



Missouri Legislative Report  
February 12, 2021

**Weekly Overview:** This is the first week since mid-march of last year that the Missouri General Assembly had what we would call a normal week. Other than the masks, social distancing in the hearings, and the lack of visitors, this week seemed like any other week of session in a February. There were no discussions of legislators or staff having contracting the coronavirus and both bodies were able to fully operate without disruption.

This week, the Senate worked on a few of its members' priorities. One bill in particular, sponsored by Senator Schatz (R-Franklin), would crack down on illegal gaming machines. The machines which operate like slot machines have become a common sight in many convenience stores and truck stops across Missouri. The legality of these machines has always been in question, but the State Gaming Commission and Highway Patrol lack the clear authority to ban such devices. Schatz bills seeks to rectify that. They debated the bill for several hours on Monday before laying the bill over on to the Informal Perfection Calendar.

This week the Senate also debated the authority of local governments and health agencies abilities to issue public health orders. This issue has become a hot topic with St. Louis area legislators who have been very critical of the way St. Louis County Executive Sam Page has issued health orders in his county. The bill sponsored by Sen. Koenig (R-St. Louis) was heatedly debated for four hours on Wednesday before being laid over on the Informal Perfection Calendar. Similar bills in the House this week were recommitted to their originating committee for being too extreme of a response.

The Senate was not able to debate education reform again this week due to the absence of Senator Cindy O'Laughlin (R-Shelby) who is recovering from pneumonia. O'Laughlin's absence also kept the Republicans from taking a final vote on COVID liability protection legislation. Her vote is needed to reach 23 yes votes necessary to approve the emergency clause.

Of note this week, House committees heard bills dealing with initiative petition reform, a priority of Secretary of State Jay Ashcroft and bills dealing with the collection of online sales tax. This week the House Republican Caucus also voted to remove Rep. Tricia Derges from their Caucus. Derges had already been relieved of her committee assignments and asked to resign by Speaker Vescovo. The embattled representative from

Southwest Missouri was indicted earlier this month on 20 counts of fraud. Derges says she has no plans to resign.

*In the news...*

- Larry Levitt, Vice President of Health Policy for the Kaiser Family Foundation, announced in a tweet this week that the U.S. House Energy and Commerce Committee has just released its part of the COVID relief package and that the federal government will pay states that implement Medicaid expansion an extra 5% of all Medicaid costs for two years. Missourians approved Medicaid expansion last August and this extra incentive will further pay for the program. In a Senate Appropriations budget hearing this week, the Department of Social Services went through its \$1.9 billion request to implement Medicaid expansion. Of that amount, it is anticipated that the federal government will foot the bill for approximately \$1.7 billion.
- This week the Senate Transportation, Infrastructure and Public Safety Committee voted to move a transportation funding bill (SCS/SB 262) out of committee. The bill, sponsored by President Pro Tem Dave Schatz would increase the gas tax by 2 ½ cents per year for six years starting in 2022 until the total increase hit 15 cents. The bill has a provision that would permit Missouri citizens to apply for a rebate in the amount of additional taxes paid. Stakeholders believe that this is proof that passage of legislation providing for transportation funding is a high priority this session.
- The House Elections and Elected Officials Committee heard two bills and nine constitutional amendments (House Joint Resolutions) this week which would reform the process for initiative petitions. Reforming the IP process is a high priority for Secretary of State Jay Ashcroft.
- This week, the Senate passed HB 16, the FY 2021 Supplemental Budget bill and sent the measure to Governor Parson for consideration. Among other supplemental appropriations, the bill contains \$324 million in federal stimulus funds for aid to Missourians who rent, to landlords and to aid in utility payments.
- Scott Sifton, a former Democratic Missouri state senator, announced plans Monday to run for the U.S. Senate seat currently held by Republican Roy Blunt. The environmental lawyer, who lives in south St. Louis County, made the announcement Monday in a video released on social media. “Missouri needs a senator who promotes truth, not conspiracy theories. And equality, not hate. A senator who trusts science instead of denying it,” Sifton said during his minute-and-a-half video, hitting on talking points of those critical of former President Donald Trump and his allies.

**CHARTER SCHOOL FUNDING:** On Tuesday, the House Committee on Budget met in executive session to vote “do pass” by a vote of 14-13 on HB 137, sponsored by Rep. Doug Richey (R-Excelsior Springs). This bill requires charter schools and each school

district to include an annual independent audit to verify pupil residency. The bill requires school districts to pay for each pupil attending a charter school in that district based on the formula established in the bill which includes all state aid and local aid received by the school district divided by the total weighted average daily attendance of the school district and all charter schools within the school district. The bill defines "local aid" to include all local and county revenue received by the school district and charter schools within the school district, with specific examples and exclusions specified in the bill. The full bill summary may be found here: [HB 137](#)

A substitute was adopted which made technical corrections regarding the foundation formula language and included a provision giving a 2% administration fee from the monies as a whole not just the new money.

The following amendments to the substitute were offered for discussion:

- HCA1(Unsicker) – requires charter schools to provide for special needs students – WITHDRAWN
- HCA2(Aldridge) – effective date of 2026 and exclude St. Louis – WITHDRAWN
- HCA3(Bosley) – focuses a percentage of monies specifically for St. Louis Public Schools -WITHDRAWN

## **CRIMINAL BACKGROUND CHECKS**

The Senate Education Committee convened Tuesday afternoon to discuss SB 136, sponsored by Senator Holly Rehder (R-Sikeston). The bill requires criminal background checks to be conducted on any person who is 18 years of age or older, who is not counted by the district for purposes of average daily attendance, and who requests enrollment in a course that takes place on school property during regular school hours. During bill presentation, the sponsor stated she is currently working with the FBI to draft substitute language to address concerns relating to current background check statutes. No supporting or opposing testimony was presented during the hearing.

## **GIFTED EDUCATION**

The Senate Education Committee convened Tuesday morning to discuss SB 151, sponsored by Senator Denny Hoskins (R-Warrensburg). Currently, when a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for gifted children. Approval of such programs shall be made by the Department of Elementary and Secondary Education based upon project applications submitted by July 15 of each year. The bill clarifies if 3% or more of students enrolled in a school district are determined to be gifted, the district is required to establish a state-approved gifted program for gifted children. If a school district has an average daily attendance of 350 students or less, the district's gifted program shall not be required to provide services by a teacher certified to teach gifted education. Any teacher who provides gifted services through the program, and is not certified, shall annually participate in at least 6 hours of professional development focused on gifted development. The sponsors intent with the legislation is to provide rural

areas the same opportunities. A gifted education teacher from Columbia Public Schools, MO NEA, and Gifted Association of MO provided supporting testimony. The MO Association of School Administrators provided opposing testimony.

### **EDUCATION SAVINGS ACCOUNT PROGRAM**

Senator Rick Brattin (R-Belton) appeared before the Senate Education Committee Tuesday afternoon to present SB 296. Starting July 1, 2022, the bill establishes an Education Savings Account Program and provides a scholarship grant to be used for qualifying expenses for an eligible student participating in private school. Within the bills main provisions, it requires the state to deposit into each education savings account the amount the resident school district receives from state and local sources for that student and requires the funds to be subtracted from the state school aid. Additionally, the bill requires the resident school districts to provide transportation for students to private schools. During committee discussion, committee members expressed concern with requiring districts to provide transportation when there is currently a shortfall in transportation funding. The MO Century Foundation provided supporting testimony. The Kansas City Public School District, MO Association of School Administrators, MO State Teachers Association, MO School Board Association, and American Federation of Teachers Association provided opposing testimony.

### **UPCOMING HEARINGS OF INTEREST:**

**Committee:** Education, Senator Cindy O'Laughlin, Chairwoman

**Date:** Tuesday, February 16

**Time:** 12:00 p.m.

**Room:** Senate Lounge

**SB 204 - Cierpiot**

Modifies provisions related to computer science courses offered in elementary and secondary schools

Please note additional procedures will be in place due to the COVID-19 pandemic:

- Public seating will be socially distanced and therefore very limited.
- Audio for committee hearings will be streamed. Links may be found for each committee room at <https://www.senate.mo.gov/hearingsschedule/hrings.htm>
- Written testimony will be allowed in lieu of in person oral testimony. Witnesses must register and may upload any written testimony at <https://www.senate.mo.gov/senatewitnesssystem/>
- All submissions must be received one hour prior to the hearing and may not exceed five pages in length.

EXECUTIVE SESSION MAY FOLLOW ON ANY BILL HEARD BY  
THIS COMMITTEE

**Committee:** Elementary and Secondary Education

**Chair:** [Chuck Basye \(47\)](#)

**Date:** Tuesday, February 16, 2021 - **Upcoming**

**Time:** 8:00 A.M.

**Location:** House Hearing Room 7

**Note:** Please note additional procedures will be in place due to the COVID-19 pandemic: All entrants to the capitol building will be required to submit to screening questions and physical screening. Members of the public must enter the building using the south entrance. Public seating in committees will be socially distanced and therefore limited. Committee hearings will be streamed. Links may be found at <https://www.house.mo.gov>.

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

### **HB 754 -- VIRTUAL SCHOOL PROGRAM**

**Sponsor:** [Christofanelli, Phil \(Rep-105\)](#)

Modifies provisions related to the virtual school program

### **HB 151 -- SCHOOL DISTRICT SUPERINTENDENTS**

**Sponsor:** [Shields, Brenda \(Rep-011\)](#)

Allows school districts that share superintendents to receive additional state aid

### **HB 306 -- GIFTED EDUCATION**

**Sponsor:** [Griesheimer, Aaron \(Rep-061\)](#)

Modifies provisions relating to services and programs for gifted children

*Executive Session will be held on the following bills:*

### **HB 303 -- ADMISSION OF NONRESIDENT PUPILS**

**Sponsor:** [Wiemann, John \(Rep-103\)](#)

Establishes transfer procedures to nonresident districts for students in public schools

### **HB 543 -- PUBLIC SCHOOL TRANSFERS**

**Sponsor:** [Pollitt, Brad \(Rep-052\)](#)

Establishes transfer procedures to nonresident districts for students in public schools

### **HB 387 -- BEHAVIORAL INTERVENTIONS**

**Sponsor:** [Bailey, Dottie \(Rep-110\)](#)

Modifies provisions relating to seclusion and restraint policies in public schools

*-End of Report-*