without a concealed carry permit to apply for an order to expunge records relating to the offense.

SB 981 -- WORKERS' COMPENSATION

This bill requires the Division of Workers' Compensation to publish on its website the notice prepared, as required by law, concerning specific information about the workers' compensation system. A

carrier may provide the notice to an insured in electronic format by directing the insured to the notice available on the division's website.

This bill also specifies that any group of political subdivisions qualified to self-insure their workers' compensation liability may choose either the average rate classification method or the filed rate method. The group may only change the method used once without the consent of the Director of the Division of Workers' Compensation.

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SS SB 982 -- PAYMENTS FOR HEALTH CARE SERVICES

This bill modifies provisions relating to payments for health care services.

FEE REQUIREMENTS FOR INSURANCE COMPANIES

This bill modifies the fee requirements for every individual or entity making a filing with the Department of Insurance, Financial Institutions and Professional Registration. These fees will be deposited in the State Treasury to the credit of the Insurance Dedicated Fund (Sections 354.150, 354.495, 374.150, and 374.230, RSMo).

ACCREDITATION ASSOCIATION FOR AMBULATORY HEALTH CARE

This bill provides that the Director of the Department of Insurance, Financial Institutions and Professional Registration shall determine that a managed care plan's network is adequate if the managed care plan is being offered by a health carrier accredited by the Accreditation Association for Ambulatory Health Care (Section 354.603).

DIRECT PAYMENT FOR AUTHORIZED SERVICES

This bill provides that when a health benefit plan does not provide for payment to out-of-network providers for all or most services that are covered if provided in-network, including HMO plans and exclusive provider organization (EPO) plans, payment for all services shall be made directly to the health care providers when the health carrier has authorized for such services to be received from an out-of-network provider (Section 376.427).

UNANTICIPATED OUT-OF-NETWORK CARE

The bill specifies that health care professionals shall send any U.S. Centers of Medicare and Medicaid Services Form 1500, or its

successor form, for charges incurred for unanticipated out-of-network care to the patient's health carrier within 45 processing days. Health carriers shall pay health care professionals a reasonable rate for unanticipated out-of-network care; if the health care professional participates in the health carrier's commercial networks, the offer of reimbursement shall be the amount from the network with the highest reimbursement rate.

The bill requires carriers and health care professionals to negotiate within 60 days, in good faith to determine a reimbursement amount. If the health care professional declines the carrier's initial offer, the bill provides for disputes to be resolved through a binding arbitration process as outlined, and prohibits health care professionals from billing patients for any difference between the payment received and the payment that would have been received based on the rate charged by that professional.

When unanticipated out-of-network care is provided, the health care professional may bill the patient for no more than the cost-sharing requirements as described. The in-network deductible and out-of-pocket maximum, cost sharing requirements shall apply to the claim for the unanticipated out-of-network care.

The Director of the Department of Insurance, Financial Institutions, and Professional Registration shall randomly select an arbitrator from the department's approved list and provide for a binding arbitration process when a health care professional and health carrier cannot agree to a reasonable reimbursement rate. The arbitrator shall determine a reimbursement rate between 120% of the Medicare allowed amount and the 70th percentile of the usual and customary rate based on benchmarks from independent nonprofit organizations that are not affiliated with insurance carriers or provider organizations.

The bill specifies information that the arbitrator shall consider certain information in rendering his or her decision, requires the parties to execute a nondisclosure agreement prior to the arbitration, and specifies that the parties shall share the arbitration costs equally.

This bill requires any health carrier engaged in the act of contracting with providers for the delivery of dental services, or in the act of selling or assigning dental network plans, to update their electronic and paper provider materials made available to plan members or other potential plan members upon receiving written notice of changes by providers.

The Department of Insurance, Financial Institutions, and Professional Registration shall consider violations of the bill

when conducting a market conduct examination (Section 376.690). These provisions shall take effect on January 1, 2019.

ELECTRONIC AND PAPER DENTAL SERVICES PROVIDER MATERIALS

This bill requires any health carrier engaged in the act of contracting with providers for the delivery of dental services, or in the act of selling or assigning dental network plans, to update their electronic and paper provided materials made available to plan members or other potential plan members upon receiving written notice of changes by providers.

The Department of Insurance, Financial Institutions and Professional Registration shall consider violations when conducting a market conduct examination (Section 376.1065).

EMERGENCY MEDICAL CONDITIONS

This bill specifies that whether an ailment is considered an "emergency medical condition" depends on the person having sufficiently severe symptoms, regardless of what final diagnosis is given (Section 376.1350(12)).

This bill specifies that necessity of emergency services to screen and stabilize a patient shall be determined by the treating health care provider (Section 376.1367(1)).

Before a health carrier denies payment for an emergency service based on the lack of an emergency medical condition, it shall review the enrollee's medical records regarding the emergency condition at issue. If a health carrier requests records for a potential denial, the provider shall submit the record to the carrier within 45 days or the claim shall be subject to the prompt payment insurance law. The carrier's review of the records shall be completed by a board certified physician licensed to practice in the state (Section 376.1367(3)).

The bill increases, from 30 minutes to 60 minutes, the amount of time health carriers have to provide authorization decisions for immediate post evaluation or post stabilization services before the services are deemed approved (Section 376.1367(4)).

When a patient's health benefit plan does not provide for payment to out-of-network healthcare providers for emergency services, including but not limited to HMO and EPO plans, payment for all emergency services necessary to screen and stabilize the enrollee shall be paid directly to the health care provider by the health carrier. Any service authorized by the health carrier for the enrollee once the enrollee is stabilized shall also be paid by the

health carrier directly to the provider (Section 376.1367(5)).

ELECTRONIC NOTIFICATION OF PORTABLE ELECTRONICS INSURANCE INFORMATION

This bill requires that an agreement to receive notices and correspondence by electronic means for portable electronics insurance information be done in accordance with Section 432.220 regarding the Uniform Electronic Transactions Act.

SCS SB 990 -- COMMUNITY COLLEGE DISTRICTS

Currently, a school district may initiate an election for the voters of the district to decide whether to attach the district to a community college district. This bill permits a community college to initiate the election and pay its costs. The bill provides that the community college's board of trustees may call an election on a plan to attach the school district to the community college district and levy the community college district's tax levy.

SCS SBs 999 & 1000 -- HIGHWAY DESIGNATION

This bill designates the portion of Interstate 70 from Rangeline Street continuing west to Business Loop 70 in Boone County as the "Highway Patrol Sgt. Benjamin Booth Memorial Highway" and the portion of Interstate 70 from the eastern edge of the intersection of U.S. Highway 63 and Interstate 70 continuing west to Rangeline Street in Boone County as the "Sheriff Roger I. Wilson Memorial Highway."

SCS SB 1007 -- STATE PERSONNEL LAW

This bill modifies and repeals several provisions relating to the State Personnel Law, commonly referred to as the merit system.

AT-WILL EMPLOYMENT OF STATE EMPLOYEES

The bill provides that employees of the state not subject to the merit system shall be considered at-will employees and can be fired for no reason or any reason not prohibited by law (Section 36.025, RSMo).

APPLICABILITY OF STATE PERSONNEL LAW

Currently, with the exception of attorneys, all offices, positions,

and employees within numerous state departments and agencies are subject to the merit system. This bill modifies the merit system so that it only applies to employees in eleemosynary or penal institutions and employees in agencies that are required to maintain merit standards by federal law or regulations for grant-in-aid programs (Sections 36.030, 207.085, 621.075, and 630.167).

LIMITED APPLICABILITY OF MERIT SYSTEM

Currently, the provisions of the merit system relating to classification plans apply to certain executive branch departments and agencies. This bill extends the requirement to include provisions relating to pay plans and determination of eligibility for examinations for appointments to positions as well. The bill further explicitly exempts the Department of Higher Education and the Department of Elementary and Secondary Education from these requirements (Section 36.031).

POWERS AND RESPONSIBILITIES OF THE DIRECTOR OF PERSONNEL AND THE PERSONNEL ADVISORY BOARD

Currently, the Personnel Advisory Board (PAB) is required to submit annual reports to the Governor and the General Assembly regarding personnel administration. The reports are used to evaluate the effectiveness of the Personnel Division within the Office of Administration and each appointing authority. This bill permits, rather than requires, the report to contain the evaluation of effectiveness.

The bill only permits the PAB to promulgate rules that are consistent with this bill for the procedures for merit selection, uniform classification and pay, and covered appeals.

This bill permits the sitting Director of the Division of Personnel to assist the PAB with the search process for a new director. Furthermore, resources of the division may be used in the course of the search process.

Currently, the director may be removed by the PAB only for just cause after he or she has been given a notice with substantial detail of the charges before the PAB. This bill allows the PAB to remove the director for any reason.

Currently, the director has duties relating to establishing training programs, recruiting programs, performance appraisals, maintaining rosters of all merit employees and officers, and appointing experts and assistants to execute these provisions as specified in the bill. This bill makes these duties discretionary (Sections 36.040 to 36.090 and 36.510).

CLASSIFICATION OF POSITIONS

Currently, the director may group management positions with similar levels of responsibility or expertise into broad classification bands. This bill modifies that provision to permit grouping of all positions with similar levels of responsibility into broad classification bands.

This bill repeals the provision that specifies that the director is required to conduct initial and ongoing reviews of the number of classifications in each division of service.

This bill also repeals the provision that states that an employee who has been reallocated to a different class of employees may be required by the director to achieve a satisfactory grade on a noncompetitive test of fitness for the class to which they have been reallocated.

The provisions relating to classification shall apply to merit-based positions as well as positions in the non-exempt executive branch departments and agencies (Sections 36.100 to 36.130).

PAY PLANS

This bill requires sufficient notice to be given prior to a public hearing in which the director recommends to the PAB a pay plan for all classes of employees. The pay plan may provide for the use of open, or stepless, pay ranges.

This provision applies to merit-based positions as well as positions in the non-exempt executive branch departments and agencies (Section 36.140).

SELECTION OF EMPLOYEES

The bill provides that no selection, appointment, or promotion to a merit-based position shall be made on the basis of unlawful discrimination but removes the existing language preventing favoritism, prejudice, or discrimination that is not based on a protected class. The bill specifies that these requirements no longer apply to the demotion or dismissal of an employee.

The bill repeals the provision that specifies that any regulations promulgated shall provide a remedy that is required by federal merit system standards for grant-in-aid programs.

The bill repeals several current procedures for evaluating qualifications and examinations of applicants for merit-based

positions. This bill specifies that the standards of education or experience expected for merit-based positions shall be established on the basis of knowledge, skills, and abilities. The director or the respective appointing authority may conduct examinations to determine eligibility for positions. All examinations conducted under these provisions shall be accessible to persons with disabilities.

This bill requires appropriate public notice be given sufficiently in advance for each open class or position to give a reasonable opportunity for qualified persons to apply. Furthermore, the methods for evaluating the qualifications for each applicant for a merit-based position will be determined by the appointing authority of the respective officer or agency making the appointment to the position (Sections 36.150 to 36.200).

PREFERENCES

The bill changes the way in which the preference in appointments to merit-based positions be given to veterans, the surviving spouses of veterans, disabled veterans, and the spouses of disabled veterans. It also changes the way the preference in appointments is also given to anyone who was previously employed by the state but terminated such employment to care for young children (Sections 36.220 and 36.225).

VACANCIES IN MERIT-BASED POSITIONS

This bill modifies the process for filling vacancies in merit-based positions (Section 36.240).

PROBATIONARY PERIODS

This bill repeals the provisions that stipulate that no employee shall be paid for work performed after the expiration of the employee's probationary period unless the appointing authority has notified the director and the employee that the employee will be given a regular appointment or, if applicable, the probationary period has been extended.

The bill repeals a provision limiting the number of employees that can be removed successively from the same position during probationary period. Furthermore, a provision is repealed permitting an employee removed from a position during a probationary period to be restored to the register from which he or she was certified (Section 36.250).

TRANSFER, PROMOTION, AND DEMOTION OF EMPLOYEES

This bill repeals provisions regarding the transfer of employees because of layoff, or shortage of work or funds which might require a layoff.

Written notice is required to be given to the director upon making a transfer.

This bill repeals a provision requiring the promotion of an employee from one position to another position of a higher rank to be done through the certification process as stipulated in the merit system.

The bill repeals a provision entitling employees who have been demoted to a right of appeal to the Administrative Hearing Commission (Section 36.280).

PROMOTIONAL REGISTER

Currently, the director is required to maintain promotional registers of eligible applicants for the various locations or divisions of service with merit-based positions. This bill specifies that the director may maintain promotional registers. The bill repeals a provision requiring registers to rank eligible applicants in the order of their ratings.

Currently, the time period during which a register shall remain in force varies between one and three years. This bill gives discretion to the director to determine the length of time that best meets the needs of the service. Furthermore, the method for establishing, replenishing, and canceling such a register is permitted, rather than required, to be determined by regulation (Section 36.320).

SERVICE REPORTS

This bill makes the establishment of a system of service reports optional, rather than mandatory, on the part of the joint effort of the director and the appointing authorities (Section 36.340).

DISMISSAL OF EMPLOYEES AND SUBSEQUENT APPEALS

The bill changes this section of current law to apply only to employees required by federal law to be on a merit basis. Other employees can be fired for any reason not just for cause or when it is determined that it is in the interests of efficient administration and are not entitled to a written statement setting forth the reason for their termination.

The bill repeals a provision permitting the director to approve re-employment of an employee if it is determined that the statement of reasons for the dismissal given by the appointing authority shows that such dismissal does not reflect discredit on the character or conduct of the employee.

Currently, the results of examinations and notifications of decisions on employment are required to be sent via mail to applicants. This bill permits such notices to be sent by any means to applicants for merit-based positions only.

The bill limits the right of appeal for a dismissal, involuntary demotion, or suspension to regular employees employed in a position in an agency that is required to maintain personnel standards on a merit basis by federal law or regulations for grant-in-aid programs (Sections 36.380 and 36.390).

COMMISSIONER OF ADMINISTRATION

Currently, the director and the Division of Personnel shall perform all duties as directed by the Commissioner of Administration with regard to personnel work in state departments and agencies not covered by the merit system. This bill modifies that so that it applies to all personnel work in state departments and agencies, regardless of whether the employees are covered by the merit system (Section 37.010).

WHISTLEBLOWER PROTECTION - STATE EMPLOYEES

Currently, state employees are permitted to disclose information which relates to the violation of law, mismanagement, or waste of funds within a state agency without fear of disciplinary action being taken for such disclosure. This bill modifies that provision to apply to all public employees and broadens the scope of entities that a public employee can discuss information with to include prosecuting and circuit attorneys, law enforcement agencies, news media, and the public.

The bill expands the scope of information that can be disclosed by employees to include any violation of policy, waste of public resources, alteration of technical findings or communication of scientific opinion, and breaches of professional ethical canons. Furthermore, no public employee can be prevented from testifying before a court, administrative body, or legislative body regarding any such disclosure.

Currently, any administrative appeal filed by a state employee alleging that disciplinary action was taken against them in

violation of these provisions must be filed within 30 days of the disciplinary action. Currently, such employees may bring a civil action in court within 90 days of the alleged violation. This bill extends both of those time limits to one year and further allows any person commencing such an action to demand a jury trial.

Currently, the standard for determining whether a state employee was unlawfully disciplined under the state whistleblower protection law is whether the disciplinary action was "unreasonable." This bill repeals the term "unreasonable" and instead requires the disciplinary action to have been taken for any reason that violates the state employee whistleblower law.

In a civil action brought under this bill, the public employer shall bear the burden of demonstrating that the disciplinary action taken against the employee was not the result of the employee reporting alleged misconduct.

If the misconduct alleged by a public employee involves the receipt and expenditure of public funds, the employee may request an investigation by the State Auditor.

Any person who obtains a claim or final judgment for a payment to be made out of the state legal expense fund shall not be offered or required to sign any confidentiality agreement stating that he or she will not discuss his or her claim or final judgment or stating that if he or she does discuss such claim or final judgment, he or she will waive any right to moneys from the state legal expense fund (Section 105.055).

MISCELLANEOUS

The bill repeals provisions allowing for provisional and emergency appointments to merit-based positions as well as layoff, stipulating how vacancies in a merit-based position should be filled, and entitling merit-based employees to a service letter upon being discharged or voluntarily quitting such position.

The bill repeals obsolete provisions relating to the PAB and Director of Division of Personnel of Office of Administration.