

Truly Agreed Summaries

SCS HB 1330 -- CONVEYANCE OF STATE PROPERTY

This bill authorizes the Governor to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest in specific Missouri properties, described in the bill, located in: Cole County; the City of Fulton, Callaway County; St. Francois County; Ste. Genevieve County; and the City of Moberly, Randolph County.

The bill also authorizes the Governor to sell, transfer, grant, or convey an easement over, on, or under Missouri properties, described in the bill, located in Cole County and St. Francois County

There is an emergency clause for the conveyances in St. Francois County.

HB 1386 -- LOBBYISTS

This bill modifies the definition of "legislative lobbyist" for purposes of lobbying laws to exclude legislative liaisons. In these provisions "legislative liaison" is defined as any state employee hired to communicate with members of the General Assembly on behalf of any elected official of the state; the judicial branch of state government; or any department, agency, board, or commission of the state, provided such entity is a part of the executive branch of state government. Any state employee employed as a legislative liaison who performs lobbying services for any other entity shall register as a lobbyist with respect to such lobbying services.

HCS HBs 1387 & 1482 -- ELECTRONIC MONITORING

This bill establishes the "Authorized Electronic Monitoring in Long-Term Care Facilities Act", which specifies the parameters of electronic monitoring by residents of long-term care facilities. Any electronic monitoring device must be owned and operated by the resident or the resident's legal guardian(Sections 198.610 and 198.612, RSMo).

The bill describes unauthorized monitoring and prohibits the

facility and the Department of Health and Senior Services from being civilly or criminally liable for such monitoring (Section 198.614).

This bill requires the department to promulgate rules that prescribe a form to be completed and signed by every resident that explains the liabilities and rights for residents who place covert or authorized electronic monitoring devices, and the procedures to request authorized monitoring (Section 198.616).

The bill also describes who may consent to electronic monitoring and how that monitoring shall be requested, including the form, with the consent of any other residents in the room and the conditions of their consent (Sections 198.620 and 198.618).

This bill requires the facility and any resident conducting electronic monitoring to post a conspicuous sign indicating that rooms, or the room of the resident is being monitored. It also states that facilities must accommodate requests for monitoring and shall not refuse to admit an individual that requests electronic monitoring. For purposes of abuse and neglect, the bill outlines time lines and reporting requirements for people who might view footage on behalf of a resident and specifies when a video recording may be used as evidence. Finally, the bill specifies when the department may sanction facilities or their administrators who violate these provisions (Sections 198.622 to 198.628).

The bill also makes it a class B misdemeanor to intentionally hamper, obstruct, tamper with, or destroy devices installed or data collected under these provisions, or to conduct unauthorized monitoring after a written warning to cease and desist from that conduct (Section 198.632).

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SS SCS HCS HB 1414 -- PROTECTION OF CHILDREN

This bill modifies several provisions relating to child protection.
HOMELESS YOUTH (Sections 193.265, 208.151, and 431.056)

A homeless child or youth or an unaccompanied youth, or their parent or guardian, shall not be charged a fee for copies of birth records for the child or youth. An unaccompanied youth shall not be required to have the consent or signature of his or her parent or guardian for a copy of his or her own birth record. Only one birth certificate under this provision shall be provided at no cost and additional certificates shall be provided upon payment of the statutory fee.

Any homeless child or homeless youth shall be eligible for MO HealthNet benefits, subject to federal approval of a state plan amendment.

A minor's ability to contract shall include obtaining mental health services if he or she meets certain qualifications specified in current law. Status as an unaccompanied youth may be demonstrated by a letter verifying the minor is an unaccompanied youth signed by:

- (1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless persons;
- (2) A local education agency liaison for homeless children or youth designated under federal law or a school social worker or counselor; or
- (3) A licensed attorney representing the minor in any legal matter.

Any entity or licensed provider who contracts with a minor under this bill shall be immune from any civil or criminal liability based on the entity's or provider's determination to contract with the minor, unless the entity's or provider's determination is the result of the entity's or provider's negligence or willful or wanton acts or omissions.

PROTECTION OF FOSTER CHILDREN (Sections 210.145, 210.566, and 211.135, RSMo)

This bill requires Children's Division within the Department of Social Services to complete a standard risk assessment within 72 hours of a report of abuse or neglect as part of its structured decision-making protocols for responding to abuse and neglect. The Division and the Office of the State Court Administrator shall develop a joint safety assessment tool before December 31, 2020 to replace the current risk assessment. The safety assessment tool must be implemented before January 1, 2022.

The bill also prohibits the Division from requiring foster parents to conduct or be present for supervised visits with a child in their care and states that the court shall only require a child to appear in court if necessary for making a decision and after considering all of the information provided by the Division and family support team and the appropriateness of the courtroom environment and the hardship to the child and current guardians. However, the bill also clarifies that according to the foster care

bill of rights, a child maintains a right to attend any hearing.

CHILD CARE FACILITY DEFINITIONS AND BACKGROUND CHECKS (Sections 210.025, 210.201, 210.211, 210.221, 210.252, 210.254, and 210.1080)

This bill provides new definitions of "child care", "child care facility", and "child care provider". Specifically, this bill defines "child care" for the purpose of child care facility licensure as the care of a child away from his or her own home for any part of the 24-hour day for compensation or otherwise. "Child care" is a voluntary supplement to parental responsibility for the child's protection, development, and supervision. A "child-care facility" shall be a house or other place conducted or maintained by any person who advertises or holds himself or herself out as providing child care for more than six children or for more than three children under two years of age, for any part of the 24-hour day, for compensation or otherwise.

It also provides definitions for "Montessori school", "neighborhood youth development program", "nursery school", "person", "school system", and "summer camp" and clarifies other conditions and requirements related to defining what entities need to be licensed to provide child care. This bill removes the requirement to renew licenses every two years and updates the requirements for background checks to agree with the change in raising the age for certification as an adult in the commission of a crime to age 18, updates the list of crimes that makes a person ineligible to be a child care provider, and clarifies the procedures and designated department to oversee the background check process for licensed, licensed-exempt, and unlicensed facilities.

The bill also updates the appeal process for a person denied a license based on the results of a background check.

CHILD PROTECTION FOR MILITARY FAMILIES (Sections 210.109 and 210.150)

This bill requires the Children's Division within the Department of Social Services upon receipt of a report of child abuse to attempt to ascertain whether or not the suspected perpetrator or any person responsible for the care, custody, and control of the child is a member of the military, and the Children's Division must report its findings to the most relevant program authorized by the Department of Defense or the most relevant person authorized by the Department of Defense.

FOSTER CARE REFORM (Sections 210.112, 210.123, 210.135, and 453.121)

These provisions elaborate on the principles guiding the child protection system to prioritize home and community-based services and support and successful outcomes. To that end, it requires creation of a response and evaluation team that will review and evaluate the practice of the Division and any contractors. This system will be used to support contract development, placement and referrals, and enhanced payments.

The bill creates "temporary alternative placement agreements" that allow voluntary placement of a child with a relative in cases where a parent is temporarily unable to care for a child, but removal from the home, through court action is not appropriate.

This bill establishes protections from civil liability for employees of state-funded child assessment centers.

Any adult whose parents have had their parental rights terminated through a nonconsensual termination of parental rights proceeding shall have access to their complete records, including all identifying information.

FOSTER PARENT RIGHTS (Sections 210.566 and 211.171)

The bill modifies the "Foster Parents' Bill of Rights" to require the Children's Division and its contractors to provide written notification of these rights at the time the child is placed with a prospective foster parent, even if the parent has yet to be licensed as a foster parent. Additionally, the Division and its contractors shall provide full access to the child's medical, psychological, and psychiatric records, including records prior to the child coming into care, at the time the child is placed with a foster parent. Access shall include providing information and authorization for foster parents to review or to obtain the records directly from the service provider. If a foster parent alleges a court failed to allow the foster parent to be heard orally or in writing in a court hearing involving a child in his or her care, the foster parent may seek remedial writ relief pursuant to Missouri Supreme Court Rules 84, 94, and 97. No docket fee shall be required to be paid by the foster parent. The Division shall not remove a child from placement with the foster parent based solely upon the foster parent's filing of a petition for a remedial writ or while the writ is pending, unless removal is necessary for the health and safety of the child.

SUBSTANCE ABUSE TREATMENT WAIVER (Section 1)

This provision allows the Department of Social Services to seek a waiver of the Institutions for Mental Disease (IMD) exclusion for the comprehensive substance abuse treatment and rehabilitation

program as administered by the Department of Mental Health. Operating through a global pandemic disclosed a need for additional flexibility in administering this program in accordance with federal requirements.

HB 1467 -- PUBLIC EMPLOYMENT RETIREMENT SYSTEMS

LAGERS RETIREMENT (Section 70.705)

This bill modifies the Missouri Local Government Employees Retirement System (LAGERS) member employer contribution elections for retirement benefit funding.

Currently, an employer can elect to cover the full cost of funding the retirement benefit of its eligible employees or require all eligible employees to contribute 4% of their gross wages to help pay for the retirement benefit. This bill expands the available contribution options by allowing employers to additionally elect a 2% or 6% contribution rate that all eligible employees would make to help pay for the retirement benefit.

The bill allows a political subdivision to elect one benefit program for members whose employment is concurrently covered by federal Social Security and a different benefit program for members whose employment is not concurrently covered by federal Social Security, as provided in Section 70.655, RSMo. The political subdivision is also allowed, by majority vote of the governing body, to make one election concerning member contributions for members concurrently covered by federal Social Security and one election concerning member contributions for members whose employment is not concurrently covered by federal Social Security.

STATE EMPLOYEE RETIREMENT SYSTEMS (Sections 104.010, 104.090, 104.395, and 104.1027)

Currently, if a member elected a joint and survivor benefit payment option at retirement, survivor benefits are paid out to the spouse designated, regardless of marital status of the member and spouse.

Under this bill, any member of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System and the Missouri State Employees' Retirement System receiving a reduced annuity with his or her spouse as the designated beneficiary may cancel his or her election and receive a monthly benefit, with no survivor benefits, equal to the actuarial equivalent of the joint and survivor benefit payment if the marriage is dissolved on or after January 1, 2021, and the dissolution decree provides for the sole retention of the annuity and that the spouse shall not be

entitled to survivor benefits. In no event shall the monthly benefit be more than the single life annuity amount entitled to the member as if his or her spouse had died on the date of the dissolution.

Additionally, a member who divorced their designated spouse before January 1, 2021, may have their annuity adjusted if the dissolution decree provided for sole retention of the retirement benefits by the member and the member obtained an amended dissolution decree after January 1, 2021. If the dissolution decree did not provide for the sole retention by the member, the member may also adjust their retirement allowance if an amended dissolution decree providing for the member's sole retention is obtained.

Any increase shall be prospective and shall be effective the first of the month following the date of receipt by the system of a certified copy of the dissolution decree.

MISSOURI STATE EMPLOYEES RETIREMENT SYSTEM (Section 104.1089)

This bill allows vested members of the Missouri State Employees' Retirement System covered under the closed plan or Year 2000 plan who are no longer employees to elect to receive a lump sum payment equal to 60%, or a higher percentage chosen by the board, of the present value instead of a deferred annuity if the member is employed in a position covered by the judicial retirement plan. Any member making an election shall forfeit all creditable service, future rights in the annuity, and long-term disability benefits. If the member subsequently becomes an employee entitled to a benefit from the system, such a member shall be considered a new employee under the Missouri State Employees' Plan 2011.

PUBLIC SCHOOL RETIREMENT SYSTEM (Section 169.020)

This bill exempts information pertaining to the salaries and benefits of the executive director and employees of the Board of the Public School Retirement System of Missouri from being confidential.

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HCS HBS 1511 & 1452 -- PROFESSIONAL LICENSING RECIPROCITY

This bill allows any resident or nonresident military spouse to apply for an occupational license in Missouri, as long as he or she holds a valid current license issued by another state or territory of the United States. The bill includes resident and nonresident spouses of active duty members who have been transferred or are scheduled to be transferred to Missouri, who have been transferred or are scheduled to be transferred to an adjacent state and are

domiciled in Missouri, who have moved to Missouri on a permanent change-of-state basis, who are permanent residents of Missouri, or who have Missouri as their home of record.

This bill requires an oversight body to issue a license within 30 days for any resident or nonresident military spouse who meets the requirements of licensure reciprocity.

Currently, the law shall be interpreted so as to imply no conflict between it and any compact, or reciprocity agreement with other states in effect on August 28, 2018. This bill specifies that should any conflict arise between the reciprocity section and the provisions of any compact or reciprocity agreement, the provisions of such compact or agreement shall prevail.

This bill specifies that a resident or nonresident military spouse is eligible, under this bill, to apply for a license with any board, department, agency, or office of a jurisdiction that issues licenses.

This bill repeals the provisions relating to the issuance of a temporary courtesy license to a nonresident spouse of an active duty member of the military.

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SCS HCS HB 1655 -- OFFICIAL DOCUMENTS

The bill relates to Secretary of State records and notaries public.

SECRETARY OF STATE RECORDS (Sections 2.020 and 2.110, RSMo)

This bill requires the Secretary of State to allow public inspection of the original rolls of laws passed by the General Assembly. The Constitution of Missouri shall be made available in print and online.

NOTARY PUBLIC REGULATIONS

The bill modifies provisions relating to the certification of documents, including processes for the Recorder of Deeds and procedures for notaries public. In its main provisions the bill:

- (1) Changes laws relating to land conveyances and recorder of deeds. If a document is required by law to be an original, on paper, or in writing for the purpose of recording, the document may be in electronic form. Furthermore, a requirement of notarization for a document or signature is satisfied if the electronic signature of the authorized person is attached to or logically

associated with the document or signature. The bill also allows satisfaction of the document requirements if a paper copy of an electronic document bearing an electronic signature along with all other required information is certified by a notary. The form and requirements of such certification are provided for in this bill. The notary shall confirm that the electronic document contains an electronic signature that is capable of independent verification, shall personally print or supervise the printing of the document, and shall not make any changes to the document. A document conveying real property, recorded by a clerk, and not certified by a notary according to the bill shall put third persons on notice of the conveyance and is effective as if the document had been certified. The bill does not apply to the recording of certain plats, maps, or surveys of real property. For the purposes of proving or acknowledging a written instrument affecting real property by an officer, a person may appear before the officer by physical presence or by means of communication technology. (Sections 59.568, 59.569, and 442.145);

(2) In order to be commissioned as a notary, a person must be at least 18 years old, reside or have a regular place of work or business in Missouri, be a legal resident of the United States, read and write English, pass an examination, and submit an application with the Secretary of State. The Secretary is given discretion to deny any application for reasons specified in the bill. Once the Secretary has granted an application for a notary commission, the commission shall be presented to the appropriate county clerk and the applicant shall take an oath of office and present a \$10,000 bond within 60 days of the commission being issued. Notary commissions last for a period of four years, or until the commission is revoked by the Secretary or resigned by the person holding the commission. A notary commission issued to a person prior to the effective date of this bill shall not be invalidated. However, once such commission expires, the bill applies to an application for any new commissions (Sections 486.605 to 486.635);

(3) Authorizes a notary, judge, clerk, or deputy clerk of any Missouri court, or other person authorized by Missouri law to perform a specific notarial act to perform specified notary services (Sections 486.640 to 486.695, Sections 486.740 to 486.770, and Section 486.1160);

(4) Restricts the manner in which a notarial act may be performed. Additionally, for every notarial act involving a document, a notary shall properly complete a notarial certificate which shall include specified information. The maximum fees that can be charged for performing a notarial act range from \$1 to \$5, depending on the type of notarial act requested. The bill permits a notary to

charge a travel fee. However, a notary may not discriminate in the charging of fees based on the characteristics of the principal if such attributes would be a basis for employment discrimination under Missouri law. In addition to the other fees allowed, a remote online notary may charge a remote online notary transaction fee. The bill also has specific requirements for any notarized document sent to another state or nation;

(5) Enacts notary journal requirements. Notaries are required to keep a chronological journal of notarial acts for a period of no less than 10 years following the last notarial act. The bill stipulates the information that is required to be recorded in the journal. The journal may be examined and copied without restriction by a law enforcement officer in the course of an official investigation, subpoenaed by court order, pursuant to subpoena power as authorized by law, or surrendered at the direction of the Secretary. Nothing in this provision shall prevent a notary public from seeking appropriate judicial protective orders. Requirements for electronic journals are specified (Sections 486.700 to 486.715, Sections 486.945 to 486.950, and Sections 486.1180 to 486.1190);

(6) Requires notaries to use an official seal when notarizing a paper document and the bill regulates what information must be present on and adjacent to the seal. At the expiration of the notary commission or upon resignation of the commission, the seal must be destroyed. If the notary commission has been revoked, the seal shall be delivered to the Secretary for disposal. Failure to do so could result in a fine of \$500, at the discretion of the Secretary (Sections 486.725 to 486.735);

(7) Requires vendors and manufacturers to register with the Secretary prior to selling or manufacturing notary seals. Furthermore, prior to providing a notary seal to a purchaser claiming to be a notary, the vendor or manufacturer shall require such person to present a notary commission. A vendor or manufacturer failing to comply with these requirements shall be subject to a fine of \$1,000 for each violation. For multiple violations, a vendor's permission to sell or manufacture notary seals may be withdrawn by the Secretary (Section 486.735);

(8) Stipulates that notaries may be liable for damages proximately caused by the notary's negligence, intentional violation of law, or official misconduct in relation to a notarization. A surety for a notary's bond shall be liable to any person for damages proximately caused that person by the notary's negligence, intentional violation of law, or official misconduct in relation to a notarization during the bond term, but this liability shall not exceed the dollar amount of the bond or of any remaining bond funds

that have not been disbursed to other claimants. An employer of a notary shall be liable to any person for all damages proximately caused that person by the notary's negligence, intentional violation of law, or official misconduct in performing a notarization during the course of employment, if the employer directed, expected, encouraged, approved, or tolerated the notary's negligence, violation of law, or official misconduct either in the particular transaction or, impliedly, by the employer's previous action in at least one similar transaction involving any notary employed by the employer. Civil liability applies to electronic notaries and remote online notaries (Section 486.805);

(9) Authorizes the Secretary to revoke or suspend notary commissions under certain circumstances. The Secretary is required to revoke a notary commission if the notary fails to maintain a residence or a regular place of work or business in this state or if the notary fails to maintain status as a legal resident of the United States (Sections 486.810 to 486.820);

(10) Creates the misdemeanor crime on the part of a notary if he or she fails to require the presence of a principal at the time of a notarial act or to identify a principal through personal knowledge or satisfactory evidence, or executes a false certificate. A notary who performs any other act prohibited by the bill or fails to perform a required act shall be guilty of a misdemeanor, punishable by a fine of no more than \$500, or imprisonment of not more than 6 months, or both. Any person who is not a notary and who knowingly acts as or otherwise impersonates a notary shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding \$500, or imprisonment for not more than six months, or both. Any person who knowingly obtains, conceals, defaces, or destroys the seal, journal, or official records of a notary or who knowingly solicits, coerces, or in any way influences a notary to commit official misconduct shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding \$500 (Section 578.700);

(11) Creates requirements for electronic notaries. In addition to courses required for commissioning as a notary, an electronic notary shall complete a course consisting of notarial laws, procedures, and ethics relating to electronic notarization. Allows acknowledgments, jurats, signature witnessings, and copy certification to be performed electronically (Sections 486.900 to 486.1010); and

(12) Regulates remote online notaries. The Secretary shall develop and maintain standards for remote online notarization. In developing standards, the Secretary shall consider the standards established by the National Association of Secretaries of State and

national standard setting bodies. The Secretary shall also approve remote online notarization software as long as the software meets certain requirements defined in the bill. In addition to courses required for commissioning as a notary, a remote online notary shall complete a course consisting of notarial laws, procedures, and ethics relating to remote online notarization. The bill provides that acknowledgments and jurats may be performed remotely online by using communication technology (Sections 486.1100 to 486.1205).

SS SCS HCS HB 1682 -- RELATING TO HEALTHCARE

DESIGNATIONS FOR HEALTH AWARENESS (Sections 9.152, 9.166, 9.182, 9.300, and Section 3 and 4 RSMo)

This bill designates the month of May as "Mental Health Awareness Month"; the month of July as "Minority Mental Health Awareness Month"; the month of September as "Deaf Awareness Month", and "Infant and Maternal Mortality Awareness Month"; and the month of August as "Minority Organ Donor Month" and encourages citizens to participate in appropriate awareness and educational activities. The bill also establishes the 22nd day of each month as "Buddy Check Day" to raise awareness to the cause of veteran suicides.

LONG-TERM DIGNITY ACT (Sections 143.1160, 191.1601,191.1603,191.1605 - 191.1607)

This bill establishes the "Long-Term Care Dignity Act". Beginning January 1, 2021, an individual can open an account with a financial institution and designate the account as a long-term dignity savings account, to be used to pay or reimburse a qualified beneficiary's eligible expenses. The individual can receive an income tax deduction for contributions to a long-term savings account in the amount of 100% of the contribution, not to exceed the taxpayer's Missouri adjusted gross income for the tax year the deduction is claimed and not to exceed \$4,000 for an individual or \$8,000 for married individuals filing jointly. Moneys withdrawn from the account shall be subject to recapture and the account holder subject to a penalty if it has been less than one year since the first deposit in the account or the moneys have been used for any purpose not specified.

This program shall sunset on December 31st, four years after the effective date.

ACCESS TO AUTOMATED EXTERNAL DEFIBRILLATOR

LONG-TERM DIGNITY ACT (Sections 143.1160, 191.1601,191.1603,and 191.1605 - 191.1607)

This bill establishes the "Long-Term Care Dignity Act". Beginning January 1, 2021, an individual can open an account with a financial institution and designate the account as a long-term dignity savings account, to be used to pay or reimburse a qualified beneficiary's eligible expenses. The individual can receive an income tax deduction for contributions to a long-term savings account in the amount of 100% of the contribution, not to exceed the taxpayer's Missouri adjusted gross income for the tax year the deduction is claimed and not to exceed \$4,000 for an individual or \$8,000 for married individuals filing jointly. Moneys withdrawn from the account shall be subject to recapture and the account holder subject to a penalty if it has been less than one year since the first deposit in the account or the moneys have been used for any purpose not specified.

This program shall sunset on December 31st, four years after the effective date.

PHYSICIAN ASSISTANTS SERVING AS STAFF ON AMBULANCES (Sections 190.094, 190.105, 190.143, and 190.196)

This bill adds a physician assistant to the list of qualified crew members that are required to be in the patient compartment of an ambulance with volunteer staff. The bill specifies that a physician assistant is exempt from collaborative practice mileage limitations while staffing an ambulance.

PROVISIONS RELATING TO DO NOT RESUSCITATE ORDERS (Sections 190.606 and 190.612)

This bill modifies provisions related to outside the hospital do-not-resuscitate orders from inside and outside of the state of Missouri. Emergency medical services personnel are authorized to comply with such order from another state if such order is on a standardized written form as outlined in the bill. Emergency medical services personnel do not have to comply with this order if the patient or patient's representative expresses to such personnel the desire to be resuscitated.

PROHIBITION OF VAPOR PRODUCTS (Section 191.775)

This bill prohibits the use of vapor products, as defined in Section 407.925, RSMo, in any indoor area of a public school or school bus. The bill allows a school board to adopt additional policies relating to vapor products and removes the penalty language from the current statute.

POSTPARTUM DEPRESSION CARE (Sections 191.940 and 208.151)

This bill creates the "Postpartum Depression Care Act" and specifies that all hospitals and ambulatory surgical centers that provide labor and delivery services shall, prior to discharge following pregnancy, provide pregnant women and, if possible, new fathers and other family members information about postpartum depression, including its symptoms, treatment, and available resources. The Department of Health and Senior Services, in cooperation with the Department of Mental Health, shall provide written information that the hospitals and ambulatory surgical centers may use and shall include such information on its website.

Currently, specified pregnant women are eligible for MO HealthNet benefits for mental health treatment for postpartum depression or related mental health conditions for 60 days after giving birth. This bill makes such women eligible for MO HealthNet benefits for mental health services for the treatment of postpartum depression and related mental health conditions for up to 12 additional months, subject to appropriations and any necessary federal approval.

MEDICINAL MARIJUANA TELEMEDICINE (Section 191.1146)

The bill requires that a physician issuing a certification for medical marijuana via telemedicine meet the same standards as a physician issuing a prescription via telemedicine.

OMBUDSMAN LONG-TERM CARE (Section 192.2305)

This bill extends the current powers and duties, as defined in the bill, of the Office of State Ombudsman for Long-Term Care Facility Residents to include Missouri veterans' homes.

ADMINISTRATION OF CONTROLLED SUBSTANCES (Section 195.070)

This bill permits a non-dispensing practitioner to accept the unused controlled substance when the controlled substance is prescribed to the patient and delivered to the practitioner to administer to the patient. Practitioners are required to maintain records and secure the medication.

MODIFIES PROVISIONS RELATING TO DRUG PRESCRIPTIONS (Sections 195.417 and 579.060)

This bill prohibits the requirement of a prescription for the dispensation, sale, or distribution of any drug containing any detectable amount of ephedrine, phenylpropanolamine, or

psuedoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits set forth in law.

This provision shall expire when state's methamphetamine laboratory seizure incidents, as reported by the Missouri State Highway Patrol, exceed 300 incidents in a year.

All current local ordinances and regulations regarding prescriptions for the dispensation, sale, or distribution of any drug containing any detectable amount of ephedrine, phenylpropanolamine, or psuedoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits set forth in law that are in effect prior to August 28, 2020, shall be void and of no effect on August 28, 2020.

This bill also changes the amounts that can be sold, dispensed, or otherwise provided to a person in a 30-day period without a prescription from a maximum of 9 grams to a maximum of 7.2 grams and adds an annual limit of 43.2 grams.

MEDICAL MARIJUANA EDIBLES (Section 195.805)

This bill prohibits the sale of edible marijuana-infused products, packaging, or logos in the shape of a human, animal, or fruit, but geometric shapes shall be permitted. Each package, or packages within a package, containing 10 or more milligrams of tetrahydrocannabinols (THC) shall be stamped with a universal symbol and the amount of THC, as described in the bill.

Any medical marijuana licensed or certified entity regulated by the Department of Health and Senior Services (DHSS) found to have violated this provision shall be subject to sanctions, including an administrative penalty.

MEDICAL MARIJUANA BACKGROUND CHECKS (Section 195.815)

The bill specifies that DHSS shall require all officers, managers, contractors, employees, and other support staff of licensed or certified medical marijuana facilities, and all owners of such facilities who will have access to the facilities or the facilities' supply of medical marijuana, to submit fingerprints to the Highway Patrol for a state and federal criminal background check. The Highway Patrol shall notify the department of any criminal history record information or lack thereof discovered on the individual. All such records shall be accessible and available to the department.

This provision has an emergency clause.

EPINEPHRINE AUTO-INJECTOR DEVICES (Sections 196.990 and 321.621)

This bill adds "qualified first responders" to the definition of "authorized entities" authorized to dispense prescription epinephrine auto-injectors (epi-pens).

Additionally, current law requires certain emergency health care entities and other organizations to maintain epi-pens according to the rules and regulations of DHSS. Under this bill, the Director of DHSS, if a licensed physician, or a licensed physician operating on behalf of the director, may issue a statewide standing order for epi-pens for adult patients to fire protection districts in nonmetropolitan areas of Missouri.

Possession and use of epi-pens under this bill is limited to only such qualified first responders who have completed a training course and maintain the epi-pens pursuant to department rules.

Additionally, every use of an epi-pen shall be reported to a emergency health care provider.

Under this bill, the use of an epi-pen is considered first aid or emergency treatment for purposes of liability under the law and shall not constitute the unlawful practice of medicine.

This bill further establishes the "Epinephrine Auto-injector Devices for Fire Personnel Fund". The Fund shall be used solely by the department for the purpose of providing epi-pens to qualified first responder agencies pursuant to this bill.

STATE-SETTLED OPIOID CAUSES OF ACTION (Section 196.1050)

Under this bill, the proceeds of any monetary settlement or portion of a global settlement between the Attorney General and any drug manufacturers, distributors, or combination thereof to resolve an opioid-related cause of action in a state or federal court shall only be utilized to pay for opioid addiction treatment and prevention services and health care and law enforcement costs related to opioid addiction treatment and prevention. Under no circumstances shall such moneys be utilized to fund other services, programs, or expenses not reasonably related to opioid addiction treatment and prevention.

This bill creates the "Opioid Addiction Treatment and Recovery Fund", which shall consist of the settlement funds, as well as any other appropriations, gifts, grants, donations, or bequests. To be administered by various departments as outlined and specified in the bill.

DISSOLUTION OF A HOSPITAL DISTRICT (Section 205.202)

This bill provides that, upon the dissolution of a county hospital district in Ripley County levying a sales tax for the purpose of funding the district, the sales tax shall be automatically repealed and 25% of the funds remaining in the Special Trust Fund shall be distributed to the county public health center and 75% shall be distributed to a federally qualified health center located in the county.

PERSONAL CARE ASSISTANCE SERVICES (Sections 208.909, 208.918, 208.924, and 208.935)

This bill requires the consumer to permit the vendor to comply with its quality assurance and supervision process, including annual face-to-face home visits and monthly case management activities. During the home visits, the vendor shall document if the attendant providing services as set forth in the plan of care and report to the department if the attendant is not providing services, which may result in a suspension of services to the consumer.

The bill repeals language permitting DHSS to establish certain pilot projects for telephone tracking systems.

This bill also requires vendors to notify consumers during orientation that falsification of personal care attendant time sheets shall be considered and reported as fraud.

The bill specifies that a vendor shall submit an annual financial statement audit or annual financial statement review performed by a certified public accountant to the department upon request.

Beginning July 1, 2022, the department shall require the vendor to maintain a business location in compliance with any and all city, county, state, and federal requirements. Additionally, this bill requires the department to create a consumer-directed services division provider certification manager course. No state or federal funds shall be authorized or expended for personal care assistance services if a direct employee of the vendor is conducting the home visit and is also the personal care attendant, unless such person provides services solely on a temporary basis on no more than three days in a 30 day period.

Currently, a consumer's services may be discontinued if the consumer has falsified records. This bill adds language to include providing false information of his or her condition, functional capacity, or level of care needs.

This bill requires the consumer, the personal care attendant, and the vendor to report to the department if the consumer's health or his or her ability to self-direct care has significantly changed.

Finally, the department shall, subject to appropriations, develop an interactive assessment tool for utilization by the Division of Senior and Disability Services when implementing the assessment and authorization process for home and community-based services authorized by the division.

REMOTE DISPENSING SITE PHARMACIES (Sections 338.035, 338.210, 338.215, 338.220, and 338.260)

Under this bill, an intern pharmacist working at a remote dispensing site pharmacy may be remotely supervised by a pharmacist working at a supervising pharmacy. The bill defines a "remote dispensing site pharmacy" as any location in Missouri where the practice of pharmacy occurs, that is licensed as a pharmacy to dispense prescription drugs, and is staffed by one or more qualified pharmacy technicians or intern pharmacists who are supervised by a pharmacist at a supervising pharmacy through a continuous, real-time audio and video link.

A supervising pharmacy that operates a remote dispensing site pharmacy, and the remote dispensing site pharmacy, shall be licensed as a pharmacy by the Board of Pharmacy as described in the bill.

The remote dispensing site pharmacy shall be under the supervision and control of a supervising pharmacist employed by the supervising pharmacy. Such pharmacist shall not be required to be immediately physically present to supervise any activities at the remote dispensing site pharmacy, but shall make monthly visits to the remote dispensing site pharmacy to ensure compliance with this bill. A pharmacist shall not be designated or act as the supervising pharmacist for more than two remote dispensing site pharmacies at one time.

A pharmacist at the supervising pharmacy shall verify each prescription before such prescription leaves the remote dispensing site pharmacy. Verification of prescriptions shall occur as specified in the bill.

Unless a pharmacist is onsite at the remote dispensing site pharmacy, counseling shall be done by a supervising pharmacist via a HIPAA-compliant continuous real-time video and audio link prior to any drug or medical device being dispensed. Such system shall retain the initials or unique identifier of the pharmacist performing the consultation. The pharmacist shall have access to

all relevant patient information maintained by the remote dispensing site pharmacy.

A remote dispensing site pharmacy shall be located at least 10 miles from an existing retail pharmacy unless such pharmacy is part of a community mental health center, federally qualified health center, rural health clinic, or outpatient clinical setting, or if the applicant with the proposed remote dispensing site pharmacy demonstrates that the pharmacy will promote public health. A remote dispensing site pharmacy shall be staffed by a pharmacist for at least eight hours per month who shall have certain responsibilities specified in the bill.

If the average number of prescriptions dispensed per day by the remote dispensing site pharmacy exceeds 150, over a 90-day period, such remote pharmacy shall apply to the Board for licensure as a Class A, B, or C pharmacy within 10 days.

Unless otherwise approved by the Board, the supervising pharmacy shall be located in Missouri and within 50 miles of a remote dispensing site pharmacy to ensure sufficient support and to ensure that necessary personnel or supplies may be delivered within a reasonable period of time.

This bill adds "remote dispensing site pharmacy" as a Class R pharmacy.

CHARITABLE PHARMACIES (Section 338.220)

Current law sets forth classes of pharmacy permits or licenses. This bill adds "charitable pharmacy" as a Class Q pharmacy.

LICENSING REQUIREMENTS FOR NURSING HOME ADMINISTRATION (Section 344.030)

This bill expands the criteria for qualification for a nursing home administrator to include an associates degree and provides that emergency license for administrators be limited to 120 days with criteria outlined in the bill.

SPEECH PATHOLOGISTS OR AUDIOLOGISTS (Section 345.050)

This bill modifies current language to allow applicants for speech pathologist or audiologist to hold a master's or doctoral degree from a program that was awarded "accreditation candidate" status, or is accredited as set forth under current law.

REIMBURSEMENT OF HEALTH CARE CLAIMS (Section 376.383)

Currently, a health carrier that has not paid a claimant on or before the 45th processing day from the date of receipt of the claim shall pay the claimant interest and a penalty based on the unpaid balance of the claim as of the 45th processing day. On claims exceeding \$35,000 on the unpaid balance of the claim, the health carrier under this bill shall pay the claimant 1% interest per month and a penalty in an amount equal to 1% of the claim per day for a maximum of 100 days and thereafter shall pay the claimant 2% interest per month.

Currently, any claim or portion of a claim that has been properly denied before the 45th processing day shall not be subject to interest or penalties. Under this bill, denied claims before the 45th processing day shall begin to accrue interest and penalties during the claimant's appeal with the health carrier until such claim is paid, if the claim is approved. If the appeal does not result in an approved claim and a petition is filed with a court of competent jurisdiction to recover payment of the claim, interest and penalties shall continue to accrue for no more than 100 days from the day the first appeal was filed with the health carrier and continue to accrue until 10 days after the court finds that the claim shall be paid to the claimant.

PHARMACY BENEFITS MANAGERS (Sections 376.387 and 376.393)

Under this bill, pharmacy benefits managers (PBM) shall notify health carriers in writing of any conflict of interest, including, but not limited to, common ownership or any other relationship between the PBM and any other health carrier with which the PBM contracts.

Additionally, this bill specifies that no entity subject to the jurisdiction of Missouri shall act as a PBM without a license issued by the Department of Commerce and Insurance. The department may cause a complaint to be filed with the Administrative Hearing Commission against the holder of a PBM license for the reasons specified in the bill. Proceedings shall be conducted before the Administrative Hearing Commission as provided by law. The department may take action against a PBM's license, as specified in the bill, upon a finding that a rule has been violated.

BREAST CANCER SCREENING INSURANCE (Section 376.782)

In addition to existing coverage requirements, the bill adds "detectors" to the X-ray equipment specifically listed as being covered under the current insurance mandate.

The bill also specifies that coverage for certain breast cancer screening and evaluation services shall be provided yearly to any

woman deemed by her physician to have an above-average risk for breast cancer in accordance with American College of Radiology (ACR) guidelines, rather than specifically to women with a personal or family history of breast cancer.

The bill also requires coverage of any additional or supplemental imaging, such as breast MRI or ultrasound, deemed medically necessary by a treating physician for proper screening or evaluation in accordance with applicable ACR guidelines.

Furthermore, the bill requires coverage of ultrasound or MRI services when determined by a treating physician to be medically necessary for the screening or evaluation of breast cancer for any woman deemed by the treating physician to have an above-average risk of breast cancer in accordance with ACR guidelines for breast cancer screening.

Lastly, provisions relating to out-of-pocket expenditures are modified to apply to the additional modalities required to be covered under the bill.

LIFE CARE CONTRACTS (Section 376.945)

This bill specifies that the "entire amount" of entrance fee funds held in reserve for a life care contract shall be earned by "and available for release to" the care provider as provided by law, provided that the reserve and interest thereon shall not exceed 100%, rather than one and one-half times the percentage, of the annual long-term debt principal and interest payments of the provider applicable only to living units occupied under life care contracts. The requirement to hold reserve funds may be met in whole or in part by other reserve funds held for the purpose of meeting loan obligations, provided that the total amount equals or exceeds the amount otherwise required.

HEALTH CARRIER CLAIM OVERPAYMENT (Section 376.1345)

This bill provides that an amount that a health carrier claims was overpaid for a health care service can only be collected, withheld, or recouped from the provider or third party to which the overpaid amount was originally paid. The notice of withholding or recoupment shall inform the provider or third party of the health care service, date of service, and patient for which the recoupment is being made.

HEALTH CARE PRACTITIONER CREDENTIALING (Section 376.1578)

This bill provides that if a health carrier receives a credentialing application, the carrier shall have 10 days from

sending notice of the application's receipt to request additional information from the practitioner. The application shall be deemed complete upon receipt of the additional information. Within two working days of receipt of the additional information, the carrier shall send notice to the practitioner that the practitioner has submitted a completed application. If the carrier does not request additional information, the application shall be deemed completed as of the date the notice of receipt was sent by the carrier to the practitioner.

The bill specifies that the carrier's credentialing decision and notification to the practitioner of such decision shall be made within 60 days of receipt of the "completed credentialing application", rather than 60 "business" days of receiving the practitioner's "credentialing information".

If a practitioner's application is approved, the carrier shall provide payments for covered health services performed by the practitioner during the credentialing period if the services were on behalf of an entity that had a contract with the carrier during the credentialing period. A health carrier shall not require a practitioner to be credentialed to receive payments for covered health services if the practitioner is providing coverage for an absent credentialed practitioner during a temporary period as outlined in the bill.

All claims eligible for payment under these provisions shall be subject to the prompt payment statute.

CONFIDENTIALITY OF CERTAIN HEALTH RECORDS (Section 610.100)

Under this bill, any reports or records in the possession of the DHSS's Missouri State Public Health Laboratory, which were the result of testing performed at the request of any municipal, county, state, or federal law enforcement agency, shall be considered closed records until such investigation becomes inactive.

COVID 19 TESTING (Section 1)

Subject to appropriation, if a health care provider recommends a COVID-19 test, it shall be provided at no cost to the patient. DHSS may utilize federal funds or grants to cover the cost of such testing.

This provision contains an emergency clause.

PROGRAM WAIVER (Section 2)

The bill allows the Department of Social Services to seek a waiver of the Institutions for Mental Disease exclusion for substance treatment and rehabilitation programs.

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HB 1711 -- DONATED FOOD

This bill adds shelf stable packaged venison to the foods that a charitable or not-for-profit organization can distribute in good faith with limited liability arising from an injury or death due to the condition of the food.

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CCS #2 SS SCS HB 1768

This bill modifies provisions related to communication services.

NEIGHBORHOOD IMPROVEMENT DISTRICTS AND COMMUNITY IMPROVEMENT DISTRICTS (Sections 67.453 and 67.1461, RSMo)

This bill modifies the powers of neighborhood improvement districts and community improvement districts to include the ability to partner with telecommunications companies or broadband service providers in order to construct or improve telecommunications facilities.

LINEAR FOOT FEES (Section 67.1846)

A grandfathered political subdivision shall not charge a linear foot fee for use of its right-of-way to a small local exchange telecommunications company as of December 31, 2019, as defined in the bill; provided that the small local exchange telecommunications company is providing Internet access to customers within rural areas of the state.

UNIFORM SMALL WIRELESS FACILITY DEPLOYMENT ACT (Section 67.5122)

This bill extends the sunset date for the Uniform Small Wireless Facility Deployment Act from January 1st, 2021, to January 1st, 2025.

OPERATING DESIGNATIONS OF CERTAIN TELECOMMUNICATIONS COMPANIES (Section 392.020)

Under the bill, any corporation formed for the purpose of being a telephone or telegraph company or operating under the General and Business Corporation Law of Missouri, may amend the articles of association to include a statement referencing the corporation's

operating designation as an exempt organization as described in the Internal Revenue Code.

RURAL BROADBAND ACCESS FUNDING (Sections 620.2451, 620.2456 and 620.2459)

This bill requires the Department of Economic Development to maintain a record of all federal grants awarded to entities for the purposes of providing, maintaining, and expanding rural broadband in the state. In cases in which federal funds have been awarded but later retained, withheld, or otherwise not distributed to the original grant recipient due to failure to meet performance standards or other criteria, the Department of Economic Development will seek to have the funds awarded to another eligible, qualified Missouri broadband provider.

Under this bill, a grant recipient of funds from the Missouri Broadband Grant Program must return such funds if the grant recipient fails to establish retail broadband Internet speeds of at least 25 megabits per-second download and three megabits per-second upload).

Currently, the broadband Internet grant program for unserved and underserved areas of the state will expire on August 28, 2021. This bill extends the program until June 30, 2027.

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SS#2 SCS HCS HB 1854 -- POLITICAL SUBDIVISIONS
(Vetoed by Governor)

AUDITS OF COUNTY OFFICES (Section 29.230, RSMo)

Currently, the State Auditor is permitted to conduct performance audits when performing an audit of a county office. This bill prohibits the State Auditor from conducting a performance audit when conducting an audit in a third class county not initiated pursuant to a petition if:

- (1) The county commission has adopted a resolution electing not to be subject to such an audit; and
- (2) The county has undergone an audit by a certified public accountant within the preceding two years.

The county commission is required to send the resolution and audit report to the State Auditor.

POLITICAL RESTRICTIONS FOR CERTAIN STATE EMPLOYEES (Section 36.155)

Currently, any individual holding a position of state employment that is subject to the State Personnel Law is also subject to various restrictions on participating in political activities, including running for partisan political office. This bill provides that any state employee that is not subject to the Merit System (Section 36.030) or the Uniform Classification and Pay System (Section 36.031) may run for the nomination, or as a candidate for election, to a partisan political office.

MISSOURI LOCAL GOVERNMENT EXPENDITURE DATABASE (Sections 37.1090 - 37.1098)

This bill establishes the "Missouri Local Government Expenditure Database". The database shall be available free of charge on the Office of Administration's Missouri Accountability Portal website and shall include information about expenditures made during each fiscal year that begins after December 31, 2022.

The database shall include the following information: the amount of the expenditure; the date the expenditure was paid; the vendor to whom the expenditure was paid, unless such information is confidential; the purpose of the expenditure; and the municipality or county that made or requested the expenditure.

A municipality or county may choose to voluntarily participate in the database. Each municipality or county participating in the database shall provide electronically-transmitted information to the Office of Administration biannually as provided in the bill.

Additionally, if 5% of the registered voters in a municipality or county request it to participate, the municipality or county shall participate in the database. Residents may request participation by submitting a written letter by certified mail to the governing body of the municipality or county and the Office of Administration. After receiving the requisite number of requests, a municipality or county shall begin participating in the database, but is not required to report expenditures incurred before one complete six month reporting period.

The Office of Administration shall provide financial reimbursement to any participating municipality or county for actual expenditures incurred from participation in the database.

COUNTY REGULATION OF COUNTY PROPERTY (Section 49.266)

Currently, the county commissions in all non-charter counties are authorized to promulgate regulations concerning the use of county property. This act authorizes the county commission in all first, second, third, and fourth classification counties to promulgate

such regulations.

Additionally, please note that Section 49.266 appears twice in this act because it is doubly-enacted due to the Cole County Circuit Court decision in Calzone v. Koster, et al. (2016). This act repeals the version enacted by SB 672 (2014) and amends the version in effect prior to SB 672 (2014).

WARRANTS FILED BY COUNTY CLERKS (Section 50.166)

This bill provides that, upon request, the county treasurer shall have access to any financially relevant document in the possession of any county official for the purposes of processing a warrant. If the warrant is received in the absence of a check, then the county treasurer shall have access to the information necessary to process the warrant.

Additionally, no official of any county shall refuse a request from the county treasurer for access to or a copy of any document in the possession of a county office that is financially relevant to the salaries of county officers and assistants. No county treasurer shall refuse to release funds for the payment of any properly approved expenditure.

SECOND CLASS COUNTY CORONER SALARIES (Section 50.327)

Currently, the compensation for non-charter county coroners is based on salary schedules established by law.

This bill provides that, upon majority approval of the salary commission, the annual compensation of a county coroner of any county of the second classification may be increased up to \$14,000 greater than the compensation provided by the salary schedule established by law.

COUNTY REVENUE VIOLATIONS (Section 54.140)

Currently, any county treasurer or other county officer who fails or refuses to perform duties required of him or her under the law is guilty of a misdemeanor, shall be punished by a fine and, in addition to such punishment, his or her office shall become vacant. This bill repeals the provision that a county treasurer's or other county officer's office shall become vacant upon violation .

CANDIDATES FOR COUNTY RECORDER (Sections 59.021 and 59.100)

This bill provides that each candidate for county recorder shall provide an affidavit to the election authority that indicates the candidate is able to satisfy the bond requirements under the law.

A recorder elected before January 1, 2021, shall have a bond of no less than \$1,000. A recorder elected on or after January 1, 2021, shall have a bond of no less than \$5,000.

COUNTY PROPERTY MAINTENANCE AND NUISANCE CODES (Section 64.207)

This bill authorizes certain counties to adopt property maintenance regulations and ordinances as provided in the bill. The unavailability of a utility service due to nonpayment is not a violation of the property maintenance code.

Under this bill, the property maintenance code must require the county commission to create a process for selecting a designated officer to respond to written complaints of the condition of a rented residence that threaten the health or safety of the tenants. When a written complaint is filed, the owner of any rental residence must be served with a notice specifying the condition alleged in the complaint and stating a reasonable date by which abatement of the condition must commence. If work to abate the condition does not commence as determined by the designated officer, the complaint shall be given a hearing before the county commission. If the county commission finds that the rented residence has a dangerous condition that is harmful to the health, safety, or welfare of the tenant, the county commission shall issue an order that the condition be abated. If the owner violates an order issued by the county commission, the owner may be punished by a penalty, which shall not exceed a class C misdemeanor.

Currently, this section only applies to Boone County.

COUNTY PLANNING COMMISSION MEETING EXPENSES (Section 64.805)

Currently, members of the county planning commission may be reimbursed for meeting expenses up to \$25 per meeting. This bill increases the reimbursement amount to \$35.

CAPITAL IMPROVEMENT SALES TAX (Sections 67.730 and 94.838)

This bill adds certain counties of the first classification to a provision of law authorizing other counties to propose a capital improvement sales tax. The newly authorized counties must submit the question of the imposition of the tax to the voters on a general election day not earlier than 2022, and must include information on the county's website on the tax rate and purposes of the tax. Currently, the newly authorized counties include Cass, Clay, and Platte.

Currently, certain fourth class cities and villages are authorized

to impose, upon voter approval, a sales tax of up to 2% on retail sales of food at cafes, cafeterias, lunchrooms, or restaurants for the purpose of funding the construction, maintenance, and operation of capital improvements. Currently, this section only applies to Lamar Heights. The bill changes from 2% to 6% the maximum sales tax rate that can be imposed upon retail sales of food in food establishments and changes the purposes for which the revenues can be used from capital improvements to general revenue purposes. The question of the increase in the sales tax rate must be submitted to the voters on a general election day not earlier than 2022, and the city or village must include information on its website on the tax rate and purposes of the tax.

CERTAIN TAXING DISTRICTS (Sections 67.1545, 238.207, 238.235, and 238.237)

Currently, community improvement districts (CIDs) and transportation development districts (TDDs) are authorized to impose a sales tax on purchases made within such districts if approved by a majority of voters living within the district. This bill requires such sales taxes to be approved by a majority of the voters of the municipality in which the district is located, rather than just the district. Additionally, current law authorizes TDDs to charge and collect tolls or fees for the use of a project if approved by a majority of voters within the district. This bill requires such tolls or fees to be approved by a majority of voters within the municipality in which the TDD is located.

EARLY CHILDHOOD SALES TAX (Section 67.1790)

This bill allows certain counties and any cities within the counties to impose a sales tax, upon approval of a majority of the voters, not to exceed .25%, for the purpose of funding early childhood education in the county or city. The vote shall occur on a general election day not earlier than the 2022 general election. Currently, this section only applies to Greene County.

APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS IN FOURTH CLASS CITIES (Section 79.235)

If a statute or ordinance authorizes the mayor of a city of the fourth classification with no more than 2,000 inhabitants to appoint a member of a board or commission, any requirement that the appointed person be a resident of the city shall be deemed satisfied if the person owns real property or a business in the city.

If the board to which a person is appointed is for the purpose of managing a city's municipal utilities, then any requirement that

the appointed person be a resident of the city shall be satisfied if the following conditions are met:

- (1) The board has no authority to set utility rates or to issue bonds;
- (2) The person resides within a 5-mile radius of the city limits;
- (3) The person owns real property or a business in the city;
- (4) The person or the person's business is a customer of the public utility that is owned and operated by the city; and
- (5) The person has no pecuniary interest in, or is not a member of, any other utility of the type managed by the board.

TRANSIENT GUEST TAXES (Sections 67.1011, 67.1360, 94.842, and 94.1014)

This bill authorizes certain cities to submit to the voters a transient guest tax not to exceed 6% of the charges per occupied room per night. The vote must be on a general election day not earlier than 2022, and the city must include information on its website on the tax rate and purposes of the tax. Currently, the additional cities only applies to the City of Butler.

This bill adds certain cities to the list of cities authorized to impose, upon voter approval, a transient guest tax for the promotion of tourism. In the additional cities, the vote must be on a general election day not earlier than 2022, and the city must include information on its website on the tax rate and purposes of the tax. Currently, the additional cities only applies to the City of Cameron.

This bill authorizes certain cities to submit to the voters a transient guest tax not to exceed 7.5% of the charges per occupied room per night. Such tax shall be used solely for capital investments that can be demonstrated to increase the number of overnight visitors. The vote must be on a general election day not earlier than 2022, and the city must include information on its website on the tax rate and purposes of the tax. The city may adopt rules and regulations for the internal collection of the tax, or may enter into an agreement with the Department of Revenue for the collection of the tax. Currently, this section only applies to the City of Springfield.

This bill authorizes certain cities to submit to the voters a transient guest tax not to exceed 5% of the charges per occupied room per night. Such tax shall be used for the promotion of

tourism, growth of the region, economic development, and public safety, as described in the bill. The city must include information on its website on the tax rate and purposes of the tax. The vote shall occur on a general election day not earlier than the 2022 general election. Currently, this section only applies to the City of Ashland.

PUBLIC SAFETY SALES TAXES (Sections 94.900 and 94.902)

This bill adds certain cities and villages to the list of cities and villages authorized to levy a sales tax upon voter approval for the purposes of improving public safety. In the additional cities and villages, the vote must be on a general election day not earlier than 2022, and the city or village must include information on its website on the tax rate and purposes of the tax.

Currently, the additional cities and villages only include the cities of Clinton, Lincoln, Branson West, Cole Camp, Hallsville, Kearney, Smithville, and Claycomo.

FINANCIAL REPORTS OF POLITICAL SUBDIVISIONS (Section 105.145)

Currently, any transportation development district having gross revenues of less than \$5,000 in a fiscal year for which an annual financial statement was not timely filed to the State Auditor is not subject to a fine.

This bill expands that exemption to any political subdivision that has gross revenues of less than \$5,000 or that has not levied or collected sales or use taxes in the fiscal year for which the annual financial statement was not timely filed shall not be subject to a fine.

Additionally, if failure to timely submit the annual financial statement is the result of fraud or other illegal conduct by an employee or officer of the political subdivision, the failure shall not be subject to a fine if the statement is filed within 30 days of discovery of the fraud or illegal conduct.

If the political subdivision has an outstanding balance or fines at the time it files its first annual financial statement after January 1, 2021, the Director of Revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by 90%. If the Director of the Department of Revenue determines a fine is uncollectible, the director shall have the authority to make a one-time downward adjustment to any outstanding penalty.

The Director of the Department of Revenue shall initiate the

process to disincorporate a political subdivision if such political subdivision has an outstanding balance for fines or penalties and fails to file an annual financial statement as provided in the bill. A resident of a political subdivision may file an affidavit with the Director of the Department of Revenue with information regarding the political subdivision's failure to report.

The question of whether a political subdivision may be subject to disincorporation shall be submitted to the voters of the political subdivision as provided in the bill. Upon the affirmative vote of a majority of voters in the political subdivision, the Director of the Department of Revenue shall file an action to disincorporate the political subdivision in the circuit court with jurisdiction over the political subdivision. The circuit court shall enforce such orders and carry out remedies as provided in the bill. Additionally, the Attorney General shall have the authority to file an action in a court of competent jurisdiction against any political subdivision that fails to comply with this bill.

FILING PERIOD FOR CANDIDATES IN POLITICAL SUBDIVISIONS (Section 115.127)

Currently, the period for filing a declaration of candidacy in certain political subdivisions and special districts is from 8:00 a.m. on the 16th Tuesday prior to the election until 5:00 p.m. on the 11th Tuesday prior to the election. This bill changes that period to 8:00 a.m. on the 17th Tuesday prior to the election until 5:00 p.m. on the 14th Tuesday prior to the election.

The date required notices to the public must be made regarding such opening and closing filing dates, the offices to be filled, and the place of filing is changed from the 16th to the 17th Tuesday prior to the election.

SENATORIAL DISTRICT POLITICAL PARTY COMMITTEES (Section 115.621)

Currently, the members of each Senatorial district political party committee are required to meet on the Saturday after each general election for the purpose of electing members to the state political party committee. In lieu of that requirement, this bill permits the chair of the Congressional district committee where the Senatorial district is principally located to call for a meeting to be held concurrently with the election of Senatorial officers.

USE OF PUBLIC FUNDS IN ELECTIONS (Section 115.646)

This bill prohibits the contribution or expenditure of public funds by any school district or charter school or by any officer, employee, or agent of any school district or charter school:

- (1) To support or oppose the nomination or election of any candidate for public office;
- (2) To support or oppose the passage or defeat of any ballot measure; or
- (3) To any committee supporting or opposing candidates or ballot measures. Directly contributing public funds to or paying debts or obligations of any such committee is also prohibited.

Any purposeful violation of this section is punishable as a class four election offense.

PROPERTY TAX ASSESSMENT NOTIFICATIONS

For property tax assessments, current law provides that assessors shall notify property owners of an increase in the property owner's assessed valuation by June 15. Beginning January 1, 2021, this bill requires such notifications in St. Louis County to include information regarding the assessment method and computation of value for such property and, for properties valued using sales of comparable properties, a list of such comparable properties and the address or location and purchase prices from sales thereof that the assessor used in determining the assessed valuation of the owner's property. "Comparable" is defined in the bill.

PROPERTY TAX APPEALS ATTORNEY FEES (Section 138.434)

Currently, charter counties and St. Louis City are allowed to reimburse taxpayers who successfully appeal a property tax assessment to the State Tax Commission for appraisal costs, attorney fees, and court costs, with such reimbursements limited to \$1,000 for residential appeals and the lesser of \$4,000 or 25% of the tax savings resulting from the appeal for other non-residential appeals. Beginning January 1, 2021, this bill increases such limits for certain charter counties to \$6,000 for residential appeals and the lesser of \$10,000 or 25% of the tax savings resulting from the appeal for other non-residential appeals. Currently, the increased limits only apply to St. Louis County .

TAXATION OF PARTNERSHIPS (Section 143.425)

This bill requires taxpayers in a partnership to report and pay any tax due as a result of federal adjustments from an audit or other action taken by the Internal Revenue Service (IRS) or reported by the taxpayer on an amended federal income tax return. Such report shall be made to the Department of Revenue on forms prescribed by the department, and payments of additional tax due shall be made no

later than 180 days after the final determination date of the IRS action, as defined in the bill.

Partners and partnerships shall also report final federal adjustments as a result of partnership level audits or administrative adjustment requests, as defined in the bill. Such payments shall be calculated and made as described in the bill. Partnerships shall be represented in such actions by the partnership's state partnership representative, which shall be the partnership's federal partnership representative unless otherwise designated in writing.

Partners shall be prohibited from applying any deduction or credit on any amount determined to be owed under this bill.

The department shall assess additional tax, interest, and penalties due as a result of federal adjustments under this bill no later than three years after the return was filed, as provided in current law, or one year following the filing of the federal adjustments report under this bill. For taxpayers who fail to timely file the federal adjustments report as provided under this bill, the department shall assess additional tax, interest, and penalties either by three years after the return was filed, one year following the filing of the federal adjustments report, or six years after the final determination date, whichever is later.

Taxpayers may make estimated payments of the tax expected to result from a pending IRS audit. Such payments shall be credited against any tax liability ultimately found to be due. If the estimated payments made exceed the final tax liability, the taxpayer shall be entitled to a refund or credit for the excess amount, as described in the bill.

The provisions of this bill shall apply to any adjustments to a taxpayer's federal taxable income or federal adjusted gross income with a final determination date occurring on or after January 1, 2021.

BALLOT LANGUAGE RELATING TO LOCAL USE TAX (Section 144.757)

This bill modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.

DISSOLUTION OF CERTAIN COUNTY HOSPITAL DISTRICTS (Section 205.202)

This bill provides that, upon the dissolution of a county hospital

district levying a sales tax for the purpose of funding the district, the sales tax shall be automatically repealed and 25% of the funds remaining in the Special Trust Fund shall be distributed to the county public health center and 75% shall be distributed to a federally qualified health center located in the county. Currently, this section only applies to Ripley County.

FIRE PROTECTION DISTRICT DIRECTOR (Section 321.015)

This bill adds employees of law enforcement agencies to the list of exceptions to the statutory prohibition against a person holding any lucrative office or employment under this state or a political subdivision and holding the office of fire protection district director.

ATTENDANCE FEES FOR BOARD MEMBERS (Sections 321.190 and 321.603)

This bill further increases the attendance fee for a fire protection district board member attending a board meeting from \$100 to \$150 for board members of districts in both non-charter and charter counties.

This bill also repeals provisions that prohibit a board member from being paid more than one attendance fee if such member attended multiple meetings in certain time periods and, in its place, authorizes board members to be paid for attending not more than one meeting per calendar week.

BOUNDARIES OF FIRE PROTECTION DISTRICTS (Section 321.300)

Under this bill, if one or more fire protection districts serve any portion of a city with a charter form of government located in a county with a charter form of government with a population of 900,000 or more inhabitants which has a municipal fire department, the boundaries of such districts may be expanded so as to include areas within the city, but shall not expand beyond the city limits of such city as it existed on July 1, 2020.

Such a change in the district boundaries shall be accomplished if the governing body of the city files with the board of any such fire protection district a written consent for the board to seek approval of the circuit court to submit the question of the extension of the district's boundaries to the registered voters of the area.

If a majority of the voters voting on the proposition vote in favor of the extension of the boundaries of the district, then the court shall enter an order declaring the extension of the boundaries of the fire district to be final and conclusive.

Currently, the only cities to which this may apply include Berkeley, Clayton, Crestwood, Ferguson, Hazelwood, Kirkwood, Maplewood, Olivette, Richmond Heights, University City, and Webster Groves, all within St. Louis County.

FIRE PROTECTION SALES TAXES (Section 321.552)

Currently, ambulance and fire protection districts in certain counties are authorized to propose, upon voter approval, a sales tax at a rate of up to 0.5%. This bill allows such districts to propose, upon voter approval, a sales tax of up to 1.0%. The vote shall occur on a general election day not earlier than the 2022 General Election, and the district must include information on its website on the tax rate and purposes of the tax.

CIVIL ACTIONS BROUGHT BY INMATES IN COUNTY JAILS (Section 506.384)

Currently, offenders under supervision or in the custody of the Department of Corrections may not bring a civil action against the department unless all administrative remedies are exhausted. This bill also prevents inmates or detainees in county jails from bringing a civil action until all administrative remedies are exhausted.

RECORDS OF MUNICIPALLY OWNED UTILITIES (Section 610.021)

This bill adds individually identifiable customer usage and billing records for customers of a municipally owned utility, unless the records are requested by the customer or authorized for release by the customer, to the list of records that may be closed under the Sunshine Law. A municipally owned utility shall make available to the public the customer's name, billing address, location of service, and dates of service provided for any commercial service account.

MISSOURI WORKS PROGRAM (Section 620.2005 and 620.2010)

This bill modifies the Missouri Works program to provide that, for qualified military projects, the benefit shall be based on part-time and full-time civilian and military new jobs created by the project.

TARGETED INDUSTRIAL MANUFACTURING ENHANCEMENT ZONES ACT (Section 620.2250)

This bill allows any two or more contiguous or overlapping political subdivisions, as defined in the bill, to create one or more "Targeted Industrial Manufacturing Enhancement (TIME) Zones",

which will be political subdivisions of the state, for the purpose of completing infrastructure projects to promote economic development. Prior to the creation of a TIME zone, each political subdivision must propose an ordinance or resolution that sets forth the names of the political subdivisions which will form the zone, the general nature of the proposed improvements, the estimated cost of such improvements, the boundaries of the proposed TIME zone, and the estimated number of new jobs to be created in the TIME zone. The political subdivisions must hear and pass upon all objections to the TIME zone and the proposed improvements, if any, and may amend the proposed improvements and the plans and specifications.

This bill allows the zone board governing the TIME zone to retain 25% of withholding taxes on new jobs created within the TIME zone to fund improvements made in the TIME zone. These moneys shall be deposited into the newly created "TIME Zone Fund", as specified in the bill. Prior to retaining such withholding taxes, the zone board will enter into an agreement with the Department of Economic Development. Such agreement will specify the estimated number of new jobs to be created, the estimated average wage of new jobs to be created, the estimated net fiscal impact of the new jobs, the estimated costs of improvements, and the estimated amount of withholding tax to be retained over the period of the agreement. The department will not approve an agreement unless the zone board commits to the creation of a certain number of new jobs, as described in the bill.

The term of such agreement will not exceed 10 years. A zone board may apply to the Department of Economic Development for approval to renew any agreement. In determining whether to approve the renewal of an agreement, the department will consider the number of new jobs created and the average wage and net fiscal impact of such new jobs, and the outstanding improvements to be made within the TIME zone, the funding necessary to complete such improvements, and any other factor the department requires. The department may approve the renewal of an agreement for a period not to exceed 10 years. If a zone board has not met the new job creation requirements by the end of the agreement, the department will recapture the withholding taxes retained by the zone board.

The zone board must submit an annual report to the Department of Economic Development and to the General Assembly by December 31st of each year. The content of the report is specified the bill.

No political subdivision will establish a TIME zone with boundaries that overlap the boundaries of an advanced industrial manufacturing (AIM) zone.

This provision sunsets six years after the effective date.

SS SCS HCS#2 HB 1896 -- CONTROLLED SUBSTANCES

This bill provides that the standard for issuing a certification that a patient suffers from a medical condition that would qualify the patient for medical marijuana via telemedicine is the same standard currently required to issue a prescription via telemedicine.

This bill specifies that if a substance is designated, rescheduled, or deleted as a controlled substance under federal law, Department of Health and Senior Services (DHSS) shall promulgate emergency rules to implement such change within 30 days of publication of the change in the Federal Register, unless the DHSS objects to the change. If the DHSS promulgates emergency rules under this bill, the rules may remain in effect until the legislature concludes its next regular session following the imposition of the rules.

Additionally, this bill updates the schedules of controlled substances in Missouri to mirror the most recent update to the schedules in 19 CFR 30-1.002 and further updates by the Drug Enforcement Agency in the Federal Register (Sections 195.015 and 195.017, RSMo).

This bill prohibits the requirement of a prescription for the dispensation, sale, or distribution of any drug containing any detectable amount of ephedrine, phenylpropanolamine, or psuedoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits set forth in law. This provision shall expire when state's methamphetamine laboratory seizure incidents, as reported by the State Highway Patrol, exceed 300 incidents in a year. All current local ordinances and regulations regarding prescriptions for the dispensation, sale, or distribution of any drug containing any detectable amount of ephedrine, phenylpropanolamine, or psuedoephedrine, or any of their salts or optical isomers, or salts of optical isomers, in an amount within the limits set forth in law that are in effect prior to August 28, 2020, shall be void and of no effect on August 28, 2020. This bill also changes the amounts that can be sold, dispensed, or otherwise provided to a person in a 30-day period without a prescription from a maximum of 9 grams to a maximum of 7.2 grams and adds an annual limit of 43.2 grams. (Sections 195.417 and 579.060)

This bill prohibits the sale of edible marijuana-infused products that are designed, produced, or marketed in a manner to appeal to

persons under 18 years of age, including candies, gummies, lollipops, cotton candy, or products in the shape of a human, animal, or fruit. Each package that contains at least 10 milligrams of THC must be stamped with a universal symbol. Any medical marijuana licensed or certified entity regulated by the DHSS found to have violated this bill shall be subject to sanctions, including an administrative penalty. The DHSS shall develop a process by which a licensed or certified entity may seek approval of a product design, package, or label prior to manufacture or sale to determine compliance with these provisions (Section 195.805).

Under the provisions of this bill, the DHSS shall require all employees, officers, managers, staff, and owners of marijuana facilities to submit fingerprints for criminal background checks to the State Highway Patrol. The fingerprint submissions must be a part of the medical marijuana facility application. All fingerprint cards and fees must be sent to the State Highway Patrol. The fingerprints will also be forwarded to the FBI for a federal criminal background check.

This bill shall be effective upon its passage and approval or July 1, 2020, whichever occurs later (Sections 191.1146, 195.815, and Section B).

This bill adds to the offense of trafficking drugs in the first degree knowingly distributing, delivering, manufacturing, or producing or attempting to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl. If the violation involves 20 milligrams or more of fentanyl or any derivative thereof, or any mixture or substance containing 20 milligrams or more of fentanyl, it is a class A felony. If it involves more than 10 milligrams, it is a class B felony. Additionally, one gram or more of flunitrazepam (Rohypnol) or any amount of gamma-hydroxybutyric acid (GHB) is a class B felony for the first offense and a class A felony for the second or subsequent offense. (Section 579.065).

The bill adds to the offense of trafficking drugs in the second degree knowingly possessing or having under one's control, purchasing or attempting to purchase, or bringing into the state more than 10 milligrams of fentanyl or any derivative thereof, or any mixture or substance containing a detectable amount of fentanyl. If the violation involves 20 milligrams or more of fentanyl or any derivative thereof, or any mixture or substance containing 20 milligrams or more of fentanyl, it is a class B felony. If it involves more than 10 milligrams, it is a class C felony. Additionally, the offense is a class C felony for the

first offense and class B felony for the second or subsequent offense for the trafficking of less than one gram of flunitrazepam (Rohypnol) (Section 579.068).

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SS #3 SCS HB 1963 -- TRANSPORTATION

This bill modifies provisions relating to transportation.

REMOTE DRIVER'S LICENSE RENEWALS (Section 32.300, RSMo)

This bill authorizes the Department of Revenue to design and implement a remote driver's license renewal system accessible through the department's Internet website connection or through one or more self-service terminals located within the state. The system shall comply with federal law as specified in the bill.

Drivers may apply for no more than one consecutive renewal remotely, and shall apply within six months before or after the license expires as required for conventional renewal.

Applicants for remote renewal shall not be required to complete the highway sign recognition test unless the department has technology allowing the test to be conducted remotely. In lieu of the current vision test requirement, applicants for remote renewal shall certify under penalty of law that their vision satisfies the legal requirements and that they have undergone an eye exam in the last 12 months. The applicant shall authorize the exchange of relevant medical information as provided in the bill, and shall be at least 21 years of age but not more than 50 years of age. The applicant's ophthalmologist or optometrist shall have 4 business days to confirm or deny the vision and medical information of the applicant, and if no response is received within the time allotted, the department shall accept the information provided by the applicant.

QUALIFIED AIR FREIGHT FORWARDERS (Section 143.441)

This bill adds "qualified air freight forwarders", as defined in the bill, to the definition of "corporation" as a transportation corporation for the purposes of corporate income allocation.

LEASE OR RENTAL COMPANIES (Section 143.441)

This bill provides that registered fleet owners of rental or lease motor vehicles, rather than vehicle lease or rental companies, shall post a bond with the Department of Revenue upon applying for a license to operate.

TAXATION OF AVIATION JET FUEL (Section 144.805)

Currently, a sales tax exemption for aviation jet fuel is used by common carriers engaged in the interstate air transportation of passengers and cargo, with the exemption set to expire on December 31, 2023. This bill extends the expiration date until December 31, 2033.

BILL GRIGSBY MEMORIAL HIGHWAY (Section 227.476)

This bill designates the portion of State Highway 9 from Nodaway Street to Park College Entrance Drive in Platte County as "Bill Grigsby Memorial Highway".

TUBE TRANSPORT SYSTEMS (Section 227.600)

This bill modifies the Missouri Public-Private Partnerships Transportation Act to authorize the Missouri Highways and Transportation Commission to form a public-private partnership to construct a "tube transport system", as defined in the bill. The power of eminent domain shall not apply to a tube transport system. No funds from the Constitutional State Road Fund shall be used for the financing, development, or operation of a tube transport system. Under no circumstances will a public right-of-way necessary for the expansion of Interstate 70 be materially impeded by or transferred to a public-private partnership for the purpose of constructing a tube transport system. The provisions of a tube transport system authorized under the bill will sunset on August 28, 2025, unless reauthorized by the General Assembly in subsequent 5-year periods.

POLICE OFFICER CHRISTOPHER RYAN MORTON MEMORIAL HIGHWAY (Section 227.803)

This bill designates the portion of State Highway 7 from County Road 221 West continuing to Calvird Drive in the city of Clinton in Henry County as "Police Officer Christopher Ryan Morton Memorial Highway".

POLICE OFFICER GARY LEE MICHAEL, JR. MEMORIAL HIGHWAY (Section 227.804)

This bill designates the portion of State Highway 13 from State Highway 52 West continuing to Calvird Drive in the city of Clinton in Henry County as "Police Officer Gary Lee Michael, Jr. Memorial Highway".

COMPOSITION OF OFF-HIGHWAY VEHICLES

This bill modifies the definitions of certain off-highway vehicles.

The bill provides that in addition to the other requirements specified in the definition, a vehicle need only meet the seating and handlebar requirements "or" the maximum width requirement to meet the definition of "all-terrain vehicle", and specifies that the width shall be measured from the outsides of the tire rims.

Certain definitions, specifying that the vehicles are equipped with low-pressure tires, are amended to instead specify that the vehicles are equipped with "nonhighway" tires. These definitions are also modified to specify a maximum weight of 1,500 pounds rather than 600 pounds, (Sections 300.010(2), 407.815(2), and 407.1025(2)) or rather than 1,000 pounds (Section 577.001(3)). The enacted definitions of "all-terrain vehicle" are identical to one another.

The bill also modifies the definition of "recreational off-highway vehicle" by specifying a maximum width of 80 inches, rather than 67 inches. The bill also provides that the width shall be measured from the outsides of the tire rims, and specifies a maximum unladen dry weight of 3,500 pounds rather than 2,000 pounds.

Lastly, the definition of "utility vehicle" is modified to specify a maximum width of 80 inches, rather than 67 inches. The bill also provides that the width shall be measured from the outsides of the tire rims, and specifies a maximum unladen dry weight of 3,500 pounds rather than 2,000 pounds (Section 301.010(70)).

MOTOR VEHICLE REGISTRATION PERIODS (Section 301.030)

This bill specifies that fees for the renewal of noncommercial motor vehicle registrations shall be payable no later than the last day of the month that follows the final month of the expired registration period. No renewal penalty shall be assessed, and no violation for expired registration shall be issued, until the second month that follows the expired registration period.

FLEET VEHICLE REGISTRATIONS (Section 301.032)

This bill provides that the registration for fleet vehicles shall be fully payable at the time the license plates are ordered, except that when the plates are ordered after the first month of registration, the fees shall be prorated.

TRANSFER OF MOTOR VEHICLES (Sections 301.140, 301.190, 301.190, 301.210, 301.213, 301.280.1 and 301.560.1)

The bill modifies the definition of "owner" of a vehicle to include

a person who has executed a buyer's order or retail installment sales contract with a licensed motor vehicle dealer when there is an immediate right for the buyer to possess the vehicle.

Operation of a motor vehicle with temporary license plates or license plates transferred from a trade-in shall be legal for no more than 60 days when a dealer sells the vehicle with an agreement for the delayed transfer of title as provided in the bill (Section 301.140).

Vehicle owners obtaining a vehicle as specified in the bill shall apply for a certificate of title within 30 days of receiving title from the dealer (Sections 301.190.1 and 301.190.5).

Under the bill, a vehicle transfer shall be "presumed" fraudulent and void unless the vehicle's title is assigned and passed to the buyer at the time of transfer, or unless the parties have agreed to delayed delivery of title as provided in the bill (Section 301.210.4).

The bill specifies that licensed motor vehicle dealers may deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of ownership with an assignment to the purchaser within 30 days after delivery (Section 301.210.5).

The agreement shall be in a form prescribed by the Director of the Department of Revenue, shall provide that if the dealer does not pass the assigned certificate of ownership to the purchaser within 30 days, the purchase shall be voidable at the purchaser's option, and the dealer shall re-purchase the vehicle as provided in the bill (Section 301.210.5(1)).

If the vehicle has incurred damages covered by the purchaser's insurance policy and the vehicle is determined to be a total loss, the insurance company may satisfy the claim by transferring all proceeds to the purchaser and recorded lienholders. The purchaser shall not assign insurance policy proceeds without express written permission of the insurer. In conjunction with satisfaction of the claim, if the insurer receives the totaled vehicle but clear title never vests with the purchaser as required, the insurer shall notify the dealer and the dealer shall reimburse the insurer for the salvage value of the vehicle. In exchange, the insurer shall assign its rights back to the dealer. If the dealer does not make payment to the insurer within 15 days of receiving notice, the dealer shall be liable to the insurer for the vehicle's salvage value, actual damages, and applicable court costs in return for the right to acquire title and apply for a salvage title (Section 301.210.5(2)).

As provided in the bill, completion of the requirements of the bill shall constitute sufficient evidence of ownership of the vehicle for all purposes other than a subsequent transfer of ownership. However, the purchaser may use a dealer-supplied copy of the agreement under this bill to transfer ownership of the vehicle to an insurance company in situations where the vehicle is declared salvage or a total loss as the result of settlement of an insurance claim (Section 301.210.5(3)).

No motor vehicle dealer shall be authorized to sell vehicles in accordance with this bill until the dealer has provided to the Director of the Department of Revenue a bond or irrevocable letter of credit in an amount not less than \$100,000 in lieu of the \$50,000 bond otherwise required to act as a motor vehicle dealer (Section 301.210.5(4)).

This bill also repeals the existing framework for dealers accepting trade-in vehicles subject to existing liens, effective December 31, 2020 (Section 301.213).

Motor vehicle dealers' monthly sales reports submitted to the Department of Revenue shall include vehicles sold during the month in accordance with the bill (Section 301.280.1).

The bill specifies the circumstances under which proceeds from a dealer applicant's bond or irrevocable letter of credit will be paid. In addition to relocating an existing provision regarding bond proceeds, the bill specifies that bond proceeds shall be paid to any buyer or interested lienholder as provided in the bill if the dealer fails to deliver the assigned certificate of ownership as agreed. The Department of Revenue shall release the bond proceeds upon receiving certain documentation and evidence, as specified in the bill, and that the vehicle has been or will be returned by the purchaser as required. Except for ordinary wear and tear or mechanical failures not caused by the purchase, the amount of proceeds paid to the purchaser shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred by the vehicle while in the purchaser's possession. Within 30 days of receiving notice of a claim against bond or irrevocable letter of credit proceeds, the dealer may apply to a court of competent jurisdiction to contest the claim on the bond or letter of credit, including the amount of the claim or any adjustments made for damage, abuse, or destruction incurred (Section 301.560.1(3)).

TITLING OF ABANDONED PROPERTY (Section 301.193)

This bill allows a salvage pool or salvage dealer and dismantler taking possession of a vehicle from an insurer that did not purchase the vehicle through the claims adjustment process, or a

used motor vehicle dealer taking possession of a vehicle from a 501(c)(3) tax-exempt organization without negotiable title, to obtain a salvage certificate of title or junking certificate in its name if a vehicle remains unclaimed on the salvage pool's, salvage dealer and dismantler's, or used motor vehicle dealer's premises for more than 45 days. The salvage pool, salvage dealer and dismantler, or used motor vehicle dealer shall, 45 days prior to applying for title, notify any owners or recorded lienholders of the vehicle of the salvage pool's, salvage dealer and dismantler's, or used motor vehicle dealer's intent to apply for title if the vehicle is not removed from their premises.

The application for title shall be on a form provided by the Department of Revenue, signed under penalty of perjury, and accompanied by a statement explaining how the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer came to possess the property, a vehicle description as specified in the bill, the current location of the property, a title application fee as required by law, a copy of the 45-day notice and certified mail receipts or proof of delivery by a courier, and, if the vehicle is not currently titled in the state, a law enforcement inspection report.

Upon receipt of the application and required documents, the Director of the Department of Revenue shall verify the names and addresses of any owners and lienholders. If the director identifies any additional owner or lienholder who has not been notified, the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer shall notify the owners or lienholders in accordance with the bill. Thereafter, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage title or junking certificate in the name of the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer.

This bill also enacts provisions allowing insurers that purchase vessels or watercraft through the claims adjustment process to apply for a certificate of title in the same manner that insurers that purchase vehicles currently titled in the state through the claims adjustment process apply for a salvage title or junking certificate. An insurer purchasing a vessel or watercraft through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the Department of Revenue for a certificate of title.

Application shall be made on a form provided by the Department, signed under penalty of perjury, and shall be accompanied by a declaration that the insurer has made at least two written attempts to obtain evidence of title, proof of claims payment from the

insurer, evidence that letters were sent to the owner, a statement explaining how the insurer came to possess the property, a description of the vessel or watercraft as specified in the bill, the current location of the property, and a title application fee as required by law. The insurer shall, 45 days prior to applying for title, notify any owners or lienholders of record for the vessel or watercraft that the insurer intends to apply for title as provided in the bill.

RESPONSIBILITIES OF THE HIGHWAY PATROL (Sections 301.560 and 301.564)

This bill replaces certain references to officers of the State Water Patrol with references to "authorized or designated employees" of the State Highway Patrol.

The bill makes this change in a statute regarding the certification of a boat manufacturer's or boat dealer's bona fide place of business (Section 301.560) and in a statute regarding the inspection of certain documents and records.

MOTOR VEHICLE HISTORY REPORTS (Section 301.576)

This bill provides that motor vehicle dealers shall not be liable for inaccuracies in third-party motor vehicle history reports when the inaccuracy is not based on information provided to the third-party preparer of the report by the dealer. This bill shall not apply if the dealer has actual knowledge of a vehicle's accident, salvage, or service history not reflected on a third-party motor vehicle report, as defined in the bill.

CENTRAL MISSOURI HONOR FLIGHT SPECIAL LICENSE PLATES (Section 301.3069)

This bill establishes a "Central Missouri Honor Flight" special license plate. The plate requires an annual emblem-use fee of \$25, paid to Central Missouri Honor Flight and to be used for financial assistance to transport veterans to Washington D.C. to view veteran memorials, in addition to the \$15 special personalized license plate fee and other requirements and fees as provided by law.

MERITORIOUS SERVICE MEDAL SPECIAL LICENSE PLATES (Section 301.3159)

This bill establishes a "Meritorious Service Medal" special license plate. Applicants shall provide proof of having been awarded the medal as required by the Director of the Department of Revenue. There shall be an additional fee for issuance of the plates equal to the \$15 special personalized license plate fee. Meritorious Service Medal license plates shall not be transferable to any other

person, except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

ASSOCIATION OF MISSOURI ELECTRIC COOPERATIVES SPECIAL LICENSE PLATE
(Section 301.3174)

This bill repeals a restriction on the vehicle types for which the Association of Missouri Electric Cooperatives may approve the use of its logo on special license plates, and directs the Department of Revenue to issue the special plates for non-apportioned vehicles of any classification for which it issues plates.

BACKSTOPPERS SPECIAL LICENSE PLATE (Section 301.3176)

This bill establishes a "BackStoppers" special license plate. Upon making a \$10 contribution to the BackStoppers General Operating Fund or the BackStoppers Education Fund as provided in the bill, a vehicle owner may apply for the plate. Applicants shall also pay a \$15 fee in addition to regular registration fees, but no additional fee shall be charged for the personalization of BackStoppers special license plates.

MOTORCYCLE HELMET LAW (Sections 302.020 and 302.026)

Currently, every person operating or riding a motorcycle or motortricycle is required to wear protective headgear (Sections 302.020 and 302.026). This bill provides that persons under the age of 26 who are operating or riding as a passenger on a motorcycle or motortricycle shall wear a helmet when the vehicle is in motion. Similarly, a person who is 26 or older, operating a motorcycle or motortricycle, and who has been issued an instruction permit shall wear a helmet when the vehicle is in motion. No political subdivision of the state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motortricycle. No person shall be stopped, inspected, or detained solely to determine compliance with these provisions (Section 302.020.2).

The bill also provides that qualified operators who are 26 or older may operate a motorcycle or motortricycle without a helmet if he or she is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of a motorcycle or motortricycle accident. Proof of such coverage shall be provided on request of law enforcement by showing a copy of the qualified operator's insurance card. No person shall be stopped, inspected, or detained solely to determine compliance with these provisions.

REAL ID(Section 302.170)

This bill removes "facial feature pattern characteristics" and "eye spacing" from the definition of biometric data (Section 302.170.1), repeals the requirement for the department to store retained driver's license application documents on a system isolated from the Internet and to purge the documents from previous systems on which they were stored (Section 302.170.2). The bill also allows the Department of Revenue to retain documents at the request of and for the convenience of an applicant regardless of whether the applicant requests that the department review alternative documents as proof required for issuance of a license (Section 302.170.3(6)), and allows the department to use digital images and license signatures as required for the use of software for purposes of combating fraud (Section 302.170.5). Furthermore, the bill requires a "knowing" standard before a person can be prosecuted for unlawfully accessing or disclosing certain driver's license data (Section 302.170.8), and repeals the expiration date of the authority to comply with the federal REAL ID Act of 2005 (Section 302.170.15).

DRIVER'S LICENSES (Section 302.181)

This bill repeals obsolete references to Social Security numbers, and updates references to film photography to reflect the use of digital images (Section 302.181.1-4).

This bill authorizes the Department of Revenue to design and implement a secure digital driver's license program that allows license applicants to obtain a digital driver's license in addition to a card-based license. The digital license shall be accepted for all purposes for which a card-based license is used. The department may contract with one or more entities to develop the digital driver's license system, and the department or entities may develop a mobile software application capable of being utilized through a person's electronic device to access the person's digital driver's license. The department shall suspend, disable, or terminate a person's participation in the digital driver's license program if the driver's driving privilege is suspended, revoked, denied, withdrawn, or canceled as provided by law, or if the person reports their electronic device has been lost, stolen, or compromised .

MEDICAL ALERT NOTATIONS ON DRIVER'S LICENSES (Section 302.205)

This bill allows for medical alert notations to be placed on driver's licenses and non-driver's identification cards for posttraumatic stress disorder, diabetes, heart conditions,

epilepsy, drug allergies, Alzheimer's or dementia, schizophrenia, autism, or other conditions as approved by the Department of Revenue. Persons applying for a medical alert notation shall waive liability for the release of any medical information to the department, anyone eligible for access to such medical information recorded on a driving record, and any other person who may view or receive notice of the medical information by virtue of having seen the license. The application shall include a space for applicants to obtain a sworn statement from a licensed physician or licensed psychologist verifying the diagnosis.

Individuals who have been issued licenses or identification cards bearing medical alert information may be issued a replacement that does not bear the medical alert information upon payment of the fee applicable to lost licenses or cards. No medical alert information shall be printed on or removed from a license or identification card without the express consent of the licensee, or the licensee's parent or guardian.

COMMERCIAL DRIVER'S LICENSES (Sections 302.720 and 302.723)

This bill provides for a process by which Commercial Driver's License (CDL) applicants with disabilities may request testing accommodations for the written and driving tests, and specifies that the accommodations shall state that a hearing test shall not be required for applicants who are deaf or hard of hearing. These provisions shall be null and void if the United States Secretary of Transportation determines they will result in a loss of federal highway funding.

The bill also specifies that any entity providing training to persons preparing to apply for a CDL shall provide reasonable accommodations for persons who are deaf or hard of hearing. These provisions shall be null and void if the United States Secretary of Transportation determines they or the provisions relating to disabled applicants requesting testing accommodations will result in a loss of federal highway funding.

MOTOR VEHICLE INSURANCE REPORTING (Section 303.026)

This bill repeals an exemption from motor vehicle insurance policy issuance, nonrenewal, and cancellation reporting requirements for insurers with a statistically insignificant number of policies in force (Section 303.026.3(1)), and specifies that the Director may require insurers to provide records of policies issued, canceled, terminated, or revoked as frequently as he or she deems necessary (Section 303.026.3(2)).

MISSOURI AUTOMOBILE INSURANCE PLAN (Section 303.200)

This bill modifies existing law regarding apportionment of substandard insurance risks to create the Missouri Automobile Insurance Plan ("MOAIP"). Under the bill, MOAIP is authorized to issue motor vehicle insurance policies to applicants who are unable to procure motor vehicle liability policies through ordinary methods, rather than funding issuance of the policies through other insurers. The bill further specifies that the Director of the Department of Commerce and Insurance shall consult with insurance companies "having a certificate of authority to do business in the state and actively writing motor vehicle liability policies" regarding the plan, rather than insurance companies "authorized to issue automobile liability policies" (Section 303.200.1).

MOAIP shall perform its functions under a plan of operation, approved by the director, and through a board of governors as prescribed in the plan of operation (Section 303.200.2). The plan of operation shall prescribe the issuance of motor vehicle insurance policies, which may include the administration of the policies by a third party, as specified in the bill (Section 303.200.3).

The bill requires MOAIP to obtain approval from the director before using forms, rates, or manuals (Section 303.200.4). MOAIP is subject to the applicable insurance laws of this state unless specifically exempted (Section 303.200.5), is required to file annual financial reports and to be subject to examination by the director, and shall have the authority to make assessments on member insurance companies in proportion to their market share (Section 303.200.6). Member insurers and members of the governing committee shall be immune from liability for omissions and actions taken in the performance of their powers and duties under the bill (Section 303.200.7).

VEHICLES TOWING COTTON TRAILERS (Section 304.170)

These provisions exempt vehicles towing trailers specifically designed to carry harvested cotton, with a total length of not more than 93 feet, from certain height, width, and length limitations, provided that the vehicles shall only be used to haul cotton, or to haul hay within the state to areas determined by the National Drought Mitigation Center to be affected by drought.

FIRE PROTECTION VEHICLES (Sections 304.172 and 304.180))

Currently, vehicles used in fire protection are exempted from certain restrictions on height, width, weight, length, and load. This bill repeals the exemption from weight and load restrictions .

The bill instead specifies that emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to "support the suppression of fires and" mitigate hazardous situations may have a maximum gross vehicle weight of 86,000 pounds as specified in the bill, "except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways".

This bill extends, from December 31, 2022, to December 31, 2032, the sunset date for provisions regarding the issuance of temporary boating safety identification cards.

ABANDONED OR DERELICT AIRCRAFT (Sections 305.802, 305.804, 305.806, 305.808, and 301.810)

This bill specifies that if a derelict or abandoned aircraft is discovered on an airport's property, the airport superintendent shall make a record of the date it was discovered, and inquire with the Federal Aviation Administration or an aircraft title search company as to the owner and any lienholders. The superintendent shall, within 10 days of receiving this information, notify the owner and any interested parties by certified mail of the aircraft's location, what fees and charges have accrued, that the aircraft is subject to an enforceable lien, that the airport may dispose of the aircraft if the owner or interested party does not move the aircraft and pay any accrued costs within 30 days, and that the airport may remove the aircraft in less than 30 days if it poses a danger to health or safety. If the owner of the aircraft can not be determined, the superintendent may post the required notice on the aircraft as specified in the provision (Section 305.802).

If the owner or other interested party does not remove the aircraft within 30 days and pay all accrued costs, or shows reasonable cause for a failure to do so, the superintendent may retain, trade, sell at auction, or dispose of the aircraft as specified in the bill. If the proceeds from sale of the aircraft is less than the fees and charges against it, the owner of the aircraft shall remain liable for the balance due. All expenses for the removal, storage, and sale of the aircraft shall be recoverable against the owner of the aircraft (Section 305.804).

This bill specifies a process for airport superintendents to file liens on derelict or abandoned aircraft (Section 305.806), and for release of the liens upon sale of the aircraft (Sections 305.808 and 301.810).

MUD FLAP REQUIREMENTS (Section 307.015)

This bill raises, from 8 inches to 12 inches, the maximum distance from the ground to which the bottom edge of dump trucks' mud flaps are required to extend.

RECREATION VEHICLE DEALERS (Section 407.1329)

This bill modifies provisions requiring recreation vehicle (RV) manufacturers to repurchase RVs and certain associated items from dealers upon the termination of an RV dealer agreement. In addition to the circumstances already specified by law, the bill provides that the dealer may elect for the manufacturer to repurchase vehicles, parts, and equipment if the dealer voluntarily terminates the agreement in a manner permitted under the agreement, or if the manufacturer terminates or discontinues a franchise by discontinuing a line-make or by ceasing to do business in the state, or if the manufacturer changes the distributor or method of distribution of its products in this state or alters its sales regions or marketing areas within this state in a manner that eliminates or diminishes the dealer's market area.

The bill also replaces repurchase item categories for current model-year RVs, and for prior model year RVs drafted on the dealer's financing source or paid within 120 days prior to the end of the dealer agreement, with a single category consisting of all new untitled RV inventory acquired from the manufacturer in the past 18 months. The new category eliminates the specific requirement that the vehicles have not been used, and provides that the vehicles shall be repurchased at "100% of net invoice cost, including transportation, less applicable rebates and discounts to the dealer", rather than specifying that the repurchase price shall be reduced by the cost to repair any damages not required by law to be disclosed.

The manufacturer shall pay the dealer within 30 days of receipt of all items returned for repurchase as provided by law.

USE OF UNMANNED AIRCRAFT (Sections 217.850, 577.800, and 632.460)

This bill creates the offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or certain open-air facilities, including sports stadiums holding 5,000 or more persons, as defined in the bill. A person commits such offense if he or she operates an unmanned aircraft within a distance of 400 feet of a correctional center, mental health hospital, or open-air facility as specified in the bill or allows an unmanned aircraft to make contact with a correctional center, mental health hospital, or open-air facility, including any person or object on the premises of or within the facility (Sections 217.850, 577.800, and 632.460).

The bill provides exceptions to the offense, including for a law enforcement agency, fire department, or utility company under specified circumstances.

The offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or open-air facility is an infraction unless the person uses the unmanned aircraft for the purpose of:

- (1) Delivering a weapon or other article that may be used in such a manner to endanger the life of an offender or correctional center or mental health hospital employee or employee or guest of the open-air facility, in which case it is a class B felony;
- (2) Facilitating an escape from confinement, in which case it's a class C felony; or
- (3) Delivering a controlled substance, in which case it is a class D felony.

Each correctional center, mental health hospital, or open-air facility shall post a sign of the provisions of the offense. The sign must be at least 11" by 14" and be posted in a conspicuous location.

CCR SS HCS HB 2046 -- PROFESSIONAL REGISTRATION

CORONER STANDARDS AND TRAINING COMMISSION (Section 58.035, RSMo)

This bill establishes the Coroner Standards and Training Commission which shall establish training standards relating to the operation, responsibilities, and technical skills of the office of county coroner. The membership of the Commission is set forth in the bill. The Commission shall issue a report to the General Assembly on the training standards once they are developed.

COUNTY CORONER SALARY (Section 58.095)

Currently, \$1,000 of a county coroner's salary shall only be payable if he or she completes at least 20 hours each year of classroom instruction relating to the operations of the coroner's office when approved by a professional association of county coroners of Missouri. This bill provides that the Coroners Standards and Training Commission shall establish and certify such training programs and their completion shall be submitted to the

Missouri Coroners' and Medical Examiners' Association. Upon the Association's validation of certified training, it shall then submit the individual's name to the county treasurer and Department of Health and Senior Services indicating his or her compliance.

MISSOURI STATE CORONERS' TRAINING FUND (Sections 58.208 and 193.265)

This bill creates the Missouri State Coroners' Training Fund. For any death certificate issued, there will be a fee of \$1 deposited into the fund, which shall be used by the Missouri Coroners' and Medical Examiners' Association for the purpose of in-state training, equipment, and necessary supplies, and to provide aid to training programs approved by the Association. This fee shall be imposed and collected in addition to all other fees already being imposed and collected on the issuance of death certificates, resulting in the current total fee of \$13 being increased to \$14. Also, during states of emergency or disasters, local registrars may request reimbursement from the fund for copies of death certificates issued to individuals who are unable to afford the associated fees.

DEATH IN HOSPICE CARE (Sections 58.451 and 58.720)

When a death occurs under the care of a hospice, no investigation shall be required by a coroner or medical examiner, under this bill, if the death is certified by the treating physician of the deceased or the medical director of the hospice as a natural death due to disease or diagnosed illness. The hospice must give written notice to the medical examiner or coroner within 24 hours of the death.

PHYSICIAN ASSISTANTS TO SERVE AS STAFF ON AMBULANCES (Sections 190.094, 190.105, 190.143, and 190.196)

Physician assistants may serve as staff on an ambulance. When attending a patient on an ambulance, the physician assistant shall be exempt from any mileage limitations in any collaborative practice arrangement prescribed under law.

ELECTRONIC DEATH REGISTRATION SYSTEM (Section 193.145)

If a coroner has not completed his or her training, the coroner cannot attest to the accuracy of a death certificate and no person elected or appointed to the office of coroner can assume such elected office until he or she has completed the training and received a certificate of completion. In the event a coroner is unable to fulfill his or her duties or is no longer qualified to sign a death certificate, the county sheriff will appoint a medical

professional to attest death certificates until the coroner can resume signing them or until another coroner is appointed or elected.

PROFESSIONAL LICENSE RECIPROCITY (Section 324.009)

This bill makes changes to Section 324.009 from HCS HBs 1511 & 1452 regarding licensure by reciprocity, which was signed into law by the Governor on April 21, 2020.

The following individuals are currently excluded from the licensure by reciprocity provisions of Section 324.009: those with a certificate of license to teach in public schools; and those licensed by the Board of Registration for the Healing Arts, the Board of Nursing, the Board of Pharmacy, the State Committee of Psychologists, the Dental Board, the Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Architects, the Board of Optometry, or the Veterinary Medical Board.

This bill removes these exclusions and requires that licensure by reciprocity under Section 324.009 for these professions be the same as any other licensed profession in this state.

Currently, only a resident of Missouri, a resident military spouse, or a nonresident military spouse is eligible to apply for a license by reciprocity. The bill allows any person to apply and adds the requirement for all applicants that the applicant for licensure by reciprocity has had a license for at least one year in another state, territory, or the District of Columbia. The applicant also must be licensed at the same practice level in the other jurisdiction. The bill removes the requirement that the jurisdiction that issued the applicant's license must have substantially similar or more stringent requirements than the licensure requirements in Missouri. Instead, the bill requires that the other jurisdiction must have minimum education requirements and, if applicable, work experience and clinical supervision requirements. If licensure in Missouri requires an examination on the law of Missouri before licensure, then an applicant can be required to take and pass an examination on the laws of Missouri before being granted a license by reciprocity.

The bill explicitly prevents licensure by reciprocity if an applicant has had his or her license revoked in another jurisdiction, is currently under investigation in another jurisdiction, or has a complaint pending in another jurisdiction, or if the applicant does not have a license in good standing in the other jurisdiction or has a criminal record that would disqualify the applicant in Missouri. If another jurisdiction has taken

disciplinary action against an applicant, the oversight body must determine if the cause for the disciplinary action was corrected and the matter resolved. The oversight body may deny a license by reciprocity until the matter is resolved in the other jurisdiction. This bill removes a provision that would allow an applicant to be denied a license if granting a license by reciprocity would endanger the public health, safety, or welfare.

The provisions of licensure by reciprocity do not apply to a profession that has a licensing compact with another state. A license issued by reciprocity is valid only in Missouri and does not make a licensee eligible to be part of an interstate compact.

The provisions of the section will not apply to any of the occupations listed in subsection 6 of Section 290.257 or licensed electrical contractors.

FRESH START ACT (Section 324.012 and Sections 209.334, 214.276, 256.477, 317.015, 324.086, 324.217, 324.262, 324.265, 324.436, 324.496, 324.523, 324.940, 324.1112, 327.131, 327.221, 327.312, 327.381, 327.441, 327.612, 328.075, 328.150, 329.140, 331.030, 331.060, 332.231, 332.251, 332.281, 332.291, 333.041, 334.414, 334.530, 334.613, 334.616, 334.655, 334.920, 336.030, 336.110, 337.020, 337.035, 337.330, 337.510, 337.525, 337.615, 337.630, 337.644, 337.645, 337.665, 337.715, 337.730, 339.040, 339.100, 339.511, 339.532, 344.030, 344.050, 345.015, 345.050, 345.065, 346.055, 346.105, and 436.230)

This bill establishes the Fresh Start Act of 2020.

Beginning January 1, 2021, no person shall be disqualified by a state licensing authority from pursuing or practicing in any occupation for which a license is required solely or in part because of a prior conviction of a crime in this state or another state, unless the crime is directly related to the duties and responsibilities for the licensed occupation or the crime is violent or sexual in nature. The bill outlines criminal offenses that will be considered to be directly related to the duties and responsibilities of any licensed professions.

If an individual is charged with any of the crimes set forth in the bill and is convicted of the offense, or is found guilty of a lesser included offense, and is sentenced to a period of incarceration, such conviction shall only be considered by state licensing authorities as a disqualifying criminal offense that directly relates to the duties and responsibilities of a licensed profession for four years. However, this four year limitation does not apply to crimes that are violent or sexual in nature.

The bill requires licensing authorities to list criminal convictions that are directly related to the duties and responsibilities of the licensed occupation and determine whether an applicant with such a conviction will be denied a license based on the nature of the crime, the passage of time since the crime, the relationship of the crime to the occupation, and any evidence of rehabilitation.

An individual with a criminal record may petition a licensing authority at any time for a determination of whether they will be disqualified from receiving a license.

If a licensing authority denies an individual a license solely or in part because of the individual's prior criminal conviction, the licensing authority shall notify the individual in writing of the reasons for the denial, that the individual has the right to a hearing to challenge the decision, the earliest date the person may reapply for a license, and that evidence of rehabilitation may be considered upon reapplication. The Fresh Start Act does not apply to teachers; accountants; podiatrists; dentists; physicians and surgeons; nurses; pharmacists; real estate brokers, real estate salespersons, or real estate broker-salespersons; veterinarians; licensing requirements from the Director of the Division of Finance; or peace officers or other law enforcement personnel. The Fresh Start Act will apply to any new occupational license created after August 28, 2020.

Political subdivisions are prohibited from creating any new occupational licenses after August 28, 2020.

The bill removes provisions throughout statute that prevent licensure for crimes involving "moral turpitude" or that require "good moral character" and standardizes licensure language to refer to the provisions of the Fresh Start Act for the following professions: interpreters for the deaf; endowed care or nonendowed care cemeteries; registered geologists; boxing, wrestling, or martial arts contestants or staff; occupational therapists; licensed dietitians; massage therapists; registered interior designers; acupuncturists; tattooists; electrical contractors; private investigators; architects; professional engineers; professional land surveyors; professional landscape architects; barbers; cosmetologists and hairbraiders; chiropractors; dentists and dental hygienists; embalmers and funeral directors; anesthesiologist assistants; physical therapists; respiratory care therapists; optometrists; psychologists; behavior analysts; professional counselors; social workers and baccalaureate social workers; marital and family therapists; real estate brokers and real estate salespersons; real estate appraisers; nursing home administrators; speech pathologists and audiologists; hearing aid

fitters and dealers; and athlete agents.

EXPANDED WORKFORCE ACCESS ACT (Section 324.025)

This bill creates the "Expanded Workforce Access Act of 2020". Beginning January 1, 2021, licensing authorities are required to grant a license to any applicant that has completed the 8th grade, completed a state- or federally-approved apprenticeship program, and passed any necessary examination. The passing score for any examination cannot be higher than the passing score required for any non-apprenticeship license, and there cannot be an examination required for an apprenticeship license if there isn't one required for a non-apprenticeship license. For some types of apprenticeships, the number of working hours required cannot be more than the number of educational hours required for a non-apprenticeship license. These provisions do not apply to : asbestos workers, boilermakers, bricklayers, carpenters, cement masons, communications technicians, electricians, elevator constructors, glazier, ironworkers, general laborers, masons, operating engineers, linemen, groundmen, painters, plumbers, roofers, sheet metal workers, sprinkler fitters, truck drivers, or electrical contractors.

PROHIBITED USES OF OCCUPATIONAL FEES (Section 324.035)

Under this bill, no board, commission, or committee within the Division of Professional Registration, within the Department of Commerce and Insurance, shall utilize occupational fees for the purpose of offering continuing education classes.

A board, commission, or committee within the Division may use occupational licensure fees for the purpose of participating in conferences, seminars, or other outreach for the purposes of communicating information to licensees with respect to changes in policy, law, or regulations.

GUIDELINES FOR REGULATION OF CERTAIN OCCUPATIONS (Section 324.047)

This bill provides that nothing in current law regarding prospective regulation of professions shall be construed to change any requirement for an individual to hold current private certification as a condition of licensure or renewal of licensure, and shall not require a private certification organization to grant or deny private certification to any individual.

LICENSED ACCOUNTANTS (Section 326.277, 326.280, and 326.289)

This bill amends requirements to become a licensed accountant after June 30, 2021, to include a requirement that the applicant has

completed at least 120 semester hours of college education with an accounting concentration. The bill removes a requirement that an applicant for licensure as an accountant be a resident in order to take the accountant examination. The bill allows the board to obtain specified information regarding peer review from any approved American Institute for Certified Public Accountants peer review program.

ATHLETIC TRAINERS (Sections 334.702 to 334.725)

This bill modifies provisions relating to athletic trainers. The bill requires an athletic trainer to be a health care professional. The bill also updates references of the "National Athletic Trainers' Association Board of Certification" to the "Board of Certification, Inc."

The bill specifies that when billing a third party payer, an athletic trainer shall only bill for services within the scope of practice of a licensed athletic trainer.

This bill requires an athletic trainer to refer any individual whose medical condition is beyond the scope of their education, training, and competence to a licensed physician. If there is no improvement in an individual who has sustained an athletic injury within 21 days of initiation of treatment, or 10 visits, the athletic trainer shall refer the individual to a physician.

The practice of athletic training cannot include the reconditioning or rehabilitation of systemic neurologic or cardiovascular injuries, conditions, or diseases, except for an athlete participating in a sanctioned amateur or professional sport or recreational sport activity under the supervision of a treating physician.

No person shall hold himself or herself out as practicing athletic training, by title or description, unless such person has been licensed.

Currently, the board is required to annually prepare a roster of athletic trainers and provide copies for a fee. The bill instead requires the board to make the roster available and does not require physical copies to be made. In addition, this bill removes the requirement that the board adopt an official seal.

The bill removes a requirement that a person seeking licensure as an athletic agent be a Missouri resident. The bill also requires an applicant to pass an examination by the Board of Certification, Inc..

The bill requires fees to be collected and deposited into the Board of Registration for the Healing Arts Fund in accordance with existing statutory requirements for other professions.

Currently, all athletic trainer licenses expire on January 30 of each year. This bill requires the Board to create an expiration schedule by rule.

The bill requires the Missouri Athletic Trainer Advisory Committee to be composed of six members, rather than five. Each member of the Committee shall be a resident of the state of Missouri for five years immediately preceding appointment, and remain a resident of Missouri throughout the term. The additional member shall be a member of the Board of Registration for the Healing Arts.

Currently, dentists, optometrists, and coaches or physical education instructors are exempt from athletic training licensing provisions. This bill removes those exemptions. The bill clarifies that athletic trainers from other nations or states performing their duties for their teams while in Missouri are only exempt from Missouri licensure requirements if they hold a valid credential in the other nation or state and their visit to Missouri does not exceed 30 days in one calendar year.

The bill changes a violation of athletic training licensure rules from a class C misdemeanor to a class B misdemeanor.

This bill adds a provision allowing the Board to deny a license or seek discipline if any person has practiced in the state of Missouri while no longer certified as an athletic trainer by the Board of Certification, Inc.

This bill repeals a provision that allows Missouri residents who are actively engaged as an athletic trainer on September 28, 1983 to continue practicing for six months while they come into compliance with the athletic trainer licensure provisions.

OPTOMETRISTS (Section 336.080)

This bill requires optometrists to have two hours of continuing education in Missouri jurisprudence every two years, which can count toward their current required hours.

LICENSING OF PSYCHOLOGISTS (Sections 337.020 and 337.029)

Under current law, the State Committee of Psychologists cannot charge an application fee until the application has been approved, and if an application is denied, no application fee can be charged. This bill repeals such provision.

Current law permits a psychologist licensed in another jurisdiction that is a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement to receive a license in Missouri, as long as the psychologist otherwise meets the required criteria. This bill removes this path to licensure .

PSYCHOLOGIST CONTINUING EDUCATION REQUIREMENTS (Section 337.050)

Current law requires each licensed psychologist applying for a renewal of a license to submit proof of the completion of at least 40 hours of continuing education credit within the two-year period immediately preceding the date of the application for renewal.

This bill specifies that a minimum of three of the 40 hours of continuing education be dedicated to professional ethics.

CHARITABLE PHARMACIES (Section 338.220)

Current law sets forth classes of pharmacy permits or licenses. This bill establishes "charitable pharmacy" as a Class Q pharmacy.

SS SCS HCS HB 2120 -- UTILITY INFRASTRUCTURE

UNIFORM SMALL WIRELESS FACILITY DEPLOYMENT ACT (Section 67.5122, RSMo)

This bill extends the sunset date for the Uniform Small Wireless Facility Deployment Act from January 1st, 2021, to January 1st, 2025.

INFRASTRUCTURE SYSTEM REPLACEMENT SURCHARGE FOR GAS CORPORATIONS (Sections 393.1009 to 393.1015)

This bill modifies the definition of "appropriate pretax revenues" and "gas utility plant projects" for provisions of law relating to an infrastructure system replacement surcharge (ISRS) for gas corporations. By January 1, 2022, gas corporations must develop a pre-qualification process to file with the Public Service Commission for contractors to install ISRS-eligible gas utility plant projects. Any gas corporation whose ISRS is found by a court of competent jurisdiction to include illegal and inappropriate charges shall refund every current customer of the gas corporation who paid such charges, before the gas corporation can file for a new ISRS.

Any ISRS petition thereafter shall be accompanied with a verified statement that the gas corporation is using a competitive bidding

process for installing no less than 25% of ISRS-eligible gas utility plant projects. Under this bill, the lowest and best bid in the competitive bidding process shall receive the contract to perform the project. The Public Service Commission shall prepare an annual report on the competitive bidding process for the General Assembly beginning December 31, 2023. The provisions of law relating to the ISRS for gas corporations shall expire on August 28, 2029.

RURAL BROADBAND ACCESS FUNDING (Section 620.2459)

Currently, the broadband internet grant program for unserved and underserved areas of the state expires on August 28, 2021. This bill extends the program until June 30, 2027.

COMMUNITY WATER SYSTEMS (Sections 640.141, 640.142, 640.144, and 640.145)

This bill creates the "Water Safety and Security Act" and specifies that within one year, every community water system in the state that uses an Internet-connected control system must create a plan that establishes policies and procedures for identifying and mitigating cyber risk. They must also create a valve inspection and a hydrant inspection program as specified in the bill and must submit a report upon the request of the Department of Natural Resources that certifies compliance with regulations regarding water quality sampling, testing, reporting, hydrant and valve inspections, and cyber security plans.

These requirements do not apply to cities with a population of more than 30,000 inhabitants, Jackson or St. Louis counties.

LEAD TESTING IN SCHOOLS (Section 701.200)

The bill permits, subject to appropriations, each school district to test a sample of a source of potable water in a public school building in that district serving students under first grade and constructed before 1996 for lead contamination as specified in the bill. The water samples may be submitted to a Department of Health and Senior Services-approved laboratory and the results of such testing may be submitted to the department. If any of the samples tested exceed the U.S. Environmental Protection Agency standard, the school district shall notify the parents or guardians of enrolled students. If the samples tested are less than or equal to the standard, the district may notify parents individually or on the school's website.

HB 2456 -- REIMBURSEMENT ALLOWANCE TAXES

This bill extends the sunsets from September 30, 2020 to September 30, 2021, for reimbursement allowance taxes imposed on ground ambulances, nursing facilities, medicaid managed care organizations, hospitals, pharmacies, and intermediate care facilities for the intellectually disabled.

CCS HCS SB 551 -- INSURANCE

RECIPIENTS OF DONATED ORGANS (Section 194.320, RSMo)

Under this bill, no hospital, physician, procurement organization, or other person shall determine the ultimate recipient of an anatomical gift based upon a potential recipient's physical or mental disability or congenital condition, except to the extent that the disability or condition has been found by a physician, following a case-by-case evaluation of the potential recipient, to be medically significant to the provision of the anatomical gift.

A person with a disability or congenital condition shall not be required to demonstrate post-operative independent living abilities in order to have access to a transplant if there is evidence that the person will have sufficient, compensatory support and assistance.

A court shall accord priority on its calendar and handle expeditiously any action brought to seek a remedy for purposes of enforcing compliance with this bill. This bill shall not be deemed to require referrals or recommendations for or the performance of medically inappropriate organ transplants .

MISSOURI AUTOMOBILE INSURANCE PLAN (Section 303.200)

This bill modifies existing law regarding apportionment of substandard insurance risks to create the Missouri Automobile Insurance Plan (MOAIP). MOAIP is authorized to issue motor vehicle insurance policies to applicants who are unable to procure motor vehicle liability policies through ordinary methods, rather than funding issuance of the policies through other insurers. The bill further specifies that the Director of the Department of Commerce and Insurance shall consult with insurance companies who have a certificate of authority to do business in the state and actively write motor vehicle liability policies. MOAIP shall perform its functions under a plan of operation approved by the director through a board of governors as specified in the plan of operation.

The plan of operation shall prescribe the issuance of motor vehicle insurance policies, which may include the administration of the policies by a third party, as specified in the bill. MOAIP must obtain approval from the director before using forms, rates, or manuals. MOAIP is subject to the applicable insurance laws of this state unless specifically exempted, is required to file annual financial reports that are subject to examination by the director, and shall have the authority to make assessments on member insurance companies in proportion to their market share. Member insurers and members of the governing committee shall be immune from liability for omissions and actions taken in the performance of their powers and duties under the bill.

BREAST CANCER SCREENING (Section 376.782)

This bill modifies an insurance mandate relating to breast cancer screening and evaluation.

In addition to existing coverage requirements, the bill adds "detectors" to the X-ray equipment specifically listed as being covered under the mandate and specifies that coverage for certain breast cancer screening and evaluation services shall be provided yearly to any woman deemed by her physician to have an above-average risk for breast cancer in accordance with American College of Radiology (ACR) guidelines, rather than specifically to women with a personal or family history of breast cancer.

Requires coverage of any additional or supplemental imaging, such as breast MRI or ultrasound, deemed medically necessary by a treating physician for proper screening or evaluation in accordance with applicable ACR guidelines. Furthermore, the bill requires coverage of ultrasound or MRI services when determined by a treating physician to be medically necessary for the screening or evaluation of breast cancer for any woman deemed by the treating physician to have an above-average risk of breast cancer in accordance with ACR guidelines for breast cancer screening.

Lastly, provisions relating to out-of-pocket expenditures are modified to apply to the additional modalities required to be covered under the bill.

LIFE INSURANCE AND ORGAN DONORS

This bill prohibits insurers from using a person's status as a living organ donor as a sole factor in the offering, issuance, cancellation, price, or conditions of an insurance policy including the amount of coverage provided under an insurance policy.

Any materials related to live organ donation from a recognized live

organ donation organization received by the departments of Commerce and Insurance or Health and Senior Services may be made available to the public.

INDUCEMENTS TO INSURANCE (Sections 379.402 and 376.404)

The bill allows insurers and insurance producers to provide products or services in conjunction with a policy of property and casualty insurance for free, at a discount or at market value, if the products or services are intended to prevent or mitigate loss, provide loss control, reduce rates or claims, educate about risk of loss, monitor or assess risk, identify sources of risk, develop strategies for the elimination or reduction of risk, or provide post-loss services.

The insurers or producers may offer gifts, goods, or merchandise containing advertising and promotional offers. These products or services shall not be considered an inducement to insurance, a rebate, nor any other impermissible consideration prohibited under law. These products or services are not required to be included in contract or policy form filings.

The Director of the Department of Commerce and Insurance may establish rules to exempt, but not restrict, additional categories of products or services with regard to the prohibitions against inducements to insurance (Section 379.402).

The bill also exempts commercial property and casualty insurers from the prohibitions against inducements to insurance, except with regard to any producer commission reduction not included in the insurer's rate filings (Section 376.404).

MISSOURI BASIC PROPERTY INSURANCE INSPECTION AND PLACEMENT PROGRAM (Section 379.860)

This bill modifies the Missouri Basic Property Insurance Inspection and Placement Program. The bill requires 10 of the members of the program's governing committee to be elected as specified in the program's plan of operation, rather than prescribing entities from which the members shall be elected. Member insurers and members of the governing committee shall be immune from liability for omissions and actions taken in the performance of their powers and duties under the bill.

MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION (Sections 383.155, 383.160, and 383.175)

The bill modifies the authority to create a medical malpractice insurance joint underwriting association by specifying that the

composition of the association's board of directors shall be established by its plan of operation, and provides that member insurers and members of the governing committee shall be immune from liability for omissions and actions taken in the performance of their powers and duties specified in the bill. This bill requires all policies of insurance written by the association to be written to "provide medical malpractice insurance coverage as provided in the plan of operation", rather than to "apply to injury which results from acts or omissions occurring during the policy period. The bill specifies that the association's board of directors shall be established by its plan of operation, rather than prescribing entities from which the members shall be elected.

SS SCS SB 569 -- VICTIMS OF SEXUAL OFFENSES

This bill includes several provisions relating to victims of sexual offenses.

THE "JUSTICE FOR SURVIVORS ACT" (Sections 192.2520 and 197.315, RSMo)

This bill establishes the "Justice for Survivors Act" and directs the Department of Health and Senior Services (DHSS) to establish a statewide telehealth network for forensic examinations of victims of sexual offenses by July 1, 2022. The director of DHSS shall select a statewide coordinator to provide mentoring, training, and assistance for medical providers conducting forensic examinations, including training on obtaining informed consent of the victim for evidence collection. The network shall also provide consultation services, guidance, and technical assistance through telehealth services by a Sexual Assault Nurse Examiner (SANE) or other similarly trained providers. The training may be offered in-person and online. This bill also creates a fund for any grants, gifts, bequests, or donations for the development and maintenance of the network and the training offered.

Additionally, this bill requires any licensed hospital, by January 1, 2023, to perform a forensic examination using an evidentiary collection kit upon the request and consent of a victim of a sexual offense 14 years of age or older or the victim's guardian. Victims under 14 years of age shall be referred to a SAFE CARE provider; provided, that nothing in this act shall be interpreted to prevent a hospital from performing a forensic examination for a minor under 14 years of age upon the minor or guardian's request in accordance with state law and regulations.

An appropriate medical provider shall perform the examination and the hospital shall ensure that any provider performing the

examination has received training conducting such examinations. If the provider is not a SANE or similarly trained physician or nurse, the hospital shall utilize telehealth services to provide guidance and support from a SANE, or other similarly trained professional, who shall observe the live examination and communicate with and support the onsite provider. The department may issue a waiver of the telehealth requirement if the hospital demonstrates a technological hardship, but such waivers shall be granted sparingly for no more than one year at a time, subject to renewal.

The department shall waive these requirements if the statewide telehealth network ceases operation, the hospital is notified, and the hospital cannot, in good faith, comply with the requirements of this act without the assistance or resources of the network. Such waiver shall remain in effect until the network resumes operation or until the hospital can comply with the requirements of this act without the assistance or resources of the network.

Current law regarding the reimbursement of such examinations and the provision of evidentiary collection kits shall apply to the forensic examinations under this act. Finally, each hospital shall, by October 1, 2021, report specified information to the department each year and the department shall make such information publicly available in aggregate, without identifying victims or medical providers.

THE "SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS" (Section 595.201)

The bill establishes the "Sexual Assault Survivors' Bill of Rights". Victims of sexual assault have a right to consult with employees or volunteers of rape crisis centers during any examination or interview, the right to receive notice of these rights prior to an examination or interview, the right to a prompt analysis of the forensic evidence, to have reasonable costs incurred by a medical provider for the forensic examination be paid for by the Department of Public Safety, and other specified rights.

THE "MISSOURI RIGHTS OF VICTIMS OF SEXUAL ASSAULT TASK FORCE" (Section 595.202)

This bill creates the "Missouri Rights of Victims of Sexual Assault Task Force" to consist of two members from the Senate and two members from the House of Representatives, with a member from each party, appointed by the President Pro Tem of the Senate and the Speaker of the House of Representatives, and other members as specified in the bill. The task force shall make certain recommendations as provided in the bill. The task force shall collect data regarding sexual assault reporting, arrest, prosecution rates, access to sexual assault victims services, and

any other important data, as well as collect feedback from stakeholders, practitioners, and leadership throughout the state and local law enforcement, victim services, forensic science practitioners, and health care communities. The task force shall submit a report on its findings to the Governor and the General Assembly no later than December 31, 2021. The task force expires on December 31, 2021.

EVIDENTIARY COLLECTION KITS (Section 595.220)

The bill modifies current law regarding procedures for tracking evidentiary collection kits. Currently, the Attorney General is required to establish an electronic tracking system for evidentiary collection kits and their components, including individual specimen containers. Additionally, current law requires the Attorney General to permit sexual assault victims or their designees access to the system to monitor the current status of their kits. This bill requires such victims to register with the system to track and obtain reports on the status and location of their kits through a secure web-based or similar system.

Appropriate medical providers, law enforcement agencies, laboratories, court personnel, persons or entities involved in the final disposition or destruction of the kits, and all other entities and persons having custody of the kits shall participate in the tracking system. Records entered into the electronic tracking system shall be confidential and not subject to disclosure under state law.

The Department of Public Safety, with the advice of the Attorney General and the assistance of the Department of Health and Senior Services, shall develop and retain within the state a central repository for unreported evidentiary collection kits that is temperature-controlled to preserve the integrity of the kits and diminish degradation. Unreported kits shall be retained for five years; except in the case of minor victims, the retention period shall be until five years after the victim reaches 18 years of age.

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SS#2 SCS SB 591 -- RELATING TO CIVIL ACTIONS

This bill modifies provisions relating to civil actions, including unlawful merchandising practices and punitive damages. The provisions of this bill shall apply to any cause of action filed on or after the effective date.

UNLAWFUL MERCHANDISING PRACTICES FOR NEW RESIDENCES (Section 407.020, RSMo)

This bill provides that an unlawful merchandising practice shall not include any advertisement, merchandise, or transaction in which the merchandise consists of a new residence in a transaction in which the buyer is offered and accepts an express warranty in the sale contract by the builder or by a third-party warranty paid for by the builder and the sale contract includes a disclaimer. The bill defines "residence" as a single-family house, duplex, triplex, quadruplex, or unit in a multi-unit residential structure in which the title to each individual unit is transferred to an owner under a condominium or cooperative system and includes common areas and common elements.

PROCEDURE FOR UNLAWFUL MERCHANDISING PRACTICES CLAIMS (Section 407.025)

A person seeking to recover damages for unlawful merchandising practices shall establish that the person acted as a reasonable consumer, that the alleged unlawful act would cause a reasonable person to enter into the transaction that resulted in damages, and the individual damages with sufficiently definitive and objective evidence to allow the loss to be calculated with a reasonable degree of certainty. A cause of action under this section accrues on the date of purchase or lease or upon receipt of notice of a method, act, or practice declared unlawful by Section 407.020. A court may dismiss a claim for failure to show a likelihood that the alleged unlawful act would mislead a reasonable consumer. In a class action, any class representative shall establish these requirements. All other members of the class shall establish individual damages in a manner determined by the court.

In addition to current damages available, a court may provide equitable relief as it deems necessary to protect the party from the unlawful acts. No action may be brought under these provisions to recover damages for personal injury or death in which a claim arises out of the rendering of or failure to render health care services. Furthermore, this bill provides that any award of attorney's fees shall bear a reasonable relationship to the amount of the judgment. However, when the judgment grants equitable relief, the attorney's fees shall be based on the amount of time reasonably expended.

PUNITIVE DAMAGES - GENERAL (Sections 510.261, 510.263, and 510.265)

This bill provides that punitive damages shall only be awarded if the plaintiff proves by clear and convincing evidence that the defendant intentionally harmed the plaintiff without just cause or acted with a deliberate and flagrant disregard for the safety of others, and the plaintiff is awarded more than nominal damages.

Punitive damages may be awarded against an employer due to an employee's conduct in certain situations, as provided in the bill. When an employer admits liability for the actions of an agent in a claim for compensatory damages, the court shall grant limited discovery consisting only of employment records and documents or information related to the agent's qualifications.

A claim for punitive damages shall not be contained in the initial pleading and may only be filed as a written motion with permission of the court no later than 120 days prior to the final pretrial conference or trial date. The written motion for punitive damages must be supported by evidence. The amount of punitive damages shall not be based on harm to nonparties. A pleading seeking a punitive damage award may be filed only after the court determines that the trier of fact could reasonably conclude that the standards for a punitive damage award, as provided in the bill, have been met. The responsive pleading shall be limited to a response of the newly amended punitive damages claim.

Currently, if the defendant has previously paid punitive damages in another state for the same conduct, following a hearing, the court may credit the jury award of punitive damages by the amount previously paid. This bill provides that the defendant may also be credited for punitive damages paid in a federal court.

These provisions shall not apply to claims for unlawful housing practices under the Missouri Human Rights Act.

PUNITIVE DAMAGES - MEDICAL MALPRACTICE (Sections 538.205 and 538.210)

This bill modifies the definition of "punitive damages" as it relates to actions for damages against a health care provider for personal injury or death caused by the rendering of health care services.

In order to be awarded punitive damages, the jury must find by clear and convincing evidence that the health care provider intentionally caused damage or demonstrated malicious misconduct. Evidence of negligence, including indifference or conscious disregard for the safety of others, does not constitute intentional conduct or malicious misconduct.

The provisions of this bill applies to causes of action filed on or after August 28, 2020.

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HCS SCS SB 599 -- FINANCIAL INSTRUMENTS

This bill modifies provisions relating to financial instruments.

LINKED DEPOSITS (Sections 30.260, 30.753, and 30.758RSMo)

Currently, the State Treasurer must create an investment policy that includes an asset allocation plan that limits the total amount of state moneys that may be invested in a particular investment. The asset allocation plan must also set diversification limits that include a restriction limiting the total amount of time deposits (not including linked deposits) of state money placed with any one single banking institution to no more than 10% of all time deposits of state money. This bill changes that limit to 15% of all time deposits of state money authorized under the asset allocation plan.

Currently, it is required that the market rate be determined at least once a month by the State Treasurer using a process that gives consideration of prevailing rates offered for certificate of deposits by well-capitalized Missouri financial institutions and the advance rate established by the Federal Home Loan Bank of Des Moines. This bill requires the treasurer to also give consideration to any other calculation based on current market investment indicators determined by the State Treasurer (Section 30.260).

Currently, the State Treasurer may invest in linked deposits; however the total amount deposited at any one time may not exceed, in the aggregate, \$720 million and no more than \$110 million of the aggregate shall be used for link deposits to small businesses. This bill changes those limits to \$800 million and \$190 million, respectively (Section 30.753).

This bill requires the State Treasurer to give priority to the funding of renewed linked deposit applications over the funding of new linked deposit applications (Section 30.758).

MISSOURI LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM (Section 70.705)

Currently, member contributions for the Missouri Local Government Employees' Retirement System are 0% or 4% of compensation. This bill allows each political subdivision to elect an alternative member contribution amount of 2% or 6% of compensation. If a political subdivision elected a benefit program for certain members covered concurrently by Social Security and another for those members not covered concurrently by Social Security, the political subdivision may also elect one member contribution for those members who are covered and another contribution amount for those members who are not covered.

MISSOURI DEVELOPMENT FINANCE BOARD (Section 100.255)

The bill modifies the definition of "project" for purposes of the Missouri Development Finance Board Act to include any transfer, expenditure or working capital of the state, any agency or department of the state or any development agency.

MISSOURI FAMILY TRUST COMPANY ACT FAMILY MEMBERS (Section 362.1015)

The bill expands the types of entities that may be served by a family trust company to include an irrevocable trust of which one or more family members are the only permissible distributees.

REGISTRATION OF FAMILY TRUST COMPANIES (Section 362.1030)

Currently, any family trust company that is not a foreign family trust company is required to file an organizational statement. This bill repeals that requirement and instead requires a family trust company or a foreign family trust company to pay a one-time \$5,000 filing fee, file an initial registration with the Secretary of State, and file an application for a certificate of authority.

AUTHORITY TO MANAGE A FAMILY TRUST COMPANY (Section 362.1037)

Currently, exclusive authority to manage a family trust company may be vested in a limited liability company if the board of directors or managers consists of three directors or managers. This bill modifies that provision by allowing exclusive authority to manage a family trust company to be vested in a limited liability company if the board of directors or managers consists of at least three directors or managers.

ORGANIZATIONAL INSTRUMENT (Sections 362.1015 and 362.1040)

The bill modifies various provisions affecting organizational instruments filed by family trust companies. An organizational instrument of a family trust company must state that the purpose for which the company is formed is to engage in any and all activities permitted under the Missouri Family Trust Company Act. Additionally, the requirement that certain relatives be designated in the organizational instrument is repealed. Such relatives are instead required to be designated in the initial and annual registration reports filed by the family trust company. Furthermore, a provision is repealed prohibiting a family trust company from having more than one designated relative .

PURCHASES MADE BY FAMILY TRUST COMPANIES WHILE ACTING AS A FIDUCIARY (Section 362.1070)

The bill provides that, among other criteria, a family trust company cannot, while acting as a fiduciary, make certain purchases directly from underwriters, broker-dealers, or in the secondary market unless the company discloses its intent to do so in writing to all family members for whom the investment is to be made.

CREDIT UNIONS

The bill makes several changes to credit union regulations.

TRIPLICATE AND DUPLICATE FILINGS (Sections 370.010, 370.030, 370.350, 370.355, and 370.358)

Currently, credit unions are required to make certain filings with the Director of the Division of Credit Unions (DCU) within the Department of Commerce and Insurance in triplicate or duplicate. This bill modifies these provisions to require a single filing, rather than three or two.

CERTIFICATE OF ORGANIZATION REQUIREMENTS (Section 370.020)

Currently, a certificate of organization is required to create a credit union to state the par value of the general shares. This bill changes that requirement to regular shares.

OTHER FORMS OF DELIVERY (Sections 370.071, 370.151, and 370.358)

Currently, the Director of the DCU is required to mail copies of certain filings, as well as notice to all interested parties for certain meetings pertaining to credit union business. This bill permits any other form of delivery as an alternative to mail delivery).

ELECTRONIC BALLOTS (Sections 370.071, Section 370.110, 370.120, 370.170, Section 370.130, and 370.358)

Currently, a credit union is allowed to charge initial or recurring membership fees, provided such fees have been approved by a majority of the membership in attendance at any regular or special meeting or by a mail ballot. This bill allows such fees to be charged if approved by an electronic ballot as well (Section 370.071).

Currently, the bylaws of a credit union, when approved by the membership, can provide for mail ballots for the election of officers. This bill allows for the use of electronic ballots for the election of officers as well (Sections 370.170 and 370.358).

REPORTS AND EXAMINATIONS OF CREDIT UNIONS

Currently, a credit union is required to make a report of its condition on or before January 31 of each year. This bill requires reports to follow the reporting requirements of federal credit union insurers and requires the president or the president's designee to verify the report (Section 370.110).

The bill establishes a provision allowing the Director of the DCU to accept an examination of a credit union made by the federal credit union insurer instead of the director conducting an annual examination of a credit union (Section 370.120).

The bill increases the length of time a credit union has to make a report before the Director of the DCU revokes its certificate of approval from 15 days to 30 days (Section 370.130).

BOARD OF DIRECTORS MEMBERSHIP (Sections 370.190, 370.355, 370.358, and 370.359)

The bill modifies provisions relating to the board membership of credit unions by repealing a provision requiring the election of a president, vice president, secretary, and treasurer and requiring instead the election of a chair, vice chair, secretary, and treasurer. Moreover, the positions of secretary and treasurer may be held by the same person if the bylaws of the credit union so provide.

POWERS OF CREDIT UNIONS AND BOARDS OF DIRECTORS (Section 370.200)

In addition to powers currently granted, the board of directors of a credit union is permitted to:

- (1) Authorize the employment and compensation of the chief executive officer;
- (2) Approve annual operating budgets for the credit union;
- (3) Declare dividends on regular shares;
- (4) Accept resignations and fill vacancies of the board, credit committee, and supervisory committee;
- (5) Amend the bylaws; and
- (6) Hear appeals of people denied membership by the credit union.

The bill removes provisions that permit the board of directors of a credit union to:

(1) Fix the amount of the surety bond that is required of each officer having custody of funds; and

(2) Declare dividends.

AUTHORIZATION OF LOANS OR ADVANCES (Section 370.220)

Currently, the credit committee or credit manager is required to approve every loan or advance made by the credit union to its members. This bill removes that provision and instead requires the credit committee or credit manager to follow the bylaws, policies, and procedures established by the board of directors regarding loans and advances.

SUPERVISORY COMMITTEE MEMBERSHIP (Sections 370.230 and 370.235)

The bill requires the supervisory committee, if the credit union bylaws so provide, to elect a chair from their own number (Section 370.230).

The bill removes a provision that bonds approved by the board of directors must be filed with the Director of the DCU within 45 days (Section 370.235).

CHARGES ON CREDIT UNION MEMBERS (Section 370.260)

Currently, credit unions are allowed to make a charge no more than once in a 12-month period to a member's share account if the member fails to keep the credit union informed about his or her current address. The bill modifies that to allow a quarterly charge and removes a provision that the charge be for the actual cost of determining the correct address. The bill also removes a provision limiting the charge to \$5.

ENTRANCE OR MEMBERSHIP FEES (Sections 370.270 and 370.275)

The bill repeals a provision allowing credit unions to charge entrance fees or membership fees on beneficiaries, trustees, or grantors of a trust, unless a member in their own right .

CREDIT UNIONS MAY WITHHOLD PAYMENTS (Section 370.288)

A credit union may refuse to make a payment from an account to a depositor, shareholder, any trust or payable-on-death account beneficiary, or any other person claiming an interest in the account under certain circumstances detailed in the bill, as long as the credit union notifies such persons claiming an interest in the court. The credit union is not liable for damages as a result of an action taken under this provision.

LOANS TO MEMBERS (Section 370.310)

The bill repeals a provision allowing members to receive a loan in installments instead of one sum if the loan is for purchasing necessary supplies for growing crops. The bill additionally repeals a provision allowing a borrower to repay the whole or any part of a loan on any day on which the credit union is open.

EXPULSION OF MEMBERS (Section 370.340)

The bill allows the president or executive officer designated by the board to expel a member pursuant to the board's written policy. A person expelled may appeal such decision pursuant to such policy.

FUNDS HELD IN RESERVE FOR LIFE CARE CONTRACTS (Section 376.945)

This bill specifies that the "entire amount" of entrance fee funds held in reserve for a life care contract shall be earned by "and available for release to" the care provider as provided by law, provided that the reserve and interest thereon shall not exceed "100%", rather than "one and one-half times the percentage", of the annual long-term debt principal and interest payments of the provider applicable only to living units occupied under life care contracts.

The requirement to hold reserve funds may be met in whole or in part by other reserve funds held for the purpose of meeting loan obligations, provided that the total amount equals or exceeds the amount otherwise required.

CREDIT INSURANCE (Section 385.015)

Currently, insurance written in connection with a loan or other credit transaction with a duration of more than 10 years is not subject to regulation. This bill increases the time period from 10 years to 15 years.

TRADITIONAL INSTALLMENT LOANS - POLITICAL SUBDIVISION REGULATIONS (Section 408.512)

The bill requires any fee charged to any traditional installment loan lender, which is not charged to all lenders licensed or regulated by the Division of Finance within the Department of Commerce and Insurance, to be a disincentive created by a political subdivision in violation of the provisions of law governing traditional installment loan lending.

The bill additionally allows traditional installment loan lenders

to charge, in addition to any other contractual fees, a convenience fee or surcharge for payments made by a debit or credit card.

Furthermore, any traditional installment loan lender who prevails against a political subdivision in an action will receive its actually incurred costs, including attorney fees, from such political subdivision.

SECURITIES (Sections 409.605 to 409.630, 409.610, 409.615 409.620, 409.625, 409.630, 409.4-412, and 409.6-604)

This bill adds broker-dealers and investment advisors (or investment advisor representatives) to the individuals covered under the Senior Savings Protection Act (Sections 409.605 to 409.630).

The bill allows broker-dealers and investment advisors to notify the Department of Health and Senior Services, the Commissioner of Securities, or an immediate family member of his or her reasonable belief that financial exploitation of an vulnerable person has occurred or is being attempted. The department or commissioner may provide information on the vulnerable person to the reporting individual upon request (Section 409.610).

In the instance of a reasonable belief of financial exploitation, the bill allows a broker-dealer, investment advisor, or associated person to refuse a transaction from the account of the vulnerable person for a maximum of 10 business days. To refuse a transaction or disbursement, the broker-dealer, investment advisor, or associated person must send written notice to the vulnerable person, along with contact information for the Investor Protection Hotline. Following the refusal of a transaction or disbursement, the commissioner or department may enter an order to extend the refusal for the time necessary to protect the vulnerable person, but the agency issuing the order must review the circumstances every 30 days (Section 409.615).

The bill specifies a broker-dealer or investment advisor who complies with the Senior Savings Protection Act will be immune to civil liability (Section 409.620).

A broker-dealer or investment advisor must provide access to records relevant to the suspected financial exploitation to the department, the commissioner, or law enforcement (Section 409.625).

The commissioner must update their training website to include resources to assist broker-dealers and investment advisors in the prevention and detection of financial exploitation by September 1, 2021 (Section 409.630).

The bill allows a rule to be adopted to require a notice filing by an issuer to include a:

- (1) Copy of the Form 1-A or other forms required by the Securities and Exchange Commission;
- (2) Consent of service of process and a payment of a fee of \$100; and
- (3) Payment of \$50 fee for any late filing (Section 409.3-302).

This bill raises the maximum civil penalty under the Senior Savings Protection Act from \$5,000 to \$25,000 for each violation. The bill also raises the maximum penalty after a hearing from \$1,000 to \$25,000 for each violation and the penalty for a finding of a violation against an elderly or disabled person from \$5,000 to \$15,000 for each violation (Sections 409.4-412 and 409.6-604).

MORTGAGE LOAN ORIGINATORS (Section 443.717, 443.825, 443.855 and 443.857)

Currently, mortgage loan originators have prelicensing education requirements of at least 20 hours. This bill states that a prelicensing education course completed by an applicant will not satisfy the education requirement if the course precedes an application by a certain time period, as determined by the Nationwide Mortgage Licensing System and Registry (NMLSR) (Section 443.717).

The bill requires certain persons, as outlined in the bill, related to a mortgage loan originator to furnish their fingerprints to the NMLSR for submission to the Federal Bureau of Investigation and any governmental agency for a state, national, and international criminal history background check. The bill allows the Director of the Division of Finance to use the NMLSR as an agent for transmitting information to and from the Federal Department of Justice or any other governmental agency (Section 443.825).

The bill removes a provision that the director can make rules requiring advertisements of mortgage loans to include the name and office address of the licensee, which must match the name and address on file with the director (Section 443.855).

Currently, the law requires that each residential mortgage loan broker maintain at least one full-service office in Missouri. The bill allows this requirement to be waived for persons exclusively engaged in the business of loan processing or underwriting (Section 443.857).

FINANCIAL INSTRUMENTS (Section 476.419)

This bill prohibits a court from dividing securities among multiple recipients in such a way that negotiable securities become nonnegotiable securities. However, a court may divide securities into increments equal to a multiple of the allowable tradeable amount or denomination accepted by the industry, as defined in the official statement or offering document of the original security.

If these provisions prevent the distribution of property as another law requires, a court may:

- (1) Distribute securities and other property in a way so that the total value of property each recipient receives is as close to the proper proportion as practicable;
- (2) Liquidate the securities and distribute the resulting money among recipients; or
- (3) Take any other action within its power, including a combination of the options above (Section 476.419).

SS SB 600 -- DANGEROUS FELONIES

This bill modifies provisions relating to dangerous felonies.

OFFENSE OF CONSPIRACY (Sections 545.140, 557.021, and 562.014)

Under this bill, if two or more defendants are charged with being joint participants in a conspiracy, it is presumed there is no substantial prejudice in charging both defendants in the same indictment or in their being tried together.

Currently, guilt for an offense may be based upon a conspiracy to commit an offense when a person, with the purpose of promoting the commission of the offense, agrees with another person that they will engage in conduct to commit the offense. A person cannot be convicted of an offense based upon a conspiracy to commit the offense unless he or she commits an overt act in furtherance of the offense.

The bill modifies the offense of conspiracy. Under this bill, a person commits the offense of conspiracy if a person agrees, with one or more persons, to commit any class A, B, or C felony, or any unclassified felony that exceeds 10 years of imprisonment, and one or more persons do any act in furtherance of the agreement. The

offense of conspiracy to commit an offense is a Class C felony.

Additionally, this bill repeals the provisions barring a person from being charged, convicted, or sentenced for both the conspiracy to commit the offense and the actual offense.

DEFINITION OF DANGEROUS FELONY (Section 556.061)

The bill adds to the definition of "dangerous felony" the offense of armed criminal action, the offense of conspiracy to commit an offense when the underlying offense is a dangerous felony, and the offense of vehicle hijacking when punished as a class A felony.

OFFENSES NOT ELIGIBLE FOR PROBATION (Section 557.045)

The bill provides that any person found guilty of or pleading guilty to: the offense of second degree murder when the person knowingly causes the death of another person or, with the purpose of causing serious physical injury to another person, causes the death of another person; any dangerous felony involving a deadly weapon; or any dangerous felony where the person has been previously found guilty of a class A or B felony or a dangerous felony shall not be eligible for probation, suspended imposition or execution of sentence, or a conditional release term and shall be sentenced to a term of imprisonment.

OFFENSE OF VEHICLE HIJACKING (Section 570.027)

The bill creates the offense of vehicle hijacking, which is committed when an individual knowingly uses or threatens the use of physical force upon another individual to seize or attempt to seize possession or control of a vehicle. This offense is punished as a class B felony unless one of the aggravating circumstances listed in the bill was present during the commission of the offense, in which case it is punished as a class A felony.

OFFENSE OF ARMED CRIMINAL ACTION (Section 571.015)

Currently, a person who commits the offense of armed criminal action is subject to a term of imprisonment of not less than three years for the first offense, five years for the second offense, and 10 years for any subsequent offense, in addition to any punishment for the offense committed by, with, or through the use of a deadly weapon.

This bill changes the prison term for this offense to three to 15 years for the first offense, five to 30 years for the second offense, and at least 10 years for any subsequent offense. These prison terms shall be served in addition to and consecutively with

any punishment for the offense committed with the use of a deadly weapon. Additionally, this bill provides that, if the person convicted of armed criminal action is unlawfully possessing a firearm, the minimum prison term for the first offense is five years, the second offense is 10 years, and the third or subsequent offense is 15 years.

No person convicted for the offense of armed criminal action shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for the minimum period of imprisonment (Section 571.015).

UNLAWFUL POSSESSION OF A FIREARM (Section 571.070)

Currently, the offense of unlawful possession of a firearm is a class D felony. This bill increases the penalty for unlawful possession of a firearm by a person convicted of a dangerous felony to a class C felony.

CRIMINAL STREET GANGS (Sections 578.419, 578.423, and 578.425)

This bill establishes the "Missouri Criminal Street Gangs Prevention Act". The bill modifies the definition of a "criminal street gang" by defining such an organization to have as one of its motivating, rather than primary, activities the commission of one or more criminal acts. The definition of "pattern of criminal street gang activity" is modified to include "dangerous felony" as one of the offenses that would constitute a pattern.

Currently, any person who actively participates in any criminal street gang with knowledge that its members engage in a pattern of criminal street gang activity and who willfully promotes such criminal conduct shall be punished by one year in the county jail or one to three years of imprisonment in a state correctional facility. This bill provides that such a person who actively participates in any criminal street gang that engages in a pattern of criminal conduct shall be guilty of a class B felony.

Further, this bill changes the required mental state and penalty for any person who is convicted of a felony or misdemeanor that is committed for the benefit of, at the direction of, or in association with, a criminal street gang. This bill provides that such action must be with the purpose, rather than the specific intent, to promote, further, or assist in any criminal conduct by gang members. The bill repeals the applicability of this provision to a misdemeanor.

A person convicted under this bill shall serve a term in addition to and consecutively with the punishment for the felony conviction

a term of two years, unless the felony is committed within 1000 feet of a school, in which case the term shall be three years.

Finally, if a person is convicted of a dangerous felony under this bill, he or she shall be punished by an additional five years.

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CCS SCS SB 631 -- ELECTIONS

This bill modifies election laws. In its main provisions the bill:

(1) Allows any state employee that is not subject to the Merit System or the Uniform Classification and Pay System to run for the nomination, or as a candidate for election, to a partisan political office (Section 36.155, RSMo);

(2) Allows persons required to file financial interest statements to make a written request to redact the name and employer of their dependent children under 21 years of age (Section 105.485);

(3) Creates an additional absentee ballot voting justification that applies in instances where the voter has contracted, or is at risk to contract, severe acute respiratory syndrome Coronavirus 2. At risk individuals are defined based on the Centers for Disease Control (CDC) recommendations that are specified in the bill. Notary signature verification is not required and absentee ballot statements will have a format referencing the Coronavirus justification. Any ballot envelope used for mail-in ballots shall be the same as the ballot envelope used for absentee ballots, provided the envelope has options listed to clearly indicate which ballot the voter is casting. The Coronavirus justification to vote an absentee ballot will expire on December 31, 2020 (Sections 115.277, 115.289, 115.285, and 115.291);

(4) Allows any registered voter to cast a mail-in ballot during 2020 in order to avoid the risk of contracting or transmitting severe acute respiratory Coronavirus 2. Applications for a mail-in ballot may be made in person or by mail as specified in the bill. Voters casting a mail-in ballot are required to execute and submit a notarized statement under penalty of perjury with the ballot. Knowingly making, delivering, or mailing a fraudulent mail-in ballot application is a class one election offense. Additionally, the false execution of a mail-in ballot is a class one election offense. The prosecuting attorney or the Attorney General may prosecute any false execution of a mail-in ballot. Upon receipt of an application, the election authority will deliver a mail-in ballot as specified in the bill. No information which encourages a vote for or against a candidate or issue shall be provided to any voter with the ballot. Ballots must be returned by mail no later

than the closing of polls on election day. Any ballot received after such time shall not be counted. These provisions contain an emergency clause and expire on December 31, 2020 (Section 115.302);

(5) Changes the filing fee from \$200 to \$500 for candidates for statewide office or United States Senator; from \$100 to \$300 for candidates for Representative in Congress, circuit judge, or State Senator; and from \$50 to \$150 for candidates for State Representative. County office filing fees will increase from \$50 to \$100. The bill also changes the filing fee from \$1000 to \$5000 for candidates for President to be on the presidential primary ballot (Section 115.357 and 115.761);

(6) Modifies Senatorial district political party committee meeting dates. Currently, the members of each Senatorial district political party committee are required to meet on the Saturday after each general election for the purpose of electing members to the state political party committee. In lieu of that requirement, this bill permits the chair of the Congressional district committee where the Senatorial district is principally located to call for a meeting to be held concurrently with the election of Senatorial officers for the purpose of electing members to the state political party committee (Section 115.621);

(7) Authorizes the Secretary of State to issue and enforce subpoenas when it is necessary to conduct an investigation of certain election offenses. These powers may only be exercised by the secretary or an authorized representative of the secretary at the specific written direction of the secretary or his or her chief deputy. Failure to comply with a subpoena may be enforced through court order. These provisions expire August 28, 2025 (Section 115.642); and

(8) Extends the sunset date of certain filing fees charged by the Secretary of State from December 31, 2021, to December 31, 2026 (Sections 347.400, and 417.018).

This bill contains an emergency clause for certain sections and existing penalty provisions.

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SS SB 644 -- SERVICE ANIMALS

SPONSOR: Hoskins

This bill modifies the definition of a "service dog" to be a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

This bill also adds "mental health service dog" to the definition of a service dog. A mental health service dog, or a psychiatric service dog, is a dog that has been individually trained for an owner who has a psychiatric disability, medical condition, or developmental disability. The dog is trained to perform tasks to mitigate or assist the owner with difficulties directly related to the disability (Section 209.200, RSMo).

Under this bill, any person who knowingly misrepresents a dog as a service dog, as described in the bill, for the purposes of receiving accommodations regarding service dogs under the Americans with Disabilities Act shall be guilty of a class C misdemeanor for the first offense and also be civilly liable for any actual damages resulting from the misrepresentation, and a class B misdemeanor for each subsequent offense.

Additionally, any person who knowingly misrepresents any animal as an assistance animal, as described in the bill, for the purposes of receiving accommodations regarding assistance animals under the Fair Housing Act or the Rehabilitation Act shall be guilty of a class C misdemeanor for the first offense and also be civilly liable for any actual damages resulting from the misrepresentation, and a class B misdemeanor for each subsequent offense (Section 209.204).

The Governor's Council on Disability shall prepare and make available online a placard for posting in a front window or door of a business stating that service dogs are welcome and that misrepresenting a service dog is a violation of Missouri law. The council shall also prepare and make available a brochure detailing guidelines regarding service dogs and assistance animals (Section 209.204).

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CCS HCS SCS SB 653 -- THE PROTECTION OF CHILDREN

DATA SHARING (Sections 210.116 and 210.652, RSMo)

This bill allows the Children's Division within the Missouri Department of Social Services to exchange electronic reports and share data with any entity as needed to protect children and access other social services. The department is required to implement a system allowing the electronic exchange of such data by August 28, 2020.

CHILD PROTECTION AND CASE MANAGEMENT (Sections 210.112, 210.123, 210.145, and 210.790)

This bill requires the division to complete a standard risk

assessment within 72 hours of a report of abuse or neglect as part of its structured decision-making protocols. The division and the Office of the State Court Administrator shall develop a joint safety assessment tool before December 31, 2020, to replace the current risk assessment. The safety assessment tool must be implemented before January 1, 2022.

The bill elaborates on the principles guiding the child protection system to prioritize home and community-based services and supports successful outcomes. The department is required to create a response and evaluation team that reviews and evaluates the practice of the division and any contractors. This system will be used to support contract negotiations, placement and referrals, and enhanced payments.

Finally, the bill creates new procedures for "temporary alternative placement agreements" that allow voluntary placement of a child with a relative in cases where a parent is temporarily unable to care for a child but removal from the home, through court action, is not appropriate.

FOSTER PARENTS (Sections 210.566, 211.135 and 211.171)

This bill modifies the "Foster Parents' Bill of Rights" to require the Children's Division and its contractors to provide written notification of these rights at the time the child is placed with a prospective foster parent, even if the parent has yet to be licensed as a foster parent. Additionally, the division and its contractors shall provide full access to the child's medical, psychological, and psychiatric records, including records prior to the child coming into care, at the time the child is placed with a foster parent. Access shall include providing information and authorization for foster parents to review or to obtain the records directly from the service provider. The bill also requires the court to allow foster parents to testify in any proceedings involving a child in their care and if not given that opportunity, they may seek remedial writ relief pursuant to Missouri Supreme Court Rules 84, 94, and 97. No docket fee shall be required to be paid by the foster parent and the division shall not remove a child from placement with the foster parent based solely upon the foster parent's filing of a petition for a remedial writ or while the writ is pending, unless removal is necessary for the health and safety of the child.

The bill also prohibits the division from requiring foster parents to conduct or be present for supervised visits with a child in their care and states that the court shall only require a child to appear in court if necessary for making a decision and after considering all of the information provided by the division and

family support team, the appropriateness of the courtroom environment, and the hardship to the child and current guardians.

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HCS SB 656 -- VETERANS

SPONSOR: Cierpiot

This bill modifies numerous provisions related to veterans.

HONOR GUARD APPRECIATION DAY (Section 9.302, RSMo)

This bill designates every August 19th as "Honor Guard Appreciation Day" in Missouri.

GHOST ARMY RECOGNITION DAY (Section 9.305)

This bill designates every June 6th as "Ghost Army Recognition Day" in Missouri.

BUDDY CHECK 22 DAY (Section 9.311)

This bill designates the 22nd day of each month as "Buddy Check 22 Day" to encourage citizens check in on veterans and to raise awareness of the problem of suicide facing military personnel.

MISSOURI KOREAN WAR VETERANS MEMORIAL (Section 10.230)

This bill designates the Missouri Korean War Veterans Memorial located in Kansas City, Missouri as the official Korean War veterans memorial for the state of Missouri.

OFFICIAL GOLD STAR MEMORIAL MONUMENTS OF THE STATE OF MISSOURI (Section 10.237-10.239)

This bill designates the Gold Star Families Memorial Monument at the College of the Ozarks in Point Lookout, the Gold Star Memorial Monument and Pavilion at Jefferson Barracks Park in St. Louis County, and the Gold Star Memorial Monument at the Missouri Capitol in Jefferson City as official Gold Star Memorial Monuments of the state of Missouri.

ATTORNEY GENERAL MILITARY PROGRAM (Section 27.115)

This bill requires the Attorney General to design, implement, and oversee a program to assist members of the military and their families in finding and retaining legal counsel. The program will be marketed to attorneys in addition to military families and will publicize pro bono legal services available to military families.

The Attorney General will collaborate with the Missouri Bar in the administration of the program.

JOB OPPORTUNITIES FOR VETERANS (Section 42.017)

This bill requires the Missouri Veterans' Commission to seek out business organizations that are interested in hiring veterans for available job opportunities and prominently display the information collected in a table on the commission's website.

TEACHER LICENSING FOR MILITARY SPOUSES (Section 168.021)

This bill provides that a provisional certificate issued to any qualified military spouse who is hired to teach in a Missouri public school is valid for three years. Additionally, within 30 days after receiving an application and of completion of the required background check, the State Board of Education must issue a full certificate of license to a spouse of an active duty member of the Armed Forces who meets certain residence requirements if all necessary fees are paid and all other licensing requirements are met.

STATE OMBUDSMAN & VETERANS' HOMES (Section 192.2305)

This bill authorizes the Office of State Ombudsman for Long-Term Care Facility Residents to receive, respond to, and resolve complaints made by or on behalf of residents of Missouri veterans' homes relating to the action, inaction, or decisions of providers or agencies affecting resident health, safety, welfare, or rights. The State Ombudsman or representatives of the office, in addition to all current authority granted by state statute, will have the authority to enter any veterans' home and have access to residents in a reasonable time and manner and have access to resident records with the permission of the resident or the resident's guardian. Additionally, the office will analyze and monitor the development and implementation of federal, state, and local law and regulations regarding Missouri veterans' homes.

DEVELOPMENTAL DISABILITY SERVICES FOR MILITARY FAMILIES (Section 208.151)

This bill provides that Missouri members of the Armed Forces and their immediate family will have their eligibility for MO HealthNet developmental disability services temporarily suspended for any period of time during which such person temporarily resides outside of Missouri for reasons relating to military service. Upon returning to the state, the eligibility will be immediately restored. If the military member or an immediate family member is

not a legal resident of this state, but would otherwise be eligible for developmental disability services, the individual will be eligible for such services during the time in which the individual is temporarily present in Missouri for reasons relating to military service.

SERVICE DOGS AND ANIMALS (Sections 209.150-209.204)

This bill modifies the definition of a "service dog" to be a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Additionally, this bill adds "mental health service dog" to the definition of a service dog. A mental health service dog, or a psychiatric service dog, is a dog that has been individually trained for an owner who has a psychiatric disability, medical condition, or developmental disability. The dog is trained to perform tasks to mitigate or assist the owner with difficulties directly related to the disability.

Under this bill, any person knowingly misrepresenting a dog as a service dog, as described in the bill, for the purposes of receiving accommodations regarding service dogs under the Americans with Disabilities Act will be guilty of a class C misdemeanor for the first offense and a class B misdemeanor for each subsequent offense. Additionally, any person knowingly misrepresenting any animal as an assistance animal, as described in the bill, for the purposes of receiving accommodations regarding assistance animals under the Fair Housing Act or the Rehabilitation Act will be guilty of a class C misdemeanor for the first offense and a class B misdemeanor for each subsequent offense. Any person violating these provisions will also be civilly liable for any actual damages resulting from such misrepresentation.

The Governor's Council on Disability will prepare and make available online a placard for posting in a front window or door of a business stating that service dogs are welcome and that misrepresenting a service dog is a violation of Missouri law. The Council will also prepare and make available a brochure detailing guidelines regarding service dogs and assistance animals.

CHILD PROTECTION FOR MILITARY FAMILIES (Sections 210.109 and 210.150)

This bill requires the Children's Division to attempt to ascertain whether the suspected perpetrator or any person responsible for the care, custody, and control of a child is a member of the Armed Forces after receiving a report on alleged abuse or neglect of a child.

This bill allows appropriate staff of the United States Department of Defense to receive access to investigation records contained in the central registry of the Children's Division and records maintained by the Children's Division within the Department of Social Services following a report of child abuse and neglect in cases where the suspected perpetrator or any person responsible for the care, custody, and control of the subject child is a member of the Armed Forces.

Additionally, this bill requires the division to report findings in cases where the person responsible for the care, custody, and control of a child is a member of the Armed Forces to the most relevant family advocacy program or other relevant person authorized by the United States Department of Defense to receive reports.

PURPLE HEART SPECIAL LICENSE PLATES (Section 301.451)

Currently, a recipient of the Purple Heart medal is charged only regular registration fees to be issued Purple Heart special license plates from the Department of Revenue.

This bill exempts Purple Heart special license plates from vehicle registration fees for the first set of the plates issued to an eligible person.

Under the bill, any registered co-owner of the vehicle is entitled to use and renew the plates until he or she remarries, or for the rest of his or her life if he or she does not remarry.

CENTRAL MISSOURI HONOR FLIGHT SPECIAL LICENSE PLATES (Section 301.3069)

This bill establishes a "Central Missouri Honor Flight" special license plate. The plate requires an annual emblem-use fee of \$25, paid to Central Missouri Honor Flight and to be used for financial assistance to transport veterans to Washington D.C. to view veteran memorials, in addition to the \$15 special personalized license plate fee and other requirements and fees as provided by law.

MERITORIOUS SERVICE MEDAL SPECIAL LICENSE PLATES (Section 301.3159)

This bill establishes a "Meritorious Service Medal" special license plate. Applicants must provide proof of having been awarded the medal as required by the Director of the Department of Revenue. There will be an additional fee for issuance of the plates equal to the \$15 special personalized license plate fee. Meritorious Service medal license plates will not be transferable to any other

person, except that any registered co-owner of the motor vehicle will be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

CONCEALED CARRY PERMITS FOR MILITARY MEMBERS (Section 571.104)

This bill authorizes an active military member of the armed forces to renew his or her permit to carry a concealed weapon by mail. A permit may be picked up in person or sent by certified mail.

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HCS SB 676 -- TAXATION

This bill modifies several provision relating to taxation

PROPERTY TAX ASSESSMENTS (Sections 137.115, 137.385,138.060, 138.090, RSMo)

Currently, the St. Louis County Assessor is required to conduct a physical inspection of residential real property prior to increasing the assessed valuation of a property by more than 15% since the last assessment, and requires written notification of such inspection. This bill applies these requirements to all counties (Section 137.115, RSMo).

For property tax assessments and appeals of such assessments, currently, in first class counties, taxpayers must appeal to the County Board of Equalization by the third Monday in June and the County Board of Equalization will meet on the first Monday in July. This bill modifies these deadlines to provide that taxpayers must appeal to the board by the second Monday in July, and the board will meet on the third Monday in July (Sections 137.385 and 138.090).

For property assessment appeals to the boards of equalization in the City of St. Louis, St. Charles County, and St. Louis County, currently the assessor has the burden to prove that the valuation does not exceed the true market value of the property. Additionally, if a physical inspection of a property is required for assessment, the assessor has the burden to prove that such inspection was performed. If the assessor fails to provide sufficient evidence that the inspection was performed, the property owner will prevail on the appeal as a matter of law. This bill applies such provisions to appeals in all counties for which the increase in assessed valuation for the subject property exceeds 15% (Section 138.060).

INCOME TAXES (Sections 143.121 and 143.171)

Currently, taxpayers are required to itemize deductions to include any federal income tax refund amounts in his or her Missouri adjusted gross income if such taxpayer previously claimed a deduction for federal income tax liability on his or her Missouri income tax return. This bill provides that any amount of a federal income tax refund attributable to a tax credit received under the CARES Act will not be included in the taxpayer's Missouri adjusted gross income (Section 143.121).

Currently, a taxpayer is allowed to deduct from his or her Missouri adjusted gross income a portion of his or her federal income taxes paid. This bill provides that federal income tax credits received under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act will not be considered when determining the amount of federal income tax liability allowable as a deduction under current law (Section 143.171).

TAXATION OF PARTNERSHIPS (Section 143.425)

This bill requires taxpayers in a partnership to report and pay any tax due as a result of federal adjustments from an audit or other action taken by the IRS or reported by the taxpayer on an amended federal income tax return. Such report will be made to the Department of Revenue on forms prescribed by the department, and payments of additional tax due will be made no later than 180 days after the final determination date of the IRS action, as defined in the bill.

Partners and partnerships will also report final federal adjustments as a result of partnership level audits or administrative adjustment requests, as defined in the bill. Such payments will be calculated and made as described in the bill. Partnerships will be represented in such actions by the partnership's state partnership representative, which will be the partnership's federal partnership representative unless otherwise designated in writing.

Partners will be prohibited from applying any deduction or credit on any amount determined to be owed under this bill.

The department will assess additional tax, interest, and penalties due as a result of federal adjustments under this bill no later than three years after the return was filed, as provided in current law, or one year following the filing of the federal adjustments report under this bill. For taxpayers who fail to timely file the federal adjustments report as provided under this bill, the department will assess additional tax, interest, and penalties either by three years after the return was filed, one year

following the filing of the federal adjustments report, or six years after the final determination date, whichever is later.

Taxpayers may make estimated payments of the tax expected to result from a pending IRS audit. Such payments will be credited against any tax liability ultimately found to be due. If the estimated payments made exceed the final tax liability, the taxpayer will be entitled to a refund or credit for the excess amount, as described in the bill.

The provisions of this bill will apply to any adjustments to a taxpayer's federal taxable income or federal adjusted gross income with a final determination date occurring on or after January 1, 2021 (Section 143.425).

TERRORIST ATTACK VICTIMS TAX RELIEF (Section 143.991)

This bill provides an income tax exemption for victims who die as a result of wounds or injury incurred as a result of the terrorist attacks against the United States on September 11, 2001, or as a result of illness incurred as a result of an attack involving anthrax occurring on or after September 11, 2001, and before January 1, 2002. Such income tax exemption will apply for the period beginning in the tax year such injuries occurred and ending in the tax year of such victim's death.

The tax exemption provided by this bill will not apply to the amount of any tax imposed which would be computed by only taking into account the items of income, gain, or other amounts determined to be taxable under federal law, as described in the bill.

This bill will not apply to any individual as a participant or conspirator in any such attack or a representative of such an individual.

Provisions in current law requiring a claim for refund to be filed within three years from the time the return is filed will not apply to refunds claimed pursuant to this bill (Section 143.991).

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SS SCS SB 718-MILITARY AFFAIRS
(Vetoed by Governor)

This bill has numerous provisions relating to military affairs.

MILITARY FAMILY MONTH (Section 9.297, RSMo)

The bill designates November as "Military Family Month" in Missouri to recognize the daily sacrifices of military families.

BUDDY CHECK 22 DAY (Section 9.300)

This bill designates the 22nd day of each month as "Buddy Check 22 Day" to encourage citizens check in on veterans and to raise awareness of the problem of suicide facing military personnel.

ATTORNEY GENERAL MILITARY PROGRAM (Section 27.115)

This bill requires the Attorney General to design, implement, and oversee a program to assist members of the military and their families in finding and retaining legal counsel. The program will be marketed to attorneys in addition to military families and will publicize pro bono legal services available to military families. The Attorney General will collaborate with the Missouri Bar in the administration of the program.

SURVIVING SPOUSES IN THE MERIT SYSTEM (Section 36.020)

This bill modifies the definition of "surviving spouse" in provisions of law relating to the merit system.

DEPARTMENT OF MILITARY FORCES (Sections 41.035 and 650.005)

This bill creates the Department of Military Forces which will be headed by the Adjutant General and will administer the militia and programs of the state relating to military forces. The office of Adjutant General and the militia are transferred from the Department of Public Safety to the Department of Military Forces.

These provisions are contingent upon the passage of a Constitutional amendment that provides for the establishment of the Department of Military Forces.

TEACHER LICENSING FOR SPOUSES OF MILITARY MEMBERS (Section 168.021)

This bill provides that a provisional certificate issued to any qualified military spouse who is hired to teach in a Missouri public school is valid for three years. Additionally, within 30 days after receiving an application and of completion of the required background check, the State Board of Education must issue a full certificate of license to a spouse of an active duty member of the Armed Forces who meets certain residence requirements if all necessary fees are paid and all other licensing requirements are met.

STATE OMBUDSMAN AND VETERANS' HOMES (Section 192.2305)

This bill authorizes the Office of State Ombudsman for Long-Term

Care Facility Residents to receive, respond to, and resolve complaints made by or on behalf of residents of Missouri veterans' homes relating to the action, inaction, or decisions of providers or agencies affecting resident health, safety, welfare, or rights. The State Ombudsman or representatives of the office, in addition to all current authority granted by state statute, will have the authority to enter any veterans' home and have access to residents in a reasonable time and manner and have access to resident records with the permission of the resident or the resident's guardian. Additionally, the office will analyze and monitor the development and implementation of federal, state, and local law and regulations regarding Missouri veterans' homes.

DEVELOPMENTAL DISABILITY SERVICES FOR MILITARY FAMILIES (Section 208.151)

This bill provides that Missouri members of the Armed Forces and their immediate family will have their eligibility for MO HealthNet developmental disability services temporarily suspended for any period of time during which such person temporarily resides outside of Missouri for reasons relating to military service. Upon returning to the state, the eligibility will be immediately restored. If the military member or an immediate family member is not a legal resident of this state, but would otherwise be eligible for developmental disability services, the individual will be eligible for such services during the time in which the individual is temporarily present in Missouri for reasons relating to military service.

CHILD PROTECTION FOR MILITARY FAMILIES (Sections 210.109 and 210.150)

This bill requires the Children's Division within the Missouri Department of Social Services to attempt to ascertain whether the suspected perpetrator or any person responsible for the care, custody, and control of a child is a member of the Armed Forces after receiving a report on alleged abuse or neglect of a child.

This bill allows appropriate staff of the United States Department of Defense to receive access to investigation records contained in the central registry of the Children's Division and records maintained by the Children's Division following a report of child abuse and neglect in cases where the suspected perpetrator or any person responsible for the care, custody, and control of the subject child is a member of the Armed Forces.

Additionally, this bill requires the division to report findings in cases where the person responsible for the care, custody, and control of a child is a member of the Armed Forces to the most

relevant family advocacy program or other relevant person authorized by the United States Department of Defense to receive reports.

MOTOR VEHICLE INSURANCE (Section 379.122)

This bill requires the Adjutant General to ensure that members of the state military forces receive notice of certain protections relating to motor vehicle insurance, and encourages the secretaries of the branches of the United States Armed Forces to likewise notify members under their jurisdictions.

The bill specifically notes that the term "adverse underwriting decision" will include a decision to charge an increased premium.

MISSOURI WORKS PROGRAM (Sections 620.2005 and 620.2010)

This bill modifies the Missouri Works program to provide that, for qualified military projects, the benefit will be based on part-time and full-time jobs created by the project.

SCS SB 739 -- ANTI-DISCRIMINATION AGAINST ISRAEL ACT

This bill creates the "Anti-Discrimination Against Israel Act". This act prohibits public entities from entering into certain contracts with a company unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of goods or services from the State of Israel or any company, or person or entity, doing business with or in the State of Israel. Any contract failing to comply with the provisions of this bill shall be void against public policy.

This bill does not apply to contracts with a total potential value of less than \$100,000 or to contractors with fewer than 10 employees.

SB 913 -- PEER REVIEW FOR DESIGN PROFESSIONAL

This bill relates to provisions of the peer review process for architects, landscape architects, professional land surveyors, and professional engineers that are set to expire on January 1, 2023. This bill repeals the expiration of those provisions.

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SS#3 SJR 38 -- SPECIAL INTERESTS

Upon voter approval, this proposed Constitutional amendment modifies laws pertaining to the influence of special interest groups on the state legislature.

GIFT BAN

Currently, a member of the General Assembly, a staff member of a member of the General Assembly, or a person employed by the General Assembly is allowed to receive a gift of no more than \$5 per occurrence from a lobbyist or lobbyist principal. This amendment prohibits all such gifts from lobbyists or lobbyist principals (Article III, Section 2(b)).

CAMPAIGN CONTRIBUTION LIMITATIONS

The bill provides that in any election to the office of State Senator, the amount of contributions made to or accepted by any candidate or candidate committee from any person other than the candidate shall not exceed \$2,400, rather than \$2,500. The amendment additionally repeals a provision subjecting campaign contribution limitations for state Senate and state House races to inflation (Article III, Section 2(c)).

REDISTRICTING

Independent Bipartisan Citizens Commissions:

Currently, the nonpartisan state demographer is responsible for preparing new redistricting plans for the House of Representatives and the Senate, which plans may be disapproved by bipartisan commissions nominated by the major political parties and appointed by the Governor. This bill repeals the post of nonpartisan state demographer and gives all redistricting responsibility to the currently-existing commissions, renamed as the House Independent Bipartisan Citizens Commission and the Senate Independent Bipartisan Citizens Commission, respectively.

The membership of each commission is modified such that each commission consists of members (20 each, under the current Congressional apportionment) to be appointed by the Governor from lists provided by the state committee and Congressional district committees of each of the two political parties casting the highest vote for Governor at the last preceding gubernatorial election. For each commission, each state committee shall submit a list of five nominees to the Governor and each Congressional district committee shall submit a list of two nominees to the Governor. The

Governor shall select two nominees from each list submitted by each state committee and one nominee from each list submitted by each Congressional district committee. No member of either commission may be a member of the other commission (Article III, Sections 3 & 7).

Redistricting Criteria:

The order of priority for the criteria that is to be used in preparing redistricting plans are as follows:

(1) No district shall be drawn in a manner which would result in the denial or abridgment of the right of any person to vote on account of race or color. Furthermore, no district shall be drawn such that members of a community of protected citizens have less of an opportunity than other members of the electorate to participate in the political process and elect representatives of their choice.

(2) Districts shall be as nearly equal as practicable in population and shall be drawn on the basis of one person, one vote. Districts shall not deviate from the ideal population by more than 1%, provided that deviation may be up to 3% if necessary to follow political subdivision lines.

(3) Districts must be established in a manner that complies with all requirements of federal law, specifically including the Voting Rights Act of 1965.

(4) Districts must consist of contiguous territory as compact as may be, to the extent permitted in conjunction with the above criteria.

(5) To the extent permitted in conjunction with the above criteria, communities must be preserved, as described in the amendment.

(6) Districts must be drawn to achieve partisan fairness and competitiveness, provided that all preceding criteria shall take precedence. Furthermore, current law provides that, in any redistricting plan, the difference between the total "wasted votes" of the two major political parties divided by the total votes cast for such parties shall be as close to zero as practicable. This amendment modifies that requirement by prohibiting such difference from exceeding 15%.

Redistricting Timeline:

Each commission must file a tentative redistricting plan and proposed maps with the Secretary of State within five months of

appointment. A final statement of such plan and maps must be filed within six months with the approval of at least seven-tenths of the respective commission (14 out of 20 members under the current Congressional apportionment). If either commission fails to file its plan with the Secretary of State within such time period, then the commission failing to do so shall stand discharged and the respective chamber of the General Assembly shall be redistricted using the same criteria listed above by a commission of six members appointed by the Supreme Court from among the judges of the appellate courts of the state of Missouri.

Actions Challenging Redistricting Plans:

Any action expressly or implicitly alleging that a redistricting plan violates the Missouri Constitution, federal law, or the United States Constitution must be filed in the Circuit Court of Cole County and shall name the respective commission that approved the challenged plan as a defendant. In order to bring such an action, a plaintiff must be a Missouri voter who resides in a district that exhibits an alleged violation and who would be remedied by a differently drawn district. If the court renders a judgment in which it finds that a completed redistricting plan exhibits the alleged violation, the court may only adjust those districts necessary to bring the map into compliance. The Supreme Court shall have exclusive appellate jurisdiction upon the filing of a notice of appeal within 10 days after the judgment has become final.