

Truly Agreed Summaries

-----  
HB 77 -- PUBLIC SCHOOL RETIREMENT SYSTEM (Black (7))

COMMITTEE OF ORIGIN: Standing Committee on Pensions

Currently, any teacher retired from the Public School Retirement System of Missouri may be employed in a position covered under the Public Education Employee Retirement System (PEERS) without stopping their retirement benefit. Such teacher may earn up to 60% of the minimum teacher's salary as set forth in Section 163.172, RSMo, and will not contribute to the retirement system or earn creditable service.

The employer's contribution rate will be paid by the hiring employer. If such person is employed in excess of these limitations, the person will not be eligible to receive their retirement allowance for any month the person is employed and such person shall contribute to the retirement system if he or she is in an eligible position.

This bill excludes from this provision any person retired and currently receiving a retirement allowance in accordance with Sections 169.010 to 169.141 employed by a public community college.

This bill is similar to HB 2335 (2018).

-----  
SS SCS HB 126 -- ABORTION

This bill modifies provisions relating to abortion.

PREGNANCY RESOURCE CENTERS

The bill modifies the definition of a pregnancy resource center for the purposes of the pregnancy resource center tax credit to include facilities that provide assistance to women and families with crisis pregnancies or unplanned pregnancies by offering services specified in the bill and services provided under the Missouri Alternatives to Abortion Services Program in Section 188.325, RSMo. The tax credit is increased from 50% of the amount contributed to 70% beginning January 1, 2021, removes the cumulative amount of tax credits claimed by all taxpayers in the fiscal year beginning July 1, 2021, and removes the sunset provision (Section 135.630).

THE "RIGHT TO LIFE OF THE UNBORN CHILD ACT"

Additionally, an abortion performed or induced upon a woman, unless

in cases of medical emergencies, shall be a class B felony and shall subject the person performing or inducing the abortion to suspension or revocation of his or her professional license. This provision has a contingent effective date based on federal law and court rulings (Sections 188.017).

#### PROHIBITION OF DISCRIMINATORY ABORTIONS

These sections assert that the general assembly finds that it is a legitimate purpose of government to remove vestiges of past bias or discrimination against pregnant women, their partners, and their family members, including unborn children. The bill prohibits any person from performing or inducing an abortion on a woman if the person knows that the woman is seeking the abortion solely because of a prenatal diagnosis, test, or screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child, or because of the sex or race of the unborn child.

Currently, any attending physician must complete an abortion report for each abortion performed. This bill requires the physician to include a certification that the physician does not have any knowledge that the woman sought the abortion solely because of a prenatal diagnosis, test, or screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child, as well as a certification that the physician does not have any knowledge that the woman sought the abortion solely because of the sex or race of the unborn child.

Any physician or other person who violates these provisions shall be subject to civil liability and revocation of his or her professional license (Sections 188.038 and 188.052).

#### THE "MISSOURI STANDS FOR THE UNBORN ACT"

This bill specifies that an abortion shall not be performed or induced upon a woman at eight weeks, 14 weeks, or 18 weeks gestational age or later, except in cases of medical emergency. A person who knowingly violates these provisions shall be guilty of a class B felony, as well as subject to suspension or revocation of his or her professional license. A pregnant woman upon whom an abortion is performed or induced in violation of these provisions shall not be prosecuted (Sections 188.026 188.056, 188.057, and 188.058).

#### PARENTAL NOTIFICATION IN CASES OF ABORTION UPON A MINOR

Currently, an abortion on a minor shall not be knowingly performed until the attending physician has secured the written informed consent of the minor and one parent or guardian, unless a specified

exception applies. This provision requires that the consenting parent or guardian first notify any other parent or guardian in writing, except under certain circumstances (Section 188.028).

This provision has an emergency clause.

#### MATERIALS PROVIDED TO PERSONS RECEIVING REFERRALS FOR OUT-OF-STATE ABORTIONS

The bill requires in-state abortion facilities or family planning agencies to provide specified printed materials when providing a woman an out-of-state abortion referral. If the referral is not made in person, the facility or agency shall offer the printed materials to the woman and send them either electronically or through the U.S. mail at no cost to the woman (Section 188.033).

#### ABORTION PROVIDER INSURANCE

This bill changes the medical malpractice insurance an abortion provider is required to have from \$500,000 to \$1 million per occurrence and \$3 million in the annual aggregate. Additionally, the bill requires a person performing or inducing an abortion to carry tail insurance of at least \$1 million per occurrence and \$3 million in the annual aggregate for personal injury to or death of a child who survives an abortion induced by a drug or chemical that carries a Food and Drug Administration warning that the chemical may cause birth defects, disability, or other injury in a child who survives the abortion (Sections 188.043 and 188.044).

#### THE "LATE-TERM PAIN-CAPABLE UNBORN CHILD PROTECTION ACT"

The bill establishes the "Late-Term Pain-Capable Unborn Child Protection Act," prohibiting any abortion, except in the case of a medical emergency, from being performed or induced on a woman carrying a late-term pain-capable unborn child, defined as an unborn child at 20 weeks gestational age or later. It adds more detailed requirements for information provided to the mother prior to the procedure.

If a physician performs or induces an abortion upon a woman in her third trimester carrying a late-term pain-capable unborn child in cases of a medical emergency, the physician shall utilize the available method or technique that provides the best opportunity for the unborn child to survive, or if such method is not available, the method or technique that offers less risk to the life and health of the mother. The physician shall document in writing the method or technique utilized and the reason it was selected. In such cases of medical emergency, there shall be another physician in attendance other than the physician performing

or inducing the abortion who shall provide immediate care for a child born as a result of the abortion.

Any physician who violates these provisions shall be guilty of a Class D felony and subject to suspension or revocation of his or her license (Section 188.375).

#### ADDITIONAL PROVISIONS

The General Assembly declares its intention that the state and its political subdivisions shall be a "sanctuary of life" to protect pregnant women and their unborn children (Section 188.010).

Makes all of the provisions of Chapter 188 severable if any section is found to be unenforceable or unconstitutional (Section 188.018).

The bill modifies the written information provided to a woman regarding the pain capability of an unborn child (Section 188.027).

- - - - -  
SS HB 138 -- SIMON'S LAW

This bill establishes Simon's Law that adds one new section to the law relating to life-sustaining treatment policies of health care facilities. The bill prohibits a health care facility, nursing home, physician, nurse, or medical staff from instituting a do-not-resuscitate order, or similar physician's order for any child who is not emancipated or under juvenile or family court jurisdiction without oral or written permission of at least one parent or legal guardian.

The bill includes provisions for exceptions when parents or legal guardians are not successfully contacted after diligent efforts, for children under court jurisdiction, and those with relative caretakers.

Permission previously given under the provisions of the bill may be revoked in writing by the legal guardian or either parent of the patient.

The provisions do not require any treatment to be continued if it is medically inappropriate or would not result in further benefit or recovery of the patient.

- - - - -  
HB 182 -- INTEREST RATES ON PAYMENTS

Currently, if the Director of the Department of Insurance, Financial Institutions and Professional Registration determines

that an insurance company has to pay interest upon any claim, refund, or payment and the interest rate is not already provided for by law, the rate shall be at the annual adjusted prime rate of interest as determined by Section 32.065, RSMo, but shall not exceed 9%.

This bill clarifies that insurance companies who voluntarily pay interest on any claim, refund, penalty or payment for which the appropriate interest rate is not already provided for by law, shall also calculate the interest rate pursuant to Section 32.065, but not to exceed 9%.

- - - - -  
SS SCS HCS HB 192 -- COURT PROCEDURES

Currently, sheriffs receive \$10 for service of any summons, writ, subpoena, or other court order, and that money is paid into the county treasury to be paid to the State Treasurer. This bill specifies that other persons specially appointed to serve orders of court shall also receive \$10 for orders they serve. The additional \$10 shall be deposited in the Deputy Sheriff Salary Supplementation Fund.

The bill specifies that where authorized by local court rule, traffic court judges in St. Louis County may review decisions of the Director of Revenue or Department of Revenue to revoke a person's driver's license for refusal to submit to a chemical test.

The bill also specifies that a court may, rather than shall, double the fine for certain traffic offenses when committed in a travel safe zone designated by the Missouri Department of Transportation.

The bill modifies provisions related to the Public Service Commission.

The bill also removes a provision requiring the Director of the Public Defender's Office to prepare a plan to establish district offices that would coincide with existing judicial circuits.

This bill specifies that a court that serves more than one municipality shall be treated as a single municipality for the purposes of municipal judges not being allowed to serve in more than five municipalities at one time.

Currently, associate circuit judges have the ability to commute fines and costs against defendants who are unable to pay when the defendant requests to be imprisoned in the county jail. The fine shall be credited at the rate of \$10 for each day's imprisonment. This bill repeals that language.

The bill repeals language that allows the court, upon a motion by the prosecuting attorney or by its own motion, to require a defendant to show cause as to why he or she should not be imprisoned for failure to pay and allows the court to imprison such defendant, if no good cause is shown, for various lengths depending on whether the offense was a misdemeanor or a felony.

Instead, when a defendant fails to pay a fine or an installment, the fine or installment may be collected by any means authorized for the collection of money judgments, or it may be waived at the discretion of the judge. In no event can the recovery of costs incurred by a municipality or county for the detention, imprisonment, or holding of a person be the subject of any condition of probation, and the failure to pay costs cannot be the only basis for the issuance of a warrant.

The bill also specifies circumstances under which a court may depart from mandatory minimum prison sentences or terms.

- - - - -  
SS SCS HCS HB 220 -- COMPANIES REGULATED BY THE PSC

This bill specifies that if local and long distance telecommunications services subject to sales tax are aggregated with and not separately from charges for telecommunications service or other services not subject to the tax, then charges for nontaxable services may be subject to taxation unless the telecommunications provider can identify by reasonable and verifiable standards the portion of the charges not subject to the tax (Section 114.020, RSMo).

Beginning January 1, 2020 any public utility company which has ownership of any real or personal property associated with a project that directly uses wind energy to generate electricity will be taxed using a standardized methodology of:

- (1) Any wind energy property will be assessed on the county assessor's local tax rolls;
- (2) Any property consisting of land and buildings related to the wind energy project will be assessed under Section 137.076; and
- (3) All other business or personal property of a public utility company that owns property associated with a wind energy project will be assessed under Section 137.122 (Section 153.030).

Additionally, this bill specifies that any real or tangible personal property associated with a project which uses wind energy

directly to generate electricity shall be valued and taxed by any state and local authorities having jurisdiction (Section 153.034).

The bill also establishes the "Task Force on Wind Energy." The task force will be comprised of six members including three members from the House of Representatives, three members from the Senate, and two members from county government with experience in wind energy valuations. The task force must conduct public hearings, research, and compile a report for the General Assembly by December 31, 2019 regarding the economic benefits and drawbacks of wind turbines, statewide assessment and taxation of wind turbines and their connected equipment at the county level, compliance with state and federal programs and regulations, and potential legislation that would provide a uniform assessment and taxation methodology for wind turbines (Section 393.1073).

- - - - -  
SCS HCS HBs 243 & 544 -- VICTIMS OF CERTAIN OFFENSES

This bill provides that a person who is, has been, or is in imminent danger of becoming a victim of domestic violence, sexual assault, or stalking shall not be denied tenancy, evicted from the premises, or in violation of a lease agreement on the basis of or as a direct result of being such a victim. The tenant has an affirmative defense, in certain actions brought by the landlord, that the tenant who vacated the premises was a victim or was in imminent danger of becoming a victim of sexual assault, domestic violence or stalking. Additionally, this bill provides a list of acceptable evidence that the landlord must accept as proof that the lessee or tenant was or was going to be a victim of sexual assault, domestic violence, or stalking. This bill also allows a landlord to impose a termination fee on such a tenant or lessee who wants to terminate the lease before the expiration date (Section 441.920).

This bill modifies the language regarding when a person commits the offense of nonconsensual dissemination of private sexual images (Section 573.110).

- - - - -  
SCS HB 260 -- POACHING

This bill specifies that the court may require any person found guilty of chasing, pursuing, taking, transporting, killing, processing, or disposing of certain wildlife in violation of the Missouri Conservation Commission's rules and regulations to make restitution to the state. The moneys collected will be transferred to the State School Moneys Fund.

- - - - -

SCS HCS HB 266 -- STATE DESIGNATIONS

This bill creates the following state designations:

- (1) May 26th shall be known as "Battle of St. Louis Memorial Day" to commemorate the only battle of the American Revolution fought in what would become the state of Missouri (Section 9.117, RSMo);
- (2) July 7th of every year shall be known as "Missouri Sliced Bread Day" to commemorate the first sale of sliced bread in Chillicothe, in 1928 (Section 9.240);
- (3) This bill designates September 9 as "Diffuse Intrinsic Pontine Glioma Awareness Day" to bring awareness of this childhood cancer (Section 9.285); and
- (4) October shall be known as eczema awareness month (Section 9.286).

This bill modifies the current definition of "holocaust" as used in the Holocaust Education and Awareness Commission Act. The definition of Holocaust used in the bill is the period from 1933 to 1945 during which six million Jews and millions of others were murdered by the Nazis as part of a state-sanctioned program of genocide. The definition is no longer restricted to murders occurring only within Nazi concentration camps (Section 161.700).

The Missouri State Council for the Arts, within the Department of Economic Development, shall administer a program to designate "Missouri Historical Theaters" that meet specified criteria, including being a 501(c)(3) not-for-profit organization, operating for at least 50 years, performance history, and contribution to tourism and arts promotion. The department may charge a fee to cover the costs of the program (Section 185.070).

This bill establishes the "Missouri Solar Pollinator Habitat Act," which requires the Department of Natural Resources, in consultation with other state and nongovernmental agencies, to publish a scorecard that sets out criteria for claiming that a solar site is pollinator-friendly or provides benefits to pollinators. The scorecard must be available on the department's website within six months of the effective date of the bill.

An owner of a solar site implementing site management practices specified in the bill may claim that the site is pollinator-friendly or provides benefits to pollinators if the site and its vegetation management plan adhere to the criteria set out in the scorecard. An owner making a claim that it is pollinator-friendly or provides benefits to pollinators must make available to the



public and provide to the department and a nonprofit solar industry trade association a copy of its completed scorecard and vegetation management plan (Section 261.500).

This bill requires products labeled "Missouri Bourbon" or "Missouri Bourbon Whiskey" to be made using corn grown in Missouri; mashed, fermented, distilled, aged, and bottled in Missouri; and aged in oak barrels manufactured in Missouri (Section 311.025).

- - - - -  
HB 355 -- UTILITIES

This bill changes the laws relating to utilities.

#### SALE OF MUNICIPALLY OWNED UTILITIES

This bill authorizes the board of aldermen of cities of the fourth classification to seek an appraisal and to conduct reasonable analyses before putting a proposed water or wastewater system for sale or a sale of a gas plant before the voters. The board may consider alternatives to a sale and the fair market value may be a matter of negotiation. Good faith notification efforts of any ballot measure may be made through a variety of media including Internet sites and should target voters and users of the utilities as specified in the bill (Section 88.770, RSMo).

#### LICENSURE

Currently, any corporation that practices architecture, professional engineering, professional land surveying, or professional landscape architecture must obtain a certificate of authority for each profession. The certificate of authority for the corporation is in addition to individual professional licensure as an architect, professional engineer, professional land surveyor, or professional landscape architect (Section 327.401).

#### ELECTRIC VEHICLE CHARGING STATIONS

This bill defines "electric vehicle charging station" and exempts from the definition of "electrical corporation" municipally owned electric utilities, rural electric cooperatives, and any person or corporation that is not engaged in the production or sale of electricity at wholesale or retail, that sell, lease, own, control, operate, or manage one or more electric vehicle charging stations as that term relates to the Public Service Commission. The bill also specifies that when municipally owned electric utilities or rural electric cooperatives are providing electric service to structures outside their service boundaries, an electric vehicle charging station reasonably close to the structure is considered a

contiguous or adjacent addition (Sections 386.020 and 386.515).

#### PUBLIC SERVICE COMMISSION

Currently, the Public Service Commission is required to have an independent technical advisory staff of up to six employees and may retain a personal advisor. This bill modifies these requirements by no longer requiring, but allowing, the commission to retain an independent technical advisory staff of up to 10 employees and a personal advisor to each commissioner.

The bill also specifies that communications with advisory staff and advisors regarding deliberations by the commission or matters that arise during the course of commission proceedings are protected from disclosure. Any advisory staff member or personal advisor who previously worked for an entity regulated by or appearing before the commission may not advise the commission on pending cases in which the advisory staff member or personal advisor participated while employed by the entity.

Currently, an applicant may file the notice of appeal of a decision issued by the Public Service Commission with the commission, which must forward the appeal to the appellate court. This bill would modify the filing requirements so that the applicant files the appeal directly with the appellate court and pays all necessary filing fees and notice of the appeal is served on the commission (Sections 386.135, 386.510 and 386.515).

#### TRESPASS EXEMPTIONS TREE TRIMMING

This bill modifies the definition of "electric supplier" as it relates to the trespass rules for trimming, removing, and controlling trees to include municipally owned electric power systems and utilities.

#### OFFENSES INVOLVING CRITICAL INFRASTRUCTURE FACILITIES

This bill creates new provisions of law relating to criminal offenses involving critical infrastructure facilities, as such term is defined in the bill. A person commits the offense of willful trespass on a critical infrastructure facility if he or she willfully trespasses or enters property containing a critical infrastructure facility without permission. The offense of willful trespass on a critical infrastructure facility is a class B misdemeanor. If it is determined that the intent of the trespasser is to willfully damage, destroy, vandalize, deface, tamper with equipment, or impede or inhibit operations of the facility, the person shall be guilty of a class A misdemeanor.

A person commits the offense of willful damage of a critical infrastructure facility if he or she willfully damages, destroys, vandalizes, defaces, or tampers with equipment in a critical infrastructure facility. The offense of damage of a critical infrastructure facility is a class D felony.

The provisions of this bill do not apply to conduct protected under the Constitution of the United States, the Missouri Constitution, or any state or federal law or rule (Section 569.086).

- - - - -  
CCS SS SCS HCS HB 397 -- PROTECTION OF CHILDREN

The bill changes laws relating to the protection of children. In its main provisions, the bill:

(1) Requires a court to certify anyone under 18 years of age to be charged with a violation of the bill as an adult in order to remove the action from juvenile court. Defendants to specified prostitution charges are classified as victims of abuse and such abuse is subject to reporting requirements. It adds certain offenses related to sexual trafficking, solicitation, prostitution, and abuse and neglect that may be used to qualify for the pattern of street gang activity offense if certain requirements under Section 578.421, RSMo, are met. Any person who was convicted of the offense of prostitution and who was under 18 at the time of the offense may apply to the court in which he or she pled guilty or was sentenced to expunge all official records relating to the offense. If the court determines that the person was under 18 when committing the offense, the court shall enter an order of expungement;

(2) Establishes Simon's Law that adds one new section to the law relating to life-sustaining treatment policies of health care facilities. The bill prohibits a health care facility, nursing home, physician, nurse, or medical staff from instituting a do-not-resuscitate order, or similar physician's order for any child who is not emancipated or under juvenile or family court jurisdiction without oral or written permission of at least one parent or legal guardian. The bill includes provisions for exceptions when parents or legal guardians are not successfully contacted after diligent efforts, for children under court jurisdiction, and those with relative caretakers. Permission previously given under the provisions of the bill may be revoked in writing by the legal guardian or either parent of the patient. The provisions do not require any treatment to be continued if it is medically inappropriate or would not result in further benefit or recovery of the patient;

(3) Modifies the number of children in foster care facilities exempt from licensure under Chapter 210 from no more than four to no more than six. The bill also modifies the definition of foster care eligibility for specified MO Health Net grants;

(4) Modifies the law regarding the confidentiality of records made and maintained by entities under the child fatality review panel statutes. Currently, all meetings, reports, and records are required to be confidential and not open to the public. This bill specifies that all meetings and work product shall be confidential, while the state technical assistance team shall make non-identifiable aggregate data on child fatalities public and the Director of the Department of Social Services shall have the discretion to release identifiable data. The state technical assistance team shall make an annual report on child fatalities that includes a summary on the county level of compliance with the child fatality review panel statutes. The requirement that the Department of Health and Senior Services analyze the child fatality review panel reports and prepare epidemiological reports regarding childhood deaths is repealed;

(5) Allows the Missouri Department of Health and Senior Services to reject application for child care facilities if they are located within 1000 feet of residences, care facilities, hospitals, or other places housing sex offenders. It also provides that a patient of a hospital or long-term care facility is not considered a resident for purposes of locating child care facilities near the residence of a registered sexual offender;

(6) Increases penalties for false statements under Section 210.245 from an infraction to a class C misdemeanor and increases fines as specified in the bill;

(7) Creates a civil penalty, enforceable by the department, for any person who operates an unlicensed, nonexempt child care facility. The department shall send a written notice to such person of the department's findings, along with educational materials about child care facility laws and the ways to become compliant with such laws, including attaining exempt status or becoming licensed. The person shall have 30 days to become compliant and if such person fails to do so, he or she shall be liable for a civil penalty of not less than \$750 and not more than \$2,000. The department, or the Attorney General on the department's behalf, may bring a civil action in Cole County against such person. The department shall not be subject to liability for failing to file suit under this provision. It also establishes the "Family Child Care Provider Fund," which shall consist of appropriated funds. The fund shall be used by the department for the dissemination of information concerning compliance with child

care facility laws, educational initiatives, and the provision of financial assistance, based on need as determined by the department and available funds, for family child care homes to become licensed;

(8) Requires the Children's Division within the Missouri Department of Social Services to make efforts to locate adult siblings and parents of siblings for foster care placement and specifies orders of preference for placing foster children;

(9) Requires the Amber Alert System Oversight Committee to meet at least annually to discuss potential improvements to the Amber Alert System. Amber Alerts issued in Missouri must include an embedded URL, which references a resource online that provides additional information or technological capabilities. The bill establishes "Hailey's Law," which requires the Amber Alert System to be integrated into the Missouri Uniform Law Enforcement System (MULES) to expedite the reporting of child abductions;

(10) Requires a party intending to relocate a child subject to custody or visitation agreements to provide notice to parties entitled to custody and visitation and inform them of the right to file a notice opposing such alterations within 30 days of receipt of such notice;

(11) Modifies definition of "account" under financial disclosure provisions under Section 454.507 and allows financial institutions to enter into a data sharing agreement with the federal office of child support enforcement to assist the Missouri Division of Child Support Enforcement;

(12) Modifies the definition of "health benefit plan" to include public assistance programs and requires courts or the Family Support Division of the Missouri Department of Social Services to provide insurance coverage as specified in the bill; and

(13) Makes technical reference changes to the bankruptcy exemptions under Section 513.430 and other provisions.

-----  
CCS SS SCS HCS HB 399 -- HEALTHCARE

This bill modifies several provisions relating to the health care services.

SUBSTANCE USE DISORDERS

This bill establishes the "Ensuring Access to High Quality Care for the Treatment of Substance Use Disorders Act."

The bill requires that medication-assisted treatment (MAT) services shall include pharmacologic and behavioral therapies.

All MAT medications must be placed on the lowest cost-sharing tier of the formulary managed by the health insurer or the pharmacy benefits manager.

MAT services shall not be subject to:

- (1) Annual or lifetime dollar limitations;
- (2) Financial requirements and quantitative treatment limitations that do not comply with the Mental Health Parity and Addition Equity Act of 2008;
- (3) Step therapy that conflicts with a prescribed course of treatment; and
- (4) Prior authorization for MAT services.

The health care benefits and MAT services required by the bill apply to all health insurance plans in the state.

Any treatment program must disclose the MAT services it provides, as well as which of its level of care have been certified.

MO HealtNet must cover the MAT medications and services provided for in this section.

Drug courts and other diversion programs must ensure that all persons under their care are assessed for substance use disorders and make available MAT services (Sections 191.1164 to 191.1168, RSMo).

#### QUALIFICATIONS OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND SENIOR SERVICES

This bill requires the Director of the Department of Health and Senior Services (DHSS) to have specified qualifications regarding education and experience (Section 192.007).

#### PERSONAL CARE ASSISTANCE VENDORS

Currently, vendors of consumer-directed services are required to monitor the performance of personal care assistance service plans. This bill requires the consumer to permit the vendor to comply with its quality assurance and supervision process, including bi-annual face-to-face home visits and monthly case management activities.

During the home visits, the vendor shall document if the attendant was present and providing services as set forth in the plan of care and report to the DHSS if the attendant is not present or providing services, which may result in a suspension of services to the consumer.

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

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

A vendor shall submit an annual financial statement audit or annual financial statement review performed by a certified public accountant to the DHSS upon request. The DHSS 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 DHSS to create a consumer-directed services division provider certification manager course. State or federal funds shall not be authorized or expended if the owner, primary operator, certified manager, or any direct employee of the consumer-directed services vendor is also the personal care attendant, unless such person provides services solely on a temporary basis for 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 (Sections 208.909, 208.918, and 208.924).

#### CONSUMER DIRECTED SERVICES

This bill extends the sunset date for financial assistance for consumer-directed personal care assistance services from June 30, 2019 to June 30, 2025 (Section 208.930).

#### INTERACTIVE ASSESSMENT TOOL FOR CERTAIN HOME AND COMMUNITY-BASED SERVICES

This bill requires the DHSS, subject to appropriations, to 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 (Section 208.935).

#### OFFENDER MO HEALTHNET BENEFITS

This bill specifies that MO HealthNet benefits shall be suspended, rather than canceled or terminated, for an offender entering a correctional facility or jail if the Department of Social Services is notified of the person's entry into the correctional center or jail, the person was currently enrolled in MO HealthNet, and the person is otherwise eligible for MO HealthNet benefits but for his or her incarcerated status. Upon release from incarceration, the suspension shall end and the person shall continue to be eligible for MO HealthNet benefits until such time as he or she is otherwise ineligible.

The Department of Corrections shall notify the Department of Social Services within 20 days of receiving information that person receiving MO HealthNet benefits is or will become an offender in a correctional center or jail and within 45 days prior to the release of such person whose benefits have been suspended under this bill. City, county, and private jails shall notify the Department of Social Services within 10 days of receiving information that person receiving MO HealthNet benefits is or will become an offender in the jail (Sections 217.930 and 221.125).

#### UNANTICIPATED OUT-OF-NETWORK HEALTH CARE SERVICES

Currently, utilizing the unanticipated out-of-network process is optional. This bill requires health care professionals to utilize the process outlined in statute for claims for charges for unanticipated out-of-network care (Section 376.690).

#### MULTIPLE EMPLOYER WELFARE

The bill allows multiple employer self-insured health plans having a certificate of authority approved by the Director of the Department of Insurance, Financial Institutions and Professional Registration to offer such plans to the public. Health carriers acting as an administrator for a plan shall permit any willing licensed broker to market such plans (Sections 376.1040 and 376.1042).

#### HEALTH CARE FOR PERSONS WITH DISABILITIES

This bill adds therapeutic care for "developmental or physical disabilities," as defined in the bill, to the insurance coverage mandate for autism spectrum disorders, and makes the mandate applicable to policies issued or renewed on or after January 1, 2020, rather than to group policies only. The bill specifies that autism spectrum disorder will not be subject to any limits on the number of visits an individual may make to an autism service provider. Coverage for therapeutic care provided under the bill for developmental and physical disabilities may be limited to a



number of visits per calendar year, provided that additional visits shall be covered if approved and deemed medically necessary by the health benefit plan. Provisions requiring coverage for autism spectrum disorders and developmental or physical disabilities shall not apply to certain grandfathered, pre-empted, or supplemental plans as described in the bill.

This bill repeals a provision of law directing the Department of Insurance, Financial Institutions and Professional Registration to grant small employers waivers from the coverage requirements under certain circumstances. The bill also repeals a provision requiring the department to submit annual reports to the legislature and requiring health carriers to supply certain diagnosis and coverage information for the report.

These provisions apply to policies issued, delivered, or renewed on or after January 1, 2020 (Section 376.1224).

#### METHODS OF REIMBURSEMENT

This bill prohibits health carriers from restricting methods of reimbursement which require health care providers to pay a fee to redeem the amount of their claim for reimbursement.

Health carriers changing the reimbursement method used shall notify health care providers whether any fee is required to receive reimbursement through the new or different method. For health benefit plans issued, delivered, or renewed on or after August 28, 2019, the provider will be able to select an alternative method of reimbursement which does not require a fee.

Violation of these provisions shall be deemed an unfair trade practice under the Unfair Trade Practice Act (Section 376.1345).

- - - - -  
SCS HCS HB 447 -- THE DISPOSITION OF DECEASED DEAD BODIES

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 specified in the bill. The Commission shall establish training standards relating to the office of county coroner and shall issue a report on such standards.

Currently, \$1,000 of a county coroner's salary shall only be payable if he or she completes at least 20 hours of classroom instruction each year 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 Coroner 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.

This bill creates the Missouri State Coroners' Training Fund. For any death certificate issued, there shall 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 Missouri Coroners' and Medical Examiners' 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. If the State Registrar determines that information on a document or record submitted to a local registrar is incomplete, the State Registrar shall return the records or documents with the incomplete information to the local registrar for correction by the data provider, funeral director, or person in charge of the final disposition (Sections 58.035, 58.095, 58.208, and 193.265, RSMo).

When a death occurs under the care of a hospice, no investigation shall be required, under this bill, if the death is certified by the treating physician of the deceased or the medical director of the hospice as a named death due to disease or diagnosed illness. The hospice must give written notice to the coroner or medical examiner within 24 hours of the death (Sections 58.451 and 58.720).

This bill establishes the "Pregnancy-Associated Mortality Review Board" within the Department of Health and Senior Services to improve data collection and reporting regarding maternal mortality and to develop initiatives that support at-risk populations. The board shall consist of no more than 18 members appointed by the director of the department, as specified in the bill, with diverse racial, ethnic, and geographic membership. Before June 30, 2020, and each year thereafter, the board shall submit a report on maternal mortality in the state and proposed recommendations to the Director of the Centers for Disease Control and Prevention, the director of the department, the Governor, and the General Assembly. The department shall have the authority to request and receive data for maternal deaths from specified entities. All individually identifiable or potentially identifiable information and other

records shall be kept confidential as described in the bill (Sections 192.067 and 192.990).

The bill specifies that if a coroner is not current on his or her training, the department may prohibit that coroner from signing any death certificates. In the event a coroner is unable 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. The bill repeals a provision allowing the State Registrar to adopt pilot programs or voluntary electronic death registration programs until an electronic death registration system is certified. An attestation from the medical provider who completed the medical certification shall also be entered into the electronic death registration system. The bill repeals a provision requiring the Division of Community and Public Health within the Department of Health and Senior Services to create a working group for the purposes of evaluating the electronic vital records system and submit a report on findings to the General Assembly by January 1, 2016 (Section 193.145).

This bill modifies provisions regarding the death registration process and the right of sepulcher.

Currently, a list is provided, in the order of priority, of those who have the right to control the disposition of a dead human body, known as the next-of-kin. This bill provides that the surviving spouse shall not be considered as next-of-kin if an action for dissolution of marriage has been filed.

The next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

This bill provides that an individual with a superior claim to the disposition of the deceased may be notified in person or by written notice with delivery confirmation, rather than personally served with written notice by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased (Section 194.119).

This bill modifies the law regarding the confidentiality of records made and maintained by entities under the child fatality review panel statutes. Current law requires all meetings, reports, and records to be confidential and not open to the public. Under this bill, all meetings and work product shall be confidential, while the state technical assistance team shall make non-identifiable aggregate data on child fatalities public and the Director of the Department of Social Services shall have the discretion to release

identifiable data. The state technical assistance team shall make an annual report on child fatalities that shall include a summary on the county level of compliance with the child fatality review panel statutes.

This bill also removes the requirement that the Department of Health and Senior Services analyze the child fatality review panel reports and prepare epidemiological reports regarding childhood deaths (Sections 210.192, 210.194, and 210.195).

Under this bill, a licensed funeral establishment shall also include an outdoor cremation facility established by the State Board of Embalmers and Funeral Directors. Any cremation performed at an outdoor cremation facility may only be performed by a licensed funeral director (Sections 333.011 and 333.072).

- - - - -  
HCS HBS 448 & 206 -- CLORIA BROWN MEMORIAL HIGHWAY

This bill names a section of road in St. Louis County as the Cloria Brown Memorial Highway. Signage costs are paid by private donation.

- - - - -  
CCS SS HCS#2 HB 499 -- RELATING TO TRANSPORTATION

This bill increases specified motor vehicle and trailer registration fees under Section 136.055, RSMo. The fees are increased as follows:

- (1) Licenses increase from \$3.50 to \$6.00 for annual and from \$7 to \$12 for biennial;
- (2) Transfer of title increases from \$2.50 to \$6;
- (3) Instruction permits, nondriver, chauffeur's, operator's, and driver's licenses increase from \$2.50 to \$6, and
- (4) Notice of lien processing increases from \$2.50 to \$6.

This bill designates a portion of State Highway 79 from Spring Street continuing north to North Street in the City of Hannibal in Marion County as the "Jake Beckley Memorial Highway" (Section 227.453).

This bill designates a portion of State Highway 79 from Fifth Street continuing north to U.S. State Highway 36 in the City of Hannibal in Marion County as the "Molly Brown Memorial Highway"

(Section 227.454).

This bill designates a portion of State Highway 740 from Audubon Drive to .25 miles east of MO 763 in Boone County as the "SGT Phillip Anderson Memorial Highway" (Section 227.457).

This bill designates a portion of State Highway 740 from .25 miles east of MO 763 to .35 miles west of Providence Boulevard in Boone County as the "SPC Steven Fitzmorris Memorial Highway" (Section 227.458).

This bill designates a portion of State Highway 740 from .35 miles west of Providence Boulevard to .25 miles west of Forum Boulevard in Boone County as the "SPC Jason Fingar Memorial Highway" (Section 227.459).

This bill designates a portion of State Highway 740 from .25 miles west of Forum Boulevard to .25 miles south of State Highway TT in Boone County as the "SFC Charles Sadell Memorial Highway" (Section 227.460).

This bill designates a portion of State Highway 740 from .25 miles south of State Highway TT to the intersection of State Highway E and Aaron Drive in Boone County as the "SPC Sterling Wyatt Memorial Highway" (Section 227.461).

This bill designates a portion of Interstate 70 from State Highway A continuing east to Lake St. Louis Boulevard in St. Charles County as the "Ralph Barrale Memorial Highway" (Section 227.462).

This bill designates a portion of State Highway 76 from Stonebridge Parkway continuing east to Old Highway 76 Road as the "Mary Herschend Memorial Highway" (Section 227.469).

This bill designates a portion of State Highway 115 from Bellerive acres to Marietta Drive in St. Louis County as the "Marguerite Ross Barnett Memorial Highway" (Section 227.471).

This bill designates a portion of Highway E in Lafayette County as the "Firefighter Jeff Sanders Memorial Highway." The costs of signs designating the highway shall be paid by private donations (Section 227.547).

This bill creates the "Waylon Jennings Memorial Highway" in St. Charles County. The costs of signs designating the highway shall be paid by private donations (Section 227.549).

This bill designates a portion of State Highway 6 in Buchanan County as the "Firefighter Travis Owens Memorial Highway." The

costs of signs designating the highway shall be paid by private donations (Section 227.550).

This bill designates a portion of Interstate 70 in Jackson County from the Blue Ridge Cutoff overpass continuing west to the Troost Avenue overpass as the "Senator Phil B. Curls Memorial Highway" (Section 227.800).

This bill designates the portion of I-70 in St. Louis from Salisbury Street overpass continuing west to Goodfellow Blvd. overpass as the "Senator Paula J. Carter Memorial Highway" (Section 227.801).

This bill designates the portion of Highway 32 in Dent County from Highway 72 continuing east to Craig Industrial Drive in the city of Salem as the "Gerald T. Lizotte Memorial Highway" (Section 227.802).

This bill changes the due date for a payable annual registration fee for recreational trailers from December 2019 to May 2020 and defers any fee due in December, 2019 to May, 2020. Recreational trailers are defined in the bill (Sections 301.010 and 301.067).

If a person's license has been revoked because of a refusal to submit to a chemical test, the case may be assigned to a traffic judge. The fees for the Substance Abuse Traffic Offender Program is determined by the Division of Behavioral Health of the Department of Mental Health (Section 302.574).

This bill requires the Director of the Department of Revenue (DOR) to revoke a driver's license upon notification by a law enforcement officer that an individual was involved in a physical accident where his or her negligence contributed to his or her vehicle striking a worker or highway worker, as defined in the bill, within a properly designated construction or work zone, or substantially contributed to his or her vehicle striking an emergency responder within a properly designated active emergency zone. The department shall base its determination of these facts on the report of the law enforcement officer investigating the incident, and its determination shall be final except as specified in the bill. Required notice of the revocation shall be deemed received by the driver three days after mailing unless returned by the postal authorities. The notice shall clearly state the reason and statutory grounds for the revocation, the effective date of the revocation, the right to request a hearing, and the date by which the request must be made. The revocation shall be effective not sooner than 15 days from the department's order (Sections 304.580 304.585 and 304.894).

This bill gives the Director of the Department of Revenue the authority to revoke a driver's license upon notification by a law enforcement officer that an individual was involved in a physical accident where his or her vehicle struck a highway worker within a properly designated construction or work zone, or emergency responder within a properly designated active emergency zone (Sections 304.585 and 304.894).

This bill specifies that where authorized by local court rule, traffic court judges in St. Louis County may review decisions of the Director of Revenue or Department of Revenue to revoke a person's driver's license for refusal to submit to a chemical test (Section 479.500).

- - - - -  
SCS HCS HB 547 -- ALTERNATIVE METHODS FOR DISPOSAL OF CASES IN  
JUDICIAL SYSTEM

This bill provides alternative methods for the disposal of cases in the judicial system, including through the use of treatment courts and prosecution diversion programs.

TREATMENT COURTS

Prior to August 28, 2021, circuit courts shall establish a treatment court division to provide an alternative for the judicial system to dispose of cases which stem from or are impacted by substance use.

This bill provides that it is public policy of the state to encourage and provide an alternative method for the disposal of cases for military veterans and current military personnel with substance use disorders, mental health disorders, or co-occurring disorders. In order to accomplish this policy, circuit courts or any combination of circuit courts may establish a veterans treatment court for cases that stem from such disorders within military veterans or current military personnel, with a preference for individuals who have combat service.

PROSECUTION DIVERSION PROGRAMS

This bill authorizes prosecuting attorneys to divert criminal cases to a prosecution diversion program.

This bill increases a criminal case surcharge from \$1 to \$5, which is assessed equally for prosecutor services and prosecutor training.

A prosecuting attorney, with the agreement of the accused or defendant, may divert a criminal case to a prosecution diversion program for a period of six months to two years. Prosecuting attorneys may divert cases out of the criminal justice system when they determine utilizing a prosecution diversion program outweighs taking immediate court action. The statute of limitations for certain offenses shall be tolled during this time period. The period of a prosecution diversion program may be extended by a

prosecuting attorney for purposes detailed in the bill, yet no such extension shall be for a period exceeding two years.

Prior to or upon issuance of an arrest warrant or information of indictment, any prosecuting attorney may forgo continued prosecution if the parties agree to a prosecution diversion program. This program must be in writing and for a specified period of time. While a prosecuting attorney has the authority to develop prosecution diversion programs, this bill details the minimum requirements that a diversion program must meet.

Additionally, a prosecuting attorney may impose conditions on the behavior of the accused or defendant that assures the safety and well-being of the community, as well as that of the accused or defendant. These conditions may be imposed at any time during the prosecution diversion program, and may include, but are not limited to, requiring the accused or defendant to remain free of any criminal behavior during the entire period of the program.

The responsibility and authority on whether or not to screen and divert a case are completely within the discretion of the prosecuting attorney. This responsibility and authority shall be official duties of a prosecuting attorney. The decision of a prosecuting attorney regarding the diversion of a criminal case shall not be appealable, and may not be later raised as a defense in a criminal case involving the accused or defendant.

At any time, a person participating in a prosecution diversion program shall have the right to insist on criminal prosecution for the offense which he or she is accused. Also, any person participating in a diversion program may have legal counsel present at all phases of the diversion proceedings, but nothing in this bill shall create a right to appointment of counsel. Criminal proceedings may be re-initiated at time by a prosecuting attorney for cases that have been diverted.

The potential liability of any county, city, person, organization, or agency, or employee or agent thereof, involved with the supervision of activities, programs, or community service that are a part of a prosecution diversion program is limited by provisions of this bill. Any person supervising or employing an accused or defendant under a prosecution diversion program shall report any violation of the terms of the program to the prosecuting attorney. The bill provides once the accused or defendant completes a prosecution diversion program to the satisfaction of the prosecuting attorney, the person shall be entitled to a dismissal or alternative disposition of charges against them. The individual shall be required to pay any associated costs prior to the dismissal of pending charges.

#### WRONGFUL INCARCERATION RESTITUTION

Finally, the bill provides that any person found guilty but later determined to be innocent solely as a result of DNA profiling analysis may be paid restitution of an amount of \$100, increased from \$50, per day for each day of post-conviction incarceration.



- - - - -  
SS SCS HB 565 -- STATE DESIGNATIONS

This bill creates seven new state designations.

November 9th of every year shall be known as "Stars and Stripes Day" to commemorate Missouri's role in the creation of the newspaper of the United States Armed Forces (Section 9.090).

May 26th shall be known as "Battle of St. Louis Memorial Day" to commemorate the only battle of the American Revolution fought in what would become the state of Missouri (Section 9.117).

July 7th of every year shall be known as "Missouri Sliced Bread Day" to commemorate the first sale of sliced bread in Chillicothe, in 1928 (Section 9.240).

The month of November shall be designated as "Cardiovascular Disease and Type 2 Diabetes Awareness Month" (Section 9.290).

The pawpaw tree is designated as the state fruit tree (Section 10.105).

The hellbender salamander, also known as the snot otter, or lasagna lizard, is the official endangered species (Section 10.200).

The Missouri "Show Me" tartan is the official tartan of the state. The colors of blue, brown, and silver are derived from the eastern bluebird, the Missouri mule, and the bear on the state flag, and the crescent moon, representing vigilance and justice, valor, purity, steadfastness, hope, and strength (Section 10.190)

- - - - -  
SS#2 SCS HCS HB 604 -- ELEMENTARY AND SECONDARY EDUCATION

CHARTER SCHOOL ELIGIBILITY

This bill allows a charter school to also give preference for admission to students who will be eligible for the free and reduced price lunch program (Section 160.410, RSMo).

#### A+ FOR HIGH SCHOOL DUAL CREDIT

This bill modifies the A+ Schools program by adding a requirement that high schools in the program shall demonstrate a commitment to ensure that all students earn credits towards any type of college degree while in high school.

The Department of Higher Education shall establish a procedure for the reimbursement of the cost of tuition and fees for any dual-credit or dual-enrollment course offered to a student in high school in association with a public community college or vocational or technical school.

This bill provides that the student must have attended a high school in the state for at least two years.

The department shall distribute reimbursements first to community college or vocational or technical school students, then to any dual-credit or dual-enrollment students, on the basis of financial need (Section 160.545).

#### MISSOURI RELIGIOUS STUDIES ACT

This bill changes current language from "students or parents" to "any person" in regards to public schools and the prevention of discrimination on the basis of religion (Section 160.2500).

#### HOLOCAUST EDUCATION AND AWARENESS COMMISSION ACT

Modifies the definition of "holocaust" by removing "in Nazi concentration camps" from the definition of "holocaust" and replacing with "by Nazi Germany and its collaborators" (Section 161.700).

#### SCHOOL TURNAROUND ACT

This bill establishes the "School Turnaround Act."

The bill states beginning September 1, 2020 and subject to appropriations, the Department of Elementary and Secondary Education (DESE) shall use an outcome-based measure to set criteria for the designation of schools in need of intervention and specifies a time line for the initial remedial year.

The bill specifies that before August 30, 2020, DESE must identify two or more approved independent school turnaround experts of which schools in need of intervention may partner.

The bill specifies that DESE shall award contracts to independent

school turnaround experts and that governing boards shall not be required to pay independent school turnaround experts.

The bill also establishes the "School Turnaround Fund" for the payment of contracts.

The bill specifies that DESE shall review school turnaround plans within 30 days of submission. Criteria for approval is specified in the bill as well as an appeal process.

The bill establishes the "School Intervention Fund," to fund interventions identified in approved school turnaround plans.

The bill specifies that a school in need of intervention that does not meet the exit criteria within three school years may petition DESE for an extension to continue school improvement efforts for up to two years.

The bill, requires that before November 30, 2021, DESE shall report to the Joint Committee on Education on the implementation of the School Turnaround Act (Sections 161.1080 - 161.1130).

#### PREVENTION OF SEXUAL MISCONDUCT IN SCHOOLS

This bill requires full disclosure between school districts about a former employee when requested, specifically regarding any confirmed violation of a board policy related to abusive behavior toward a student. Additionally, any school, before offering employment, must contact the district or charter school that previously employed the prospective hire and request information.

The bill increases the training hours for initial school board members from 16 to 18 hours and 30 minutes, and further requires that the training include two hours and 30 minutes of sexual harassment training. Additionally, returning board members must take at least one hour of refresher training annually.

The bill defines "screened volunteer" and requires a criminal background check to be conducted on any screened volunteer before they are left alone with a student or have access to student records.

This bill defines "sexual harassment" and requires that schools provide age appropriate sexual harassment training to students in grades six and up. The training will be developed by DESE.

This bill adds school personnel, contractors, and volunteers that establish relationships through a school or school activity to the definition of those responsible for the care, custody, and control

of a child for certain sections of statutes relating to child abuse as outlined in the bill (Sections 162.068, 162.203, 168.133, 170.045, and 210.110).

#### STATE BOARD OF EDUCATION INTERVENTION POWERS

This bill allows the State Board of Education to lapse the corporate organization of all or part of an unaccredited school district (Section 162.081).

#### EARLY CHILDHOOD EDUCATION

This bill allows children who attend early childhood education programs that are under contract with school districts or charter schools that have declared themselves as a local education agency to be included in the average daily attendance of the school district or charter school (Section 163.018).

#### MODIFICATION TO STATE SCHOOL AID

The bill requires DESE to distribute additional funds, in conjunction with funds calculated and distributed under the foundation formula, to any school district that meets certain performance goals (Section 163.031).

#### TRAVEL HARDSHIPS

This bill allows a student residing in an unincorporated area of Maries county to apply for a reassignment by the Commissioner.

A student will be eligible to apply to be reassigned by the Commissioner if the student has applied for enrollment in a public school in his or her district of residence, but was denied and that student lived at least 15 miles from the district and within five miles closer to another district (Section 167.125).

#### TUITION

The board of education of each district in Missouri that does not maintain a high school offering work through grade 12 shall pay tuition as calculated by the receiving district as outlined in the bill, and provide transportation for each student resident therein who has completed the work of the highest grade offered in the schools of the district and who attends an accredited public high school (Sections 167.131 and 167.132).

#### TRANSPORTATION OF PUPILS TO ANOTHER DISTRICT

For transferring students, the district of residence is required to

provide transportation only to school districts or approved charter schools designated by DESE (Section 167.241).

#### TRANSFER AND TRANSIENT STUDENT DATA

DESE shall compile and maintain student performance data scores of all transient and transfer students enrolled in districts other than their resident districts and make the data available on the Missouri Comprehensive Data System. Personally identifiable information shall not be accessible on the database (Section 167.890).

#### STUDENT TRANSFERS

Any student may transfer to another public school in the student's district of residence if such student is enrolled and has attended, for the full semester immediately prior to requesting the transfer, an attendance center, as defined in the bill, that is located within an unaccredited district and that has an annual performance report score consistent with a classification of unaccredited. Any student who is eligible to transfer within his or her district but who is unable to do so due to a lack of capacity in the attendance centers in his or her district of residence may apply to DESE or its designee to transfer to:

- 1) An attendance center that is located within an accredited district that is located in the same or an adjoining county and that has an APR score consistent with a classification of accredited; or
- 2) An approved charter school located in another district in the same or an adjoining county.

These provisions contain an emergency clause (Section 167.895).

#### ELIGIBLE DISTRICTS

By July 15, 2019, and by January 1 annually, each district eligible to receive transfer students shall report to DESE the number of its available enrollment slots in accredited schools by grade level. Each unaccredited district shall report the number of available enrollment slots in the district's accredited attendance centers. These provisions contain an emergency clause (Section 167.898).

#### TEACHER EXTERNSHIPS

This bill provides a definition for "teacher externship" and requires that the the Department of Economic Development and DESE shall adopt requirements for teacher externships along with an

equivalency schedule to allow externship hours to be considered for increases similar to graduate-level coursework on the salary schedule for districts before July 1, 2020 (Section 168.025).

#### VOLUNTARY PILOT PROGRAMS

This bill requires DESE to establish a voluntary pilot program, beginning in the 2020-2021 school year, to provide for mental and emotional health education in elementary schools in the state. The purpose of the program is to determine whether and how to implement an elementary mental and emotional health education program statewide.

This bill authorizes DESE to develop a pilot program, beginning in the 2020-2021 school year, to provide for agricultural education in elementary schools in the state. The purpose of the program is to determine whether and how to implement an elementary agricultural education program statewide (Sections 170.020 and 178.530).

#### START DATE FOR SCHOOL TERM

Beginning with school year 2020-21, this bill modifies the law governing school start dates by removing the option that school districts may set an opening date more than 14 calendar days prior to the first Monday in September (Section 171.031).

#### INCLEMENT WEATHER PROVISIONS

This bill exempts school districts from the required number of days school districts are required to make up for days lost due to inclement weather for the 2018-2019 school year and expands definition of inclement weather to include excessive heat. The bill specifies that school districts would only be required to make up six days lost due to inclement weather, rather than six days plus half the number of days lost in excess of six days. Beginning with the 2020-21 school year, this bill also allows a district to use an alternative instruction plan approved by DESE for up to 36 hours due to inclement weather, as specified in the bill (Section 171.033).

#### CONSTRUCTION OF FACILITIES

Currently, any school district authorizing the construction of facilities that may cost more than \$15,000 must advertise in a newspaper and comply with certain bidding requirements. This bill raises the expenditure to \$50,000 (Section 177.086).

- - - - -  
HB 612 -- STATE COUNCIL ON THE ARTS

This bill transfers the Missouri State Council on the Arts by type II transfer from the Department of Economic Development to the office of the Lieutenant Governor.

-----  
HB 655 -- FERAL HOGS

This bill defines the term "landowner's agent" for the purposes of who may take, attempt to take, or kill a feral hog with the use of an artificial light.

-----  
SS HCS HB 677 -- TOURISM INFRASTRUCTURE FACILITIES

This bill modifies provisions relating to tourism infrastructure facilities.

CONVENTION AND SPORTS COMPLEX FUNDS

The Jackson County and Kansas City Convention and Sports Complex Funds are currently authorized to receive \$3 million in state appropriations each year until 2021. This bill extends the date to 2031 (Section 67.641).

TOURISM INFRASTRUCTURE FACILITIES

This bill allows the State of Missouri and any other public body to expend funds for the purpose of aiding and cooperating in the planning, undertaking or carrying out of a land clearance project or projects to develop, construct, reconstruct, rehabilitate, repair or improve any tourism infrastructure facilities, as defined in the bill, which exists as of August 28, 2019, and for which an application is made and approved by the Department of Economic Development by August 28, 2020.

Any expenditure for such a land clearance project must be limited to a portion of tax revenues derived directly or indirectly from such project as stated in an agreement between the public body and the land clearance for redevelopment authority, provided that the term of any such agreement will terminate after 20 years of appropriations, the annual amount of state appropriation must not exceed \$2.5 million per year for all fiscal years ending on or before June 30, 2031, and \$4.5 million for all subsequent fiscal years, and the project must be determined to produce a positive net fiscal impact for the state over the term of such agreement. No appropriation will be made under this bill prior to July 1, 2021.

The Director of the Department of Economic Development must make an annual report detailing the overall net fiscal impact to the state for each project.

For any land clearance project receiving funds under this bill that are utilized by a professional sports franchise, if the owners of such franchise relocate the franchise to another state during the terms of the agreement created under these provisions, such owners must repay the amount of money paid by the state under such agreement (Section 99.585).

- - - - -  
SS HCS HB 694 -- RAP BACK

This bill allows qualified entities, under certain circumstances, to receive individuals' criminal history information from the central repository as part of the "Missouri Rap Back Program" as well as the National Rap Back Program. The Missouri program includes automatic notifications made by the State Highway Patrol about whether an individual, specifically an applicant who is employed, licensed, or otherwise under the purview of the entity, has been arrested for a reported criminal offense in the state.

The bill specifies what qualified entities are required to do before having access to the national and state programs, and it specifies the limited circumstances in which individuals' criminal history information may be used. An applicant must give consent to the qualified entity before that entity may access the applicant's fingerprints and criminal history information.

Finally, Missouri circuit courts and the Department of Social Services may require fingerprinting for applicants applying to adopt or to serve as guardian, conservator, or as another type of personal representative and the fingerprint-based record check will be forwarded to the State Highway Patrol to be used to search the criminal history repository. The fingerprints will be sent to the Federal Bureau of Investigation (FBI) for a national background check.

This bill contains an emergency clause.

- - - - -  
HCS HBs 812 & 832 -- MEMORIAL HIGHWAY (Houx)

This bill designates a portion of U.S. Highway 50 in Johnson County as the "Trooper John N. Greim Memorial Highway."



The bill also designates a portion of State Highway 33 from State Highway A continuing to South Street in Clinton County as the "Trooper Fred L. Walker Memorial Highway."

Costs of signage will be paid by private donation.

- - - - -  
SS HB 821 -- LAND BANK ACT

This bill establishes the "Land Bank Act," which allows certain cities to establish a land bank agency for the management, sale, transfer, and other disposition of interests in real estate owned by the land bank (Sections 140.980 and 140.981, RSMo).

The powers and duties given to the land bank agency are specified in the bill (Sections 140.982 and 140.983).

The bill specifies that a land bank agency shall not possess the power of eminent domain or the power to tax (Section 140.1015).

The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the real estate acquired by the agency (Section 140.981).

The agency shall notify the county assessor and collector upon acquisition or sale of any real estate and such real estate shall be exempt from all taxation during the agency's ownership. Upon issuance of a deed of a delinquent land tax auction, the agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees, taxes, and costs due. The county collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills (Section 140.984).

A land bank agency shall maintain and make available for public review and inspection an inventory and history of all real property the land bank agency holds or formerly held. A city may establish a hierarchical ranking of priorities for the use of real property conveyed by such land bank agency. When any parcel of real estate acquired by the agency is sold or otherwise disposed of, the proceeds shall be distributed as specified in the bill (Section 140.985).

A land bank agency shall either sell, put to a productive use, or show significant progress toward selling or putting to a productive use a parcel of real property within two years from the date it acquired the property. The governing body of the city may grant

the agency a one-year extension upon a majority vote if the body believes unforeseen circumstances have delayed the sale or productive use of the property. If the agency owns a property that does not have a productive use after two years or does not receive an extension, the property shall be offered for public sale using procedures specified in the bill (Section 140.986).

A land bank agency may receive funding through grants, gifts, and loans and may receive and retain payments for services rendered, rents and leasehold payments, consideration for disposition of real and personal property, proceeds of insurance coverage for losses incurred, income from investments, and any other asset and activity lawfully permitted (Section 140.988).

There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency annually by April 30th. The cost of such audit shall be paid by the land bank agency and copies shall be made available to the public and posted on the website within 30 days of the completion of the audit (Section 140.991).

The bill specifies that no employee of the land bank agency shall receive any compensation from or own any legal or equitable interest in any lands held by the land bank agency. A violation of this provision is a class D felony (Section 140.1000).

If a land bank agency receives payments or credits attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the county collector for distribution to the appropriate taxing authority (Section 140.1006).

A land bank agency shall be authorized to file an action to quiet title as to any real property in which it has an interest. The procedure for service of the petition to quiet title is specified in the bill. The court shall schedule a hearing on the petition within 90 days following filing of the petition and shall issue its final judgment within 120 days of the filing (Section 140.1009).

The bill also specifies the procedures for dissolution of a land bank agency (Section 140.1012).

Currently, this bill only applies to the City of St. Joseph.

- - - - -  
HB 831 -- SPECIAL LICENSE PLATES

This bill authorizes a special license plate with the official lineman emblem of the Association of Missouri Electric

Cooperatives. The license plate requires an annual \$25 contribution for emblem use to the association which shall be used for lineman training programs and administrative costs. Criteria for the license plate design submitted by the association are specified in the bill. Previously issued special plates will not bear the Lineman emblem unless reauthorized with the \$25 contribution fee.

The bill also authorizes a special license plate with the official lineman emblem of the Missouri Association of Municipal Utilities. The license plate requires an annual \$25 contribution for emblem use to the association which shall be used for lineman training programs and administrative costs. Criteria for the license plate design submitted by the association are specified in the bill. Previously issued special plates will not bear the Lineman emblem unless reauthorized with the \$25 contribution fee.

- - - - -  
HB 898 -- SPECIALTY LICENSE PLATE

This bill creates a "Back the Blue" license plate which will be available for a \$10 contribution to the Missouri Law Enforcement Memorial Foundation and a \$15 fee in addition to normal registration costs. The Missouri Department of Revenue may specify the design in accordance with statutory criteria and may enact rules for the program.

- - - - -  
SCS HB 926 -- DEALER LICENSE PLATES

This bill allows use of specified motor vehicle dealer license plates on cars used by customers while their vehicles are being serviced or repaired by the motor vehicle dealer.

The bill allows any Missouri resident to receive license plates with the official lineman emblem. The resident must annually apply and pay a \$25 fee to the Association of Missouri Electric Cooperatives for authorization of use of the emblem. The fee must be used solely for financial assistance for lineman training programs and anyone issued license plates with the emblem prior to the effective date of the bill must apply and pay the fee to continue to have the emblem displayed upon the renewal of his or her license plates.

This bill allows any Missouri resident to receive license plates with the official utility worker emblem. The resident must annually apply and pay a \$25 fee to the Missouri Association of Municipal Utilities for authorization of use of the emblem. The fee must be used solely for financial assistance for utility worker

training programs and anyone issued license plates with the emblem prior to the effective date of the bill must apply and pay the fee to continue to have the emblem displayed upon the renewal of his or her license plates.

- - - - -  
SS SCS HCS HB 959 -- MOTOR VEHICLE FRANCHISE PRACTICE ACT

Currently, limited liability companies leasing real property to others or owning unoccupied real property in Kansas City or the City of Independence are required to file with the city clerk an affidavit naming a natural person with control of the property and his or her street address. The bill adds St. Joseph to the cities requiring affidavits (Section 347.048, RSMo).

The bill clarifies that certain corporate offices for organizations regulated under Chapter 351 may be held by different persons if permitted by the bylaws or articles of incorporation of such corporations (Section 351.360).

This bill repeals an existing provision of the Motor Vehicle Franchise Practices Act (MVFPA) regarding coercion of franchisees to alter their facilities, and enacts new prohibitions against coercion.

The bill prohibits franchisors and manufacturers from requiring or coercing franchisees to construct improvements or install signs or franchise elements at facilities which would replace or substantially alter improvements, signs, or elements completed and approved within the last 10 years. Franchisors and manufacturers may require routine maintenance.

This bill prohibits manufacturers and franchisors from requiring franchisees to purchase goods or services, without reimbursement, used to make improvements to the franchisee's facility from a vendor selected by the manufacturer or franchisor without giving the option to obtain comparable goods or services from a vendor chosen by the franchisee and approved by the franchisor or manufacturer. Franchisors and manufacturers must not unreasonably withhold approval.

The 10 year period specified in this bill will initiate on the date the manufacturer or franchisor gave final written approval of the facility, improvement, sign, or franchise element, or on the date the franchisee receives a certificate of occupancy for the facility, whichever is later. It does not prohibit manufacturers or franchisors from requiring changes or updates to signs that contain intellectual property governed by federal law more frequently than every 10 years, provided that the manufacturer or

franchisor must offer the franchisee full compensation for the sign if changes are required less than five years apart (Sections 407.824 and 407.825).

- - - - -  
SS HCS HB 1088 -- OFFICE OF ADMINISTRATION

This bill modifies laws relating to the Office of Administration and state agencies. In its main provisions, the bill:

(1) Requires the Office of Administration to submit a report on specified projects that are one year behind schedule or \$1 million or more over original cost estimates to the General Assembly. State agencies and divisions must submit information to the Office of Administration as specified in the bill. Criteria for the report are also specified in the bill. The report shall be posted to the Office of Administration website;

(2) Requires all state purchases in excess of \$10,000 to be based on competitive bids with specified exceptions. Currently, all state purchases in excess of \$3,000 must be based on competitive bids with specified exceptions. The Office of Administration will advertise and solicit bids on any state purchase with an estimated expenditure of \$100,000 or more. Currently, the commissioner must advertise and solicit bids on any state purchase on any purchase with an estimated expenditure of \$25,000 or more. The commissioner is authorized to hold reverse auctions for the purchase of merchandise, supplies, raw materials, or finished goods if price is the primary factor evaluating bids. Currently, when the commissioner determines that the use of competitive bidding is either not practicable or not advantageous to the state, he or she is not required to advertise or solicit a proposal on any purchase where the estimated expenditure is \$25,000 or more. The bill changes this to an estimated expenditure of \$100,000 or more. A request for proposal can include the manner for determining which offerors are eligible for negotiations, including shortlisting. Currently, the commissioner may waive the requirement of competitive bids or proposals for supplies when he or she has determined in writing that there is only a single feasible source for the supplies where the estimated expenditure is more than \$5,000. The bill changes this to where the estimated expenditure is more than \$10,000. Currently, the commissioner does not have to advertise or solicit proposals on any purchase of \$25,000 or more for supplies where the commissioner has determined in writing that there is only a single feasible source. The bill changes this to any purchase of \$100,000 or more;

(3) Authorizes departments to purchase products and services related to information technology under certain conditions,

including when the purchase does not exceed \$150,000 and the department complies with the informal methods of procurement for expenditures of less than \$100,000. Currently, the purchase cannot exceed \$75,000 and the maximum threshold for informal methods of procurement is \$25,000;

(4) Modifies several provisions by removing the requirements that the Secretary of State publish the Missouri Register or the Code of State Regulations in written format. This bill specifies that at the time of, or prior to the adoption of a rule, an agency must file with the Secretary of State and the Joint Committee on Administrative Rules the fiscal note for the rule. Fiscal notes for emergency rules will only reflect the cost of such rules during the time of their implementation. As soon as practicable after a filing by an agency of materials under these provisions, the Secretary of State must publish the materials in the Missouri Register and, within three business days of the filing, email the materials to persons who have registered to be notified of the agency's actions through the Secretary of State's administrative rules notification system and publish the materials on the official website of the Secretary of State;

(5) Allows fees to be charged regarding state agency use of electronic payment systems if there is a positive fiscal impact to the state as specified in the bill; and

(6) Specifies certain criteria for higher education institution concession agreements with developers.

- - - - -  
SCS SB 1 -- EXPUNGEMENT

The bill adds property damage in the first degree, stealing, possession of a forging instrumentality, and fraudulent use of a credit device or debit device to the list of offenses that are eligible for expungement.

- - - - -  
SS#2 SB 7 -- JOINDER AND VENUE

VENUE FOR INSURANCE COMPANIES

This bill specifies that an insurance company shall be deemed to reside in the county in which it maintains its registered office. A foreign insurance company without a registered office in any county in Missouri shall be deemed to reside in and be a resident of Cole County.

Venue for tort and contract claims in which there is a count against an insurer shall be in the county where the insurer resides, or in the county in which the insured's principal place of residence was located at the time the insurance was issued. Venue shall be determined by these provisions even if the insured's rights or claims under the policy have been assigned or transferred to another party. However, venue shall not be affected by intervention by an insurance company in an action where recovery has been contractually limited to the proceeds of an insurance policy. These provisions shall not apply to actions relating to uninsured or underinsured motorist coverage nor shall they apply to a vexatious refusal to pay claim to collect an amount due under uninsured or underinsured motorist coverage.

The bill also specifies how venue shall be determined in actions against an insurer relating to uninsured or underinsured motorist coverage. If the accident occurred in Missouri, venue shall be in the county in which the accident occurred. If the accident occurred outside of Missouri, venue shall be in the county where the insurer resides, or the Missouri county of the insured's principal place of residence at the time of the accident.

#### JOINDER

Claims arising out of separate purchases of the same product or separate incidents involving the same product shall not be joined regardless of whether the claims arise out of the same transaction, occurrence, or series of transactions or occurrences with a common question of law or fact.

This bill expressly adopts the holding of State ex rel. Johnson & Johnson v. Burlison, No. SC96704, issued on February 13, 2019, as it relates to joinder and venue.

If such terms are just, parties may be dropped, added, or severed by order of the court upon a motion by any party or by the court during any stage of the action.

#### VENUE

For the purposes of meeting the venue requirement, there is a rebuttable presumption that the principal place of residence for an individual is the county of voter registration at the time of the injury. For an individual whose employment conduct with a corporation in at least one count is at issue in the action, the principal place of residence shall be the corporation's principal

place of residence. When all defendants are nonresidents, proper venue in a non-tort action is any county in this state if there is personal jurisdiction over each defendant, independent of each other defendant.

In tort actions where the plaintiff was first injured in Missouri, venue shall be the county where the plaintiff was first injured by the acts or conduct alleged in the action. In tort actions where the plaintiff was injured outside the state of Missouri and the defendant is an individual, venue for that individual plaintiff shall be the county where the defendant has his or her principal place of residence, which shall be that of his or her employer corporation if any count alleges conduct in the course of employment.

If the county where the action is filed is not a proper venue, the plaintiff shall be transferred to a county where proper venue can be established. If no such county exists, then the claim shall be dismissed without prejudice. If denied in error, a denial of a motion to transfer venue pursuant to this bill is required to be reversed and no finding of prejudice is required for such reversal. For the purposes of meeting the venue requirement, an insurance company resides in the county where it maintains its registered office. A foreign insurance company without a registered office in any county in Missouri shall be deemed to reside in and be a resident of Cole County.

At any time prior to the commencement of trial, if a plaintiff or defendant is added, removed, or severed from a petition filed in any Missouri court which would have if originally added, removed, or severed from the initial petition, altered the determination of venue, then the judge shall transfer the case to a proper forum upon application of any party.

Currently, any products liability order of dismissal for a defendant whose liability is based solely on his or her status as a seller shall not divest a court of venue or jurisdiction that was proper at the beginning of the action. Further, the defendant seller dismissed in the action shall remain a party to such action for venue and jurisdiction purposes. This bill repeals these provisions.

The provisions of this bill shall apply to any action filed after February 13, 2019. A Missouri resident plaintiff may continue to trial in the venue as filed if the plaintiff has a case pending in a Missouri court as of February 13, 2019, has proper jurisdiction in Missouri, and such case has or had been set at any time prior to February 13, 2019, for a trial date beginning on or before August 28, 2019.



For actions pending as of February 13, 2019, a plaintiff whose claim has been found to have no Missouri county in which venue exists may proceed in a Missouri venue where such claim was dismissed without prejudice if the court finds that the claim was filed in the Missouri court within the statute of limitations applicable to the claim, has no proper venue in Missouri, and cannot be maintained, as of August 28, 2019, in any state where the claim may be brought because of applicable statutes of limitations and lack of a savings statute or similar law.

- - - - -  
SCS SBs 12 & 123 -- SERVICE OF COURT ORDERS

Currently, sheriffs receive \$10 for service of any summons, writ, subpoena, or other court order, and that money is paid into the county treasury to be paid to the State Treasurer for the Deputy Sheriff Salary Supplementation Fund. This bill specifies that other persons specially appointed to serve court orders in counties that receive funds from the Deputy Sheriff Salary Supplementation Fund shall also pay \$10 of their fee into the supplementation fund.

- - - - -  
CCS SB 17 -- PUBLIC EMPLOYEE RETIREMENT SYSTEMS

This bill modifies provisions relating to public employee retirement systems.

PUBLIC SAFETY PERSONNEL RETIREMENT PLANS

This bill authorizes a political subdivision located in a 3rd class county or Cape Girardeau County to hold a vote on whether to cover emergency fire and police telecommunicators, jailors, and emergency medical service personnel as public safety personnel members in the Local Government Employee's Retirement System (LAGERS). If the election is made then the minimum retirement age for public safety personnel is 55 years of age (Sections 70.600 and 70.631, RSMo).

TEACHER AND SCHOOL EMPLOYEE RETIREMENT SYSTEMS

This bill allows a retired member of the Public School Retirement System (PSRS) or Public Education Employees Retirement System (PEERS) who has elected a reduced retirement allowance to provide for survivor benefits for his or her spouse to have the retirement allowance increased to the single life annuity amount, with no survivor benefits, if the member and his or her spouse became divorced prior to September 1, 2017 or if they get a modified dissolution decree that provides for sole retention by the retired

person of all rights in the retirement allowance after September 1, 2017 (Sections 169.141 and 169.715).

#### PUBLIC SCHOOL RETIREMENT SYSTEM

Currently, anyone retired from the PSRS may be employed by an employer included in the retirement system in a position that does not normally require a Missouri teacher certification. He or she may earn up to 60% of the statutory minimum teacher salary without a discontinuance of the person's retirement allowance.

If any such person is employed in excess of the limitations, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is employed.

This bill exempts any person retired and currently receiving a retirement allowance from PSRS employed by a public community college from these provisions (Section 169.560).

#### MISSOURI STATE EMPLOYEES' RETIREMENT SYSTEM

This bill makes all employees of the Missouri Housing Development Commission and of the Environmental Improvement Energy Resource Authority eligible for membership in the Missouri State Employees' Retirement System (MOSERS) (Sections 215.030 and 260.035).

- - - - -  
SB 21 -- TAXATION

SPONSOR: Libla (Rone)

This bill authorizes a public safety sales tax for the cities of Portageville, Riverside, and Fayette and specifies how the tax is implemented. It also allows cities to propose taxes at rates not to exceed 1% instead of using specified rates.

The Portageville section of the bill has an emergency clause.

- - - - -  
SS#3 SCS SB 29 -- REIMBURSEMENT ALLOWANCE TAXES

This bill extends the sunsets from September 30, 2019 to September 30, 2020, for the Ground Ambulance, Nursing Facility, Medicaid Managed Care Organization, Hospital, Pharmacy, and Intermediate Care Facility for the Intellectually Disabled Reimbursement Allowance taxes.

- - - - -  
SS SCS SB 30 -- FAILURE TO WEAR A SEATBELT

Currently, in any civil action to recover damages, failure to wear a safety belt is not allowed as evidence of comparative negligence, but may be introduced to mitigate damages. This bill specifies that in actions arising out of the design, construction, manufacture, distribution, or sale of a motor vehicle factory equipped with a safety belt, failure to wear a safety belt by the plaintiff shall be admissible as evidence of comparative negligence or fault, causation, absence of a defect or hazard, and failure to mitigate damages.

This bill has an effective date of January 1, 2020.

- - - - -  
CCS HCS SB 36 -- REAL ESTATE

This bill expands the immunity of real estate licensees to include information about the size or area of a property or of improvements to property if the information was from a third party and source is disclosed by the licensee. However, such licensee shall not have immunity if he or she knew the information was false, or acted with reckless disregard as to whether such information was true or false.

The bill requires that when a property is subdivided and a new property description is created, the new property description must include the name and, if applicable, the professional license number of the person that created the property description. The bill prohibits a person from submitting for recording any conveyance of subdivided property with a new property description unless it contains the person's name and, if applicable, professional license number.

- - - - -  
CCS HCS SB 54 -- INSURANCE COMPANIES

INTEREST RATES ON PAYMENTS

Currently, if an insurance company is required to pay interest on any claims, refunds, penalties, or payments pursuant to a market conduct examination, investigation, stipulation of settlement agreement, voluntary forfeiture agreement, or any other remedial action ordered by the Department of Insurance, Financial Institutions, and Professional Registration, such funds shall bear interest at the annual adjusted prime interest rate, in an amount not to exceed 9% per year. This rate does not apply to payments

subject to a statute in which an interest rate is otherwise specified, including the prompt payment statute.

This bill specifies that payments made voluntarily shall be subject to this interest rate as well.

#### INSURANCE HOLDING COMPANIES

This bill modifies law by defining an "internationally active insurance group," as an insurer licensed in Missouri that writes premiums in at least three countries, and averages total assets of at least \$50 billion or has gross written premium of at least \$10 billion. The bill further authorizes the Director of the Department of Insurance, within the Department of Insurance, Financial Institutions and Professional Registration, to act as a group wide supervisor or specifies how the director is to determine or acknowledge another regulator as the group wide supervisor. In addition, the bill allows the director to enter into agreements with or obtain information from both insurers and other regulators in order to ensure that internationally active insurance groups are able to timely recognize and mitigate enterprise risks.

This is model legislation developed through the National Association of Insurance Commissioners (NAIC) and allows the insurance industry a reduced cost of regulatory compliance.

- - - - -  
HCS SB 68 -- WORKFORCE DEVELOPMENT

This bill changes the definition of "new business facility investment" to include property that may be acquired by the taxpayer by purchase, lease, or license, including the right to use software and hardware via on-demand network access to a shared pool of configurable computing resources as long as the rights are used at the new business facility (Section 135.100, RSMo).

This bill creates the "Fast-Track Workforce Incentive Grant" to provide grants for Missouri citizens to attend an approved Missouri postsecondary institution of their choice.

To be eligible, a student must meet certain criteria set forth in the bill, including having an adjusted gross income of less than \$80,000 for married joint filing taxpayers and \$40,000 for all other taxpayers, and being at least 25 years of age or not enrolled in an educational program for the prior two academic year. Grant funding may be renewed, but the student must continue to meet the eligibility requirements and must demonstrate a grade-point average of 2.5 on a 4.0 scale.

Eligibility for a grant expires upon the earliest of receipt of the grant for four semesters or the equivalent, receipt of a bachelor degree, or reaching 200% of the time typically required to complete the program of study.

The Coordinating Board for Higher Education must designate eligible programs of study by January 1, 2020. The eligible programs must be reviewed and updated by the board annually.

In addition, the board shall be the administrative agency for implementation of the program, shall determine the criteria for eligibility, shall evaluate each applicant's eligibility, and shall select qualified recipients. The board shall also determine eligibility for renewed assistance.

Grants shall be awarded in an amount equal to the actual tuition and general fees charged of an eligible student after all other federal and state aid is applied. If a grant amount is reduced to zero due to the receipt of other aid, the eligible student shall receive an award of up to \$500 or the remaining cost of attendance, whichever is less.

If appropriated funds are insufficient to fund the program, students with the earliest Free Application for Federal Student Aid (FAFSA) date shall be given priority until all funds are expended. Students may transfer the financial assistance from one approved public, private, or virtual institution to another without losing eligibility for the program.

This bill creates in the State Treasury the "Fast-Track Workforce Incentive Grant Fund." The fund shall be used solely by the board for the purposes of this bill.

This bill shall sunset six years after the effective date (Section 173.2553).

If a student receives a fast track grant and fails to comply with the terms of the grant, then the fast track grant will convert to a loan. The loan will accrue interest. The coordinating board shall provide a waiver due to permanent disability, death, permanent disability or death of a spouse or child, or service in any Armed Forces branch. The coordinating board shall establish procedure and guidelines for granting deferments and discharges for fast track grants (Section 173.2554).

This bill allows the Department of Economic Development to include on its website the names of the members of the Missouri Workforce Development Board, including the names of the members of any local workforce development board, along with information on how to

contact such boards (Section 620.511).

This bill modifies several provisions relating to the Missouri Works Program.

This bill adds a definition for "existing Missouri business" and renames the program the Missouri One Start Program. Currently, administrative expenses are equal to 15% of total training costs. This bill limits such expenses to a reasonable amount determined by the Department of Economic Development (Section 620.800).

In promulgating rules and regulations governing the Missouri One Start Training Program, this bill requires the department to consider such factors as the potential number of new jobs to be created, the amount of new capital investment in new facilities and equipment, the significance of state benefits to the qualified company's decision to locate or expand in Missouri, the economic need of the affected community, and the importance of the qualified company to the economic development of the state.

This bill allows the department to require a qualified business to repay all benefits if such business fails to maintain the new or retained jobs within five years of approval of benefits or if such business leaves the state within five years of approval of benefits.

This bill allows the department to contract with other entities, including businesses, industries, other state agencies, and political subdivisions of the state for the purpose of implementing a training project under the program (Section 620.803).

Upon appropriation of funds to the Missouri One Start Job Development Fund, this bill allows a local education agency to petition the department to utilize the fund to create or improve training facilities, equipment, staff, expertise, programming, and administration. The department may award moneys from the fund for reimbursement of training project costs and services as it deems necessary (Section 620.806).

This bill gives the department the discretion to determine the appropriate amount of funds to allocate to a training project from the Missouri One Start Community College New Jobs and Retained Jobs Training Funds.

Any agreement or obligation entered into by the department that was made under the provisions of the Missouri Works Training Program prior to the effective date of this bill shall remain in effect according to the provisions of such agreement or obligation.

The Missouri Works Program offers companies tax credits and the ability to retain withholding taxes for meeting certain job creation thresholds. This bill allows the department of Economic Development to offer certain companies tax credits in an amount equal to or less than 9% of new payroll if such company creates 10 or more new jobs and the average wage of new payroll equals or exceeds 100% of the county average wage (Section 620.809).

This bill provides new definitions for "manufacturing capital investments," "new product," and "qualified manufacturing company."

Currently, the department shall issue tax credits to a qualified company after such company has met the job creation and county average wage requirements. This bill allows the tax credits authorized under this bill to be issued following the qualified company's acceptance of the department's proposal and the agreement required currently.

The department may award tax credits to a qualified manufacturing company that makes a manufacturing capital investment of at least \$500 million within three years from the execution of the agreement. Such credits must be issued no earlier than January 1, 2023. The maximum amount of credits that a qualified manufacturing company may receive must not exceed \$5 million per calendar year (Section 620.2010).

The department shall certify or reject a qualifying company's plan outline in their notice of intent to make good faith efforts to employ the percentage of minority populations in Missouri as reported in a census. If the qualifying company fails to satisfy part of their notice of intent, the qualifying company shall not receive tax credits (Section 620.2005).

The Missouri Works Program currently has a limit of \$116 million on the amount of tax credits that may be issued during a fiscal year. For all fiscal years beginning on or after July 1, 2020, this bill reduces such limit to \$106 million. This bill allows for the authorization of an additional \$10 million in tax credits provided that such tax credits are authorized for the purpose of the completion of infrastructure projects, as defined in the bill, directly connected with the creation or retention of jobs under the Missouri Works Program. This bill also allows the department reserve up to 21.5% of such limit for tax credits authorized under this bill.

For all fiscal years beginning on or after July 1, 2020, this bill establishes a limit of \$75 million on the total amount of withholding taxes that may be authorized for retention by qualified

companies with more than 50 employees. Withholding retention authorized for qualified companies with less than 50 employees shall not be subject to such limitation (Section 620.2020).

- - - - -  
CCS SCS SB 83 -- COURT PROCEEDINGS

#### CHILD RELOCATION

This provision requires a party intending to relocate a child subject to a custody or visitation agreement to notify any other parties entitled to custody or visitation of their right to file a motion seeking an order to prevent the relocation and an accompanying affidavit setting forth the specific good faith factual basis for opposing the relocation within 30 days of receipt of the notice (Section 452.377).

#### SAVE THE FAMILY FARM ACT

This bill creates the "Save the Family Farm Act," creating new provisions regulating the partition of property among heirs. This bill only applies to property that is determined by a court to be "heirs property," as defined in the bill and specifies that if any cotenant requests partition by sale of heirs property the court shall send notice to all other cotenants that they may buy all the interests of the cotenant requesting partition by sale. All cotenants are given 45 days to respond to the court notice. After the expiration of 45 days it specifies the procedure for dividing property based on the interest of the cotenants. These provisions apply to all partition actions filed on or after August 28, 2019 (Sections 528.700, 528.705, 528.710, 528.715, 528.720, 528.725, 528.730, 528.735, 528.740, 528.745 and 528.750).

#### GRANDPARENT VISITATION

Currently, grandparents may file a motion to modify a decree of dissolution when they have been unreasonably denied a right to visit their grandchildren for a period of 90 days. This bill changes that time period to 60 days (Section 452.402).

#### PUBLIC DEFENDERS

This bill removes a provision requiring the Director of the Public Defender's Office to prepare a plan to establish district offices, which would coincide with existing judicial circuits (Sections 476.001 and 600.042).

- - - - -  
SB 84 -- GEOLOGIC RESOURCES FEE



This bill extends the Geologic Resources Fee collected by the Department of Natural Resources for a surface mining permit from December 31, 2020 to December 31, 2025.

- - - - -

## HCS SB 87 -- MODIFIES PROVISIONS RELATED TO TAXATION

### TRANSIENT GUEST TAXES

This bill adds the cities of Higginsville, Lexington, and Odessa to the list of cities and counties authorized to impose a transient guest tax for the purpose of funding the promotion of tourism (Section 67.1360, RSMo).

### PUBLIC SAFETY OFFICER SURVIVING SPOUSE TAX CREDIT

This bill reauthorizes the Public Safety Officer Surviving Spouse tax credit until December 31, 2027 (Section 135.090).

### RESIDENTIAL RENOVATIONS FOR DISABILITY TAX CREDIT

This bill reauthorizes the Residential Renovations for Disability tax credit until December 31, 2025 (Section 135.562).

### PROTESTED TAXES

Currently, taxpayers are allowed to receive interest on property taxes paid under protest and that have been distributed by the collector to appropriate taxing authorities at a rate equivalent to the rate of interest such taxes would have earned if held by the collector. This bill entitles such a taxpayer to receive interest at the same rate as provided under current law for various Department of Revenue purposes, including interest earned on income tax refunds.

Taxpayers may seek an order enforcing the provisions of this bill against a collector and any taxing jurisdictions which received the protested funds (Section 139.031).

### MISSOURI ADJUSTED GROSS INCOME

This bill provides that, for all tax years beginning on or after January 1, 2018, interest expenses paid or accrued in a previous taxable year, but allowed as a deduction in the current taxable year for federal tax purposes by reason of the carryforward of disallowed business interest provisions of federal law, will be added to a taxpayer's federal adjusted gross income for the

purposes of the calculation of Missouri adjusted gross income.

This bill also provides that for all tax years beginning on or after January 1, 2018, interest expenses paid or accrued in the current taxable year, but not allowed as a deduction for federal tax purposes, will be subtracted from a taxpayer's federal adjusted gross income for the purposes of the calculation of Missouri adjusted gross income (Section 143.121).

#### LATE INCOME TAX PAYMENTS

This bill provides that no taxpayer who timely files his or her individual income tax return for the 2018 tax year will be assessed any penalty for a delayed payment or underpayment on such tax liability prior to December 31, 2019, provided that such taxpayer participates in good faith in a payment plan authorized by the Department of Revenue. However, such taxpayer may be assessed interest on such liability provided that no interest will be assessed prior to May 15, 2019 (Section 143.732).

The provision sunsets on December 31, 2019.

This provision contains an emergency clause.

#### TAXPAYER PROTECTION ACT

This bill establishes the "Taxpayer Protection Act."

For all tax years beginning on or after January 1, 2020, this bill requires paid tax return preparers, as defined in the bill, to sign any income tax return or claim for refund prepared by such paid tax return preparer and to provide such preparer's Internal Revenue Service preparer tax identification number.

Each failure to sign any income tax return or claim for refund, or to provide a preparer tax identification number, will result in a fine of \$50, not to exceed \$25,000 per calendar year.

The Director of Revenue may file suit to enjoin a paid tax return preparer from engaging in certain actions, as described in the bill (Section 143.980).

#### SAHARA'S LAW

Currently, taxpayers are allowed to donate a portion of his or her income tax refund to the Pediatric Cancer Research Trust Fund. The tax income donation option sunsets on December 31, 2019. This bill reauthorizes the program until December 31, 2024.

Moneys generated by the tax refund donations in this bill will be considered state funds, but will not be included in the calculation of total state revenue (Section 143.1026).

#### KANSAS CITY REGIONAL LAW ENFORCEMENT MEMORIAL

For all tax years beginning on or after January 1, 2019, and ending on or before January 1, 2024, this bill allows taxpayers to donate a portion of his or her income tax refund to the Kansas City Regional Law Enforcement Memorial Foundation Fund (Section 143.1028).

#### SOLDIERS MEMORIAL MILITARY MUSEUM

For all tax years beginning on or after January 1, 2019, and ending on or before January 1, 2024, this bill allows taxpayers to donate a portion of his or her income tax refund to the Soldiers Memorial Military Museum in St. Louis Fund (Section 143.1029).

#### SALES TAX RECEIPTS

This bill requires any seller who provides a sales receipt or sales invoice to a purchaser to include on such sales receipt or sales invoice the total rate of all sales tax imposed on the sale. The total rate will include all applicable state and local sales taxes (Section 144.088).

#### REFUND FOR ERRONEOUSLY PAID TAXES

Currently, a taxpayer is allowed to receive a refund for any tax, penalty, or interest that has been paid more than once, or has been erroneously or illegally collected or computed, provided such claim for refund is filed within three years from the date of overpayment. This bill modifies such deadline to 10 years (Section 144.190).

#### FANTASY SPORTS CONTESTS

Several definitions related to fantasy sports are modified (Section 313.905).

This bill requires that a licensed operator maintain a reserve in the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, an escrow account, or a combination thereof, in an amount that will equal or exceed the total balances of the fantasy contest players' accounts.

The bill modifies the requirement that any prize won by a

registered player from a contest be deposited into the player's account within 48 hours of winning to also allow a prize to be mailed within five business days. A licensed operator may delay such deposit for up to 15 days if the licensed operator believes in good faith that the registered player engaged in either fraudulent conduct or other conduct that would put the licensed operator in violation of the law so long as the operator provides notice of the nature of the investigation to the player. The Gaming Commission will establish its own investigation process and issue determinations on a case-by-case basis as to whether the licensed operator is required to deposit the prize in the winner's account. This bill provides the right for any person or entity to appeal any such finding, decision, or determination of the Gaming Commission to the Administrative Hearing Commission (Sections 313.915, 313.917, and 621.047).

This bill limits a license applicant's liability for the cost of the Gaming Commission's investigation into the applicant's employees, officers, directors, trustees, and principal salaried executive staff officers to \$10,000 rather than \$50,000. The Commission may grant a waiver of all or a portion of the cost of an investigation.

The bill establishes a graduated annual license renewal fee structure. An operator that made \$2 million or more in the previous calendar year will pay a fee of \$5,000. An operator that made less than \$2 million but more than \$1 million will pay a fee of \$2,500. An operator that made less than \$1 million but more than \$250,000 will pay a fee of \$1,000. An operator that made \$250,000 or less will not be required to pay an annual license renewal fee.

This bill also reduces the annual operation fee from 11.5% of the operator's net revenue from the previous calendar year to 6%. The Commission may suspend an operator's license if such operator fails to apply for an annual license renewal or remit the operation fee (Section 313.935).

This bill reduces the administrative penalty for violations of fantasy gaming laws from not more than \$10,000 to not more than \$1,000 per violation, and from not more than \$100,000 to not more than \$10,000 for violations arising out of the same transaction or occurrence (Section 313.950).

- - - - -  
SCS SB 89 - RELATED TO TRANSPORTATION

This bill requires any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats,

or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, to apply to the Director of the Department of Revenue for authority to operate as a leasing or rental company and pay an annual fee of \$250 for such authority.

Additionally, every applicant to be a lease or rental company will furnish with the application a corporate surety bond or irrevocable letter of credit issued by any state or federal financial institution in the penal sum of \$100,000, on a form approved by the department.

Any person, company, or corporation engaged in the business of renting or leasing 3,500 or more motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale, and that has applied to the Director of the Department of Revenue for authority to operate as a leasing company may also operate as a registered fleet owner (Section 144.070, RSMo).

The Director of the Department of Revenue may issue license plates to a fleet owner after he or she completes an application, as designed by the director, and payment of an annual fee of \$360 for the first 10 plates and \$36 for each additional plate for fleet vehicles. The payment and issuance of such plates shall be in lieu of registering each motor vehicle with the director as otherwise provided by law. These motor vehicles will not be exempt from safety and emission inspections required by law, but these inspections will not be required to be presented to the director.

Registrations for fleets are on an annual or biannual basis. If an applicant elects a biennial registration, the annual fleet license plate fees are doubled and the agent fee is collected in an amount equal to the fee for two years.

Prior to the issuance of fleet license plates, the applicant must provide proof of insurance as required under current law.

The authority of a recipient of a lease or rental company license issued by the director as prescribed in Section 144.070 to operate as a fleet owner as provided in this section shall expire on January 1st of the licensure period.

A lease or rental company operating fleet license plates issued under these provisions shall make available, upon request, to the Director of the Department of Revenue and all Missouri law enforcement agencies any corresponding vehicle and registration information that may be requested as specified by the bill (Section 301.032).

This bill relates to commercial driver's licenses. This bill adds

test score documents from Missouri commercial third-party tester examiners to an exemption from the prohibition against retaining certain driver's license application materials. The bill specifies that skills and written test waiver documents may be retained for commercial driver's instruction permits in addition to commercial driver's license applicants (Section 302.170).

The bill specifies that commercial driver's instruction permits shall be nonrenewable and lengthens, from six months to one year, the period for which the permits are valid. This bill increases, from \$5.00 to \$10.00, the fee for a commercial driver's instruction permit, and specifies that the fee for a duplicate shall be \$5.00. This bill also repeals a provision allowing for the issuance of a 30-day commercial driver's instruction permit. The bill specifies that applicants for a commercial driver's license shall complete an entry-level driver training program as required under federal law.

The Director of Revenue currently has the authority to waive the driving skills test for a commercial driver's license for qualified military applicants. This bill allows the Director of Revenue to also waive the written test, and to waive the skills and written tests for commercial driver's instruction permits. The bill repeals the list of specific requirements an applicant must certify that he or she meets, and specifies that the applicant shall meet all federal and state qualifications and shall be required to complete applicable tests that are not waived.

Beginning December 1, 2019, the Department of Revenue shall certify as a third-party tester any private education institution or other private entity, provided the necessary qualifications are met (Section 302.720).

This bill allows for the use of an electronic verification system, approved by the Federal Motor Carrier Safety Administration, to receive medical examiner's certificates for commercial driver's license issuance (Section 302.768).

This bill requires the Director of the Department of Revenue to revoke a driver's license upon notification by a law enforcement officer that an individual was involved in a physical accident where his or her negligence contributed to his or her vehicle striking a worker or highway worker, as defined in the bill, within a properly designated construction or work zone, or substantially contributed to his or her vehicle striking an emergency responder within a properly designated active emergency zone. The department shall base its determination of these facts on the report of the law enforcement officer investigating the incident, and its determination shall be final except as specified in the bill. Required notice of the revocation shall be deemed received by the

driver three days after mailing unless returned by the postal authorities. The notice shall clearly state the reason and statutory grounds for the revocation, the effective date of the revocation, the right to request a hearing, and the date by which the request must be made. The revocation shall be effective not sooner than 15 days from the department's order (Sections 304.580 304.585 and 304.894).

This bill gives the Director of the Department of Revenue the authority to revoke a driver's license upon notification by a law enforcement officer that an individual was involved in a physical accident where his or her vehicle struck a highway worker within a properly designated construction or work zone, or emergency responder within a properly designated active emergency zone (Sections 304.585 and 304.894).

This bill modifies the inspection requirement for non-commercial motor vehicles which is currently required in order to renew a motor vehicle license. New motor vehicles after being sold will not have to have an inspection until after 10 years or the vehicle odometer reads 150,000 miles.

Currently, an untitled, homemade trailer that is 16 feet or more in length must have a certificate of inspection. This bill requires all homemade trailers to have a certificate of inspection and increases the inspection fee from \$10 to \$25. The State Highway Patrol or other authorized law enforcement agency shall issue the vehicle examination certificate. The Superintendent of the State Highway Patrol shall provide law enforcement agencies performing the inspections with the needed forms (Sections 301.020 and 307.350).

- - - - -  
SCS SB 90 -- EMPLOYMENT SECURITY

SPONSOR: Libla (Andrews)

This bill modifies various provisions relating to employment security.

This bill specifies that a person claiming unemployment benefits is required to make three work search contacts during any week in which such benefits are claimed.

The bill additionally modifies the following provisions to either require or allow for communication with the Division of Employment Security through electronic means:

- (1) All employers of 50 or more workers are required to report

quarterly wage information to the division in an electronic format prescribed by the division, provided that, if good cause is shown, the director may permit filing in paper form;

(2) Any notice, determination, decision, or other paper required in Chapter 288, RSMo, may be transmitted solely by electronic means, unless an alternative manner is requested; and

(3) Any function required to be performed by the division may be performed by a computer or other automated means.

The records of the division shall constitute prima facie evidence of the date of the electronic transmission of any notice, determination, or other paper electronically transmitted in Chapter 288.

Currently, the Division of Employment Security is required to send certain notices to employers personally or by registered mail to the last known principal place of business of the employer. This amendment modifies those provisions by requiring such notice to be served by certified mail directed to the last known address of the employer, except in the case of any notice of the assessment of contributions, interest, or penalties after an original assessment of contributions, interest, or penalties are not paid when due, in which case further notice may be sent by mail to the last known address of the employer.

- - - - -  
SCS SB 101 -- HEARING AID DISTRIBUTION PROGRAM

SPONSOR: Riddle (Kelley)

This bill requires the Missouri Commission for the Deaf and Hard of Hearing to establish, subject to appropriations, a statewide hearing aid distribution program to provide financial assistance to certain low-income individuals who are deaf or hard of hearing to obtain hearing aids. All assessments for need and distribution of hearing aids shall be performed by a licensed audiologist hearing instrument specialist or licensed physician. The bill creates the "Statewide Hearing Aid Distribution Fund," which shall not include any funds from the Assistive Technology Trust Fund or the Deaf Relay Service and Equipment Distribution Program Fund. The Commission may accept gifts, donations, grants, and bequests for the program.

- - - - -  
CCS HCS SB 133 -- AGRICULTURE



This bill changes the laws relating to agriculture.

#### ZONING CLASSIFICATIONS FOR SAW MILLS

This bill requires that for purposes of property zoning classifications, sawmills must be classified as agricultural property (Sections 64.002, 65.702, and 89.020, RSMo).

#### INDUSTRIAL HEMP

This bill modifies the requirements relating to the production of industrial hemp. In its main provisions, the bill:

- (1) Modifies the permit requirements to include anyone who sells or distributes industrial hemp seed or propagules and requires a producer of industrial hemp to obtain a registration from the Department of Agriculture;
- (2) Specifies that each individual parcel of ground or indoor cultivation facility with a separate legal description must obtain a separate registration unless the parcels are contiguous and owned by the same person;
- (3) Prohibits the department from issuing a registration or permit to a person who has been found guilty of or pled guilty to a felony in the last 10 years;
- (4) Modifies the fines for any person violating the requirements of an industrial hemp registration or industrial hemp propagule or seed permit;
- (5) Removes any acreage requirements for the growth of industrial hemp. Currently, under the Industrial Hemp Pilot Program, the Department of Agriculture can only issue a permit to a single registrant or permittee for a plot of no less than 10 acres and no more than 40 acres and a total of 2,000 acres statewide. The department can only issue a permit to an institute of higher education for a plot of less than 10 acres and a total of 20 acres statewide;
- (6) Specifies that if a crop of industrial hemp exceeds the allowed THC concentration during the required testing, the crop must be retested. If when retested, the crop exceeds the allowed THC concentration, the department may order the producer to destroy the crop;
- (7) Prohibits the department from regulating certain activities related to industrial hemp unless required by federal law; and

(8) Specifies that an institution of higher education may engage in the research and study of industrial hemp as authorized under the Agricultural Act of 2014 or any successor law without being required to obtain a registration (Sections 195.740 - 195.767 and the repeal of Sections 195.755 and 195.700).

#### SALE OF EGGS

This bill specifies that if the Director of the Department of Agriculture determines, after inquiry and opportunity for a hearing, that an individual has violated any of the laws relating to the sale of eggs, the director has the authority to assess a penalty of not more than \$500 per violation and not more than \$500 for each day the violation continues (Section 196.352).

#### DEPARTMENT OF AGRICULTURE FEES

This bill requires the Department of Agriculture to convene a work group every five years to review all fees charged by the department and submit a report to the General Assembly on any recommended changes to the fees. The bill also increases the fees for several programs and licenses within the department's Plant Industries Division.

In addition, every pesticide which is distributed or sold in Missouri must be registered with the Department of Agriculture and pay an annual fee product registered. The department director would be allowed to deposit up to 7% of the fee into the Pesticide Education Fund to be used for pesticide applicator certification programs, pesticide education programs, and pesticide waste and container disposal programs (Sections 261.140, 264.061, 266.031, 266.165, 266.190, 281.035, 281.038, 281.050, 281.260 and 281.265).

#### TREATED TIMBER LAW

This bill repeals the Missouri Treated Timber Law (Sections 280.005 - 280.140).

This bill contains an emergency clause for the section relating to the ability for institutions of higher education to grow and study industrial hemp (Section 195.767).

- - - - -  
HCS SB 134 -- SOLID WASTE

Currently, the Director of the Department of Natural Resources may institute a civil penalty for violations concerning a solid waste disposal area, and the assessment of a penalty shall not exceed

\$1,000 per day for each day the violation occurred or continues to occur. This bill repeals this authority.

The bill also extends from January 1, 2020, to December 31, 2025, the expiration of the fee collected from retailers for the disposal of old tires.

- - - - -  
SB 138 -- REPORTS ISSUED BY THE STATE AUDITOR

This bill requires the State Auditor to make suggestions or recommendations, to the extent allowed under governmental auditing standards, to any auditee that requests it following the issuance of a report on an audit that deemed a practice of the auditee inadequate. Also, the Auditor is required to make a summary of any report on an audit and such summary shall contain a summary of any recommendations provided.

- - - - -  
CCS#2 HCS SCS SB 147 -- MOTOR VEHICLES

This bill makes changes to laws regarding motor vehicles.

CORRECTION OFFICER CONFIDENTIALITY

The bill includes anyone employed by the Department of Corrections, corrections officers, and jailers in the list of persons whose home address and vehicle information is to be kept confidential by the Department of Revenue (Section 32.056).

SECURE DIGITAL DRIVER'S LICENSE

The department is authorized to design a secure digital driver's license program that allows applicants applying for a driver's license under Chapter 302 to obtain a secure digital driver's license in addition to the physical card-based driver's license, which will be acceptable for all purposes for which a license is used (Section 32.303).

MOTOR VEHICLE LICENSE OFFICES

Motor vehicle license office fees are increased from \$3.50 to \$6.00 for annual motor vehicle and trailer registrations, from \$7.00 to \$12.00 for biennial registrations, from \$2.50 to \$6.00 for applications or transfers of title, from \$2.50 to \$6.00 for operator licenses and permits issued for periods of three years or less, from \$5.00 to \$12.00 for operator licenses and permits issued for more than three years, and from \$2.50 to \$6.00 for each notice of lien. A fee of \$2.00 per processing for notary services or

electronic transmission is established. The process for awarding motor vehicle license office contracts must consider the distance between the individual's home and the license office, as specified in the bill (Section 136.055).

#### MOTOR VEHICLES

This bill requires any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, to apply to the Director of the Department of Revenue for authority to operate as a leasing or rental company and pay an annual fee of \$250 for such authority.

Additionally, applicants must furnish with the application a corporate surety bond or irrevocable letter of credit issued by any state or federal financial institution in the penal sum of \$100,000. Conditions and requirements for the bonds or irrevocable letters of credit are set out in the bill.

Any person, company, or corporation engaged in the business of renting or leasing 3,500 or more motor vehicles which are to be used exclusively for rental or leasing purposes and not for resale, and that has applied to the Director of the Department of Revenue for authority to operate as a leasing company may also operate as a registered fleet owner (Section 144.070).

Requirements for and other provisions regulating registered fleet owners are set out in detail in the bill (Section 301.032).

#### LEFT TURN ON RED ON ONE-WAY STREET

This bill allows that when following certain criteria drivers may turn left after stopping at a red light for one-way streets (Sections 300.155 and 304.281).

#### AUTOCYCLES

This bill changes the definition of autocycle to include more types of three-wheeled motor vehicles, and adds a definition for "recreational trailer" (Section 301.010).

#### LICENSE PLATE RENEWALS

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 (Section 301.030).

#### HELMET RULES

This bill allows qualified motorcycle and motortricycle operators, 18 years or older, to operate without a helmet if they have both medical insurance and proof of financial responsibility under Chapter 303, RSMo. Proof of coverage may be shown using a copy of the operator's insurance card (Sections 302.020 and 302.026).

#### VEHICLE INSPECTION FEES

This bill modifies the inspection requirement for non-commercial motor vehicles which is currently required in order to renew a motor vehicle license. After being sold, new motor vehicles will not have to have an inspection until they are more than 10 years old and have more than 150,000 miles (Sections 301.020 and 307.350).

Currently, an untitled, homemade trailer that is 16 feet or more in length must have a certificate of inspection. This bill requires all homemade trailers to have a certificate of inspection and increases the inspection fee from \$10 to \$25 (Section 301.191).

#### RECREATIONAL TRAILER LICENSES

This bill changes the due date for a payable annual registration fee for recreational trailers from December, 2019 to May, 2020 and defers any fee due in December, 2019 to May, 2020. Recreational trailers are defined in the bill (Section 301.067).

#### COMMERCIAL DRIVER'S LICENSES

This bill modifies the storage and record requirements for test score documents issued by third-party commercial testers and documents submitted by military service members by adding them to existing exemptions. Currently, a commercial driver's instruction permit is valid for six months and may be renewed once for an additional six months. The bill changes the permit to a one-year nonrenewable instruction permit and increases the fee from \$5 to \$10. The fee for a duplicate permit is \$5. This bill requires an applicant for a commercial driver's license to take an entry-level driver training program that is currently established by regulation. The bill also allows the Director of the Department of Revenue to waive specified written test requirements for current or former military service members (Sections 302.170, 302.720, and 302.768).

## LAW ENFORCEMENT

Currently, if a Missouri resident fails to dispose of charges or fails to appear in court, if required, for a moving traffic violation, a court is required to notify the Director of The Department of Revenue of the failures and is required to order the director to suspend the defendant's driving privileges if the charges are not disposed of and paid within 30 days. This section makes it discretionary for the court to notify the department and order license suspension. The City of St. Louis and St. Louis County are excluded from this section (Section 302.341).

## TOWING TASK FORCE

This bill creates the "Towing Task Force" consisting of ten members, including two members of the House of Representatives appointed by the Speaker and two members of the Senate appointed by the President Pro Tem, as specified in the bill. The task force will make recommendations on overcharges, customer complaints, and the process for nonconsensual towing used by law enforcement. A report to the General Assembly must be submitted January 1, 2020, and the task force will expire on May 31, 2020 (Section 304.153).

Sections 301.020, 301.191, 307.350 of this bill have an effective date of January 1, 2020.

- - - - -  
HCS SCS SB 167 -- PUBLIC WORKS BONDING REQUIREMENTS

This bill expands the definitions of "contractor" and "public works" as used in the law requiring contractors on public works projects to provide a security bond to the public entity. The expanded definition of "contractor" includes any person who provides or arranges for construction services to a public entity under a contract with a private entity representing the public entity and "public works" includes projects even if the work is to be used for nongovernmental purposes.

The bill also specifies that public entities must require the security bond for public works in their names or when requiring private entities to enter into contracts for the works and that the bond must also cover labor for work performed by a supplier at any tier. Once a bond is provided the filing of a mechanic's lien under Chapter 429, RSMo is prohibited by any subcontractor or supplier.

- - - - -  
SCS SB 174 -- TAXATION OF FINANCIAL INSTITUTIONS

MISSOURI ADJUSTED GROSS INCOME

This bill exempts interest received on deposits held at a federal reserve bank from Missouri adjusted gross income (Section 143.121, RSMo).

BANK FRANCHISE TAX CREDIT

Currently, law provides for a tax credit for banking institutions to compensate for franchise taxes paid by banking institutions, as well as a tax credit that may be claimed in the event the corporate franchise tax is repealed by the General Assembly. Because the corporate franchise tax was repealed beginning January 1, 2016, for all tax years beginning on or after January 1, 2020, this bill disallows the tax credit designed to compensate for the franchise tax (Section 148.064).

- - - - -  
SB 179 -- BANKS AND FINANCIAL INSTITUTIONS

Currently, certain banks, trust companies, and savings and loans associations have to file multiple copies of various forms and documents with the Division of Finance within the Department of Insurance, Financial Institutions, and Professional Registration and the division is required to make, file, or retain multiple copies of the same forms and documents with various state offices. This bill repeals those requirements and requires a single filing of each form or document currently required to be filed with the division.

The bill repeals a requirement that any savings and loan association pay a fee of \$5 to the Director of Revenue for each resolution filed with the division amending its articles of incorporation.

Currently, the Director of Finance is required to prepare information, to be included in the report of the Director of the Department of Insurance, detailing the state and condition of each corporation required to report to the Director of Finance. This bill repeals that requirement.

This bill is similar to HB 599 (2019).

- - - - -  
SCS SB 180 -- CREATION OF MILITARY JOBS

SPONSOR: Wallingford (Lynch)

This bill modifies the Missouri Works program by creating an

additional tax credit, substituted for any other tax credit offered under the program, for the expansion or improvement of a military base or installation that causes an increase of 10 or more military or civilian support personnel with an average wage of at least 90% of the county average wage and health insurance benefits, as described in the bill, and investment in real or tangible personal property at the base or installation expressly for the purpose of serving a new or expanded military activity or unit.

The tax credit must be issued to an industrial development authority, as defined in the bill, in an amount equal to the withholdings taxes associated with the civilian and military new jobs located and the facility and directly impacted by the qualified military project. The tax credits will be issued for no more than 15 years, and will be the least amount necessary to ensure the completion of the project. A project will not be eligible for tax credits unless the Department of Economic Development determines that such project will provide a net positive fiscal benefit to the state.

- - - - -  
CCS HCS SB 182 -- INTERSTATE BUSINESS INCENTIVES

This bill reauthorizes the prohibition on the issuance of incentives under the BUILD program, the new or expanded business facilities program, the Urban Enterprise Loan program, or the Missouri Works program for businesses that relocate from certain counties in Kansas to certain counties in Missouri, contingent on similar action taken by Kansas. Such prohibitions expired on August 28, 2016.

The provisions of the bill expire on August 28, 2021, if the provisions of the bill prohibiting incentives are not reciprocated by Kansas. If Kansas agrees to the provisions of the bill, the bill expires on August 28, 2025.

- - - - -  
SB 185 -- MO STATE EMPLOYEES' RETIREMENT

This bill makes all employees of the Missouri Housing Development Commission and the Environmental Improvement Energy Resource Authority eligible for membership in the Missouri State Employees' Retirement System.

- - - - -  
HCS SB 196 -- STATE PARKS AND HISTORIC PRESERVATION



Currently, the Department of Natural Resources must use appropriated funds to construct facilities on land under the department's jurisdiction. This bill allows the director to enter into a contract with a donor or a grantor to provide funding for the project.

The bill requires the director to advertise bids in daily or weekly newspapers for concession contracts with an expected gross income of \$25,000 or more. When two bids are comparable, preference must be given to a Missouri firm, corporation, or individual.

Currently, a concession contract is only valid for one state park. This bill allows the director to extend the contact to additional state parks if the director determines that the extension is in the best interests of the state park system or facility.

The bill allows the director to issue a commercial use permit, without obtaining sealed bids, to a private person, corporation, or entity to provide services to visitors for a term not to exceed two years. A commercial use permit is limited to an operation with annual gross receipts of not more than \$100,000 from services provided solely within a state park or historic site as specified in the bill (Section 253.080, RSMO).

This bill creates the "Rock Island Trail State Park Endowment Fund" to receive funds for the development of the former Chicago, Rock Island and Pacific Railroad Corridor east of milepost 215.325.

If the United States Surface Transportation Board vacates the Notice of Interim Trail Use issued in a decision served on February 26, 2015, any moneys in the fund may be refunded to the individuals or entities that have made contributions to the fund or may be transferred to a new trail sponsor or other entity that has accepted responsibility for the management of the corridor as specified in the bill (Section 253.177).

The bill authorizes the Department of Natural Resources to award grants to preserve, protect, or restore historic county courthouses and county courthouse grounds through the use of the Historic Preservation Revolving Fund (Section 253.402).

- - - - -  
SS SCS SB 197 -- INTOXICATING LIQUOR

This bill extends a provision of law governing leases of portable refrigeration units between brewers and retailers from January 1, 2020 to January 1, 2026. It also allows employees of licensed wholesalers who are 18 to 20 years of age to unload delivery vehicles and transfer liquor to retail premises if they are

supervised by a delivery vehicle driver who is at least 21 years of age.

- - - - -  
CCS HCS SB 202 -- MINING ROYALTIES ON FEDERAL LAND

Starting in fiscal year 2020, moneys disbursed to the Office of Administration from the Office of Natural Resources Revenue within the U.S. Department of the Interior from mining royalties on federal land located within the state must be distributed on a proportional basis to each county in this state where the royalties accrued. The bill specifies how each county must allocate the funds.

- - - - -  
HCS SCS SB 203 -- PROPERTY IN CERTAIN CITIES

This bill changes certain laws relating to real property. In its main provisions, the bill:

(1) Modifies how actions against another property owner whose property is a nuisance are brought in certain cities and counties. It specifies how notice of a nuisance is given to the property owner or tenant of the property. This bill modifies how proceedings seeking an injunctive relief against the property owner are conducted. Property owners and neighborhood organizations seeking injunctive relief will no longer have to show they are suffering actual damages as a result of the nuisance in order to bring such an action. The bill permits attorney's fees being awarded in certain circumstances to the party who brought the action. It also modifies a defense available to property owners who are acting in good faith to comply with all orders rather than an order issued by the Department of Natural Resources, the U.S. Environmental Protection Agency, or the Office of the Attorney General. The bill will apply only to property owners and neighborhood organizations in Kansas City and the City of St. Louis and repeals reference to other political subdivisions;

(2) Allows licensed engineers to conduct specified building permit inspections on certain residential dwelling units for which they submitted plans in accord with criteria and uniform forms provided by political subdivisions for such permit inspections;

(3) Authorizes the board of aldermen of cities of the fourth classification to seek an appraisal and to conduct reasonable analyses before putting a proposed water or wastewater system sale or a sale of a gas plant before the voters. The board may consider alternatives to a sale and the fair market value may be a matter of negotiation. Good faith notification efforts of any ballot

measure may be made through a variety of media including Internet sites and should target voters and users of the utilities as specified in the bill; and

(4) Allows a person who is not the owner of real property in Kansas City, St. Louis County, Independence, St. Joseph, Springfield, or St. Louis City or who is a creditor holding a lien interest on the property, and who suspects that the real property may be abandoned, to enter the premises to visually inspect the property to determine whether it is abandoned. Any person who enters the property, according to the provisions of the bill, will not have a right to a mechanics lien. If the person makes a good faith determination based on the inspection that the property is abandoned, the person may secure the property, remove trash or debris from the grounds, landscape, maintain, or mow the grounds, and remove or paint over graffiti. This bill provides immunity for the person entering the property from claims of civil and criminal trespass and all other civil immunity, as well as barring an action against the property owners in certain circumstances, unless the act or omission constitutes gross negligence or willful, wanton, or intentional misconduct. In the case of real property that is subject to a mortgage or deed of trust, the creditor holding the debt secured by the mortgage or deed of trust may not enter the premises of the real property if the entry is barred by an automatic stay issued by a bankruptcy court.

- - - - -  
HCS SS SB 210 -- STATE DESIGNATIONS

This bill creates six new state designations.

The pawpaw tree is designated as the state fruit tree (Section 10.105, RSMo).

The Missouri "Show Me" tartan is the official tartan of the state. The colors of blue, brown, and silver are derived from the eastern bluebird, the Missouri mule, and the bear on the state flag, and the crescent moon, representing vigilance and justice, valor, purity, steadfastness, hope, and strength (Section 10.190).

The hellbender salamander, also known as the snot otter, or lasagna lizard, is the official endangered species (Section 10.200).

The Missouri State Council for the Arts, within the Department of Economic Development, shall administer a program to designate "Missouri Historical Theaters" that meet specified criteria, including being a 501(c)(3) not-for-profit organization, operating for at least 50 years, performance history, and contribution to tourism and arts promotion. The department may charge a fee to

cover the costs of the program (Section 185.070).

The portion of State Highway P from Dove Nest Lane continuing east to State Highway M in St. Charles County shall be designated as "Waylon Jennings Memorial Highway." Cost shall be paid by private donations (Section 227.549).

The St. Louis Blues is the official state hockey team (Section 1).

- - - - -  
SS SB 213 -- STATE DEMOGRAPHER

This bill prohibits the state demographer, entrusted to draw redistricting maps, and his or her spouse or children from accepting any gift, service, or item of value from any interested party. The demographer is also prohibited from accepting any remuneration whatsoever from any party except the State of Missouri for any act connected with the redistricting process, from employing or contracting with any other person including legal counsel, except the Office of the Attorney General or the Office of Administration, for redistricting assistance, and from communicating about the redistricting process except as allowed by the public comment portal established in this bill. The demographer is prohibited from registration as a lobbyist for two years after the end of his or her term and is subject to the conflict of interest and prohibition on consulting work statutes applying to public officials. Financial disclosure requirements are also stated in the bill.

Currently, the Missouri Constitution requires a nonpartisan state demographer to draw redistricting maps on the basis of specified formulas and criteria. This bill requires the demographer to establish a "Redistricting Public Comment Portal," to accept comments, maps, or other communications from the general public or interested parties. Submissions to the portal must disclose whether the entity making the submission was responsible for its content and whether or not the submission was funded by contributors. If a submission was funded, then the identity of the contributors shall be disclosed. Records will be permanently maintained by the state records center and archives upon the expiration of the demographer's term in office.

Violations of the bill may be investigated by the Attorney General which is granted the power to issue civil investigative demands. It is a class A misdemeanor to spoil or destroy materials subject to these demands and courts may enforce demands with their contempt power. The office may issue cease and desist orders to prevent unlawful activity and the violation of the order is a class E felony. The courts are granted power to award a civil penalty of

the not more than \$1000 per violation to enforce the provisions of the bill.

- - - - -  
HCS SS#4 SB 224 -- DISCOVERY

This bill modifies numerous Supreme Court rules relating to discovery.

DISCOVERY IN CRIMINAL CASES

This bill specifies that prosecutors will have discretion to redact personal identifying information which is contained in materials and information that the state shall disclose to the defendant's counsel during the discovery process of a criminal proceeding.

DISCOVERY IN CIVIL CASES - REQUIREMENT OF PROPORTIONALITY

The bill requires that parties may discover any relevant matter, not privileged, as described in the bill, provided that the matter is proportional to the needs of the case considering several factors described within the bill.

DISCOVERY IN CIVIL CASES - LIMITS ON FREQUENCY OR EXTENT OF DISCOVERY AND ELECTRONICALLY STORED INFORMATION

The bill requires that the court limit the frequency or extent of discovery if it determines that certain factors exist. Additionally, a party does not need to provide discovery of electronically stored information if the source of the information is not reasonably accessible because of an undue burden or cost. The court may order and specify the conditions for the discovery nonetheless if the requesting party shows good cause.

DISCOVERY IN CIVIL CASES - LIMITS ON PRIVILEGED INFORMATION AND TRIAL PREPARATION MATERIALS

When a party withholds information on the basis of privilege or protection as trial preparation materials, the party may notify any party that received information of the claim and the basis for it. A notified party is required to return, sequester, or destroy the specified information and may present it under seal to the court for claim determination. Additionally, the party shall take steps to retrieve any information disclosed prior to notification, shall preserve the information until the claim is resolved, and shall not use or disclose the information until the claim is resolved.

An attorney who receives privileged information involving an

adverse or third party and who has reasonable cause to believe that the information was wrongfully obtained shall not read the information, shall promptly notify the attorney to return the information, and shall delete and take reasonable measures to assure that the information is inaccessible. An attorney notified has the obligation to preserve the information.

The production of privileged or protected trial preparation materials is not a waiver of the privilege or protection from discovery in the proceeding.

#### DISCOVERY IN CIVIL CASES - LIMITS ON INTERROGATORIES AND DEPOSITION

The bill limits the number of written interrogatories that may be served upon a party to 25, including all discrete subparts.

For oral or written depositions, leave of court is required if the deponent is confined in prison or the parties have not stipulated to a deposition and:

- (1) The deposition would result in more than 10 depositions being taken by the plaintiffs, or by the defendants, or by the third-party defendants;
- (2) The deponent has already been deposed in the case; or
- (3) The plaintiff seeks a deposition prior to the expiration of 30 days after the service of the summons and petition upon any defendant, except leave is not required if a defendant has served a notice of taking deposition or otherwise sought discovery.

The bill additionally limits the length of any oral deposition to one day of seven hours, provided that the court may order additional time for any deposition under certain circumstances. The court is permitted to impose sanctions on persons who impede, delay, or otherwise frustrate the fair examination of a deponent.

#### DISCOVERY IN CIVIL CASES - LIMITS ON REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

This bill specifies that a party may serve a request to produce and permit the requesting party or its representative to inspect, copy, test, or sample designated documents, electronically stored information, or any designated tangible things. Requests may specify that electronically stored information be produced in native format. Objections to part of a request shall specify the part and permit inspection of the rest.

#### DISCOVERY IN CIVIL CASES - LIMITS ON REQUESTS FOR ADMISSIONS

The bill limits the number of written requests for admission that may be served upon a party to 25 without leave of the court or stipulation of the parties. However, this limitation shall not apply to requests regarding the genuineness of documents.

- - - - -  
CCS SS SCS SB 230 -- COURT PROCEEDINGS

#### ABLE ACCOUNTS

This bill provides that the assets held in an ABLE account shall not be considered the property of a conservatorship estate, with the exception of accounts in the charge and custody of a public administrator (Section 209.625).

#### VENUE FOR GUARDIANSHIP AND CONSERVATORSHIP

The bill modifies current law to require proper venue in cases of appointment of a guardian or conservator of a minor or incapacitated or disabled person to be the following:

- (1) The county where the minor or incapacitated or disabled person is domiciled, as long as placement by a court, fiduciary, or agency in such county does not count as choice of domicile; or
- (2) If there is no domicile, then the county where the minor or incapacitated or disabled person has a significant connection, as specified in the bill. If venue for guardianship and conservatorship is in different counties, then venue shall be in the county of the guardianship.

Repeals current provisions regarding the commencement of proceedings in more than one county and venue when transferring certain cases involving the appointment of a successor guardian or conservator (Sections 472.010, 475.035, and 475.115).

#### VENUE

This bill specifies changes to civil procedures venue in tort and non-tort cases. For the purposes of meeting the venue requirement, the principal place of residence for an individual whose employment conduct with a corporation in at least one county is at issue in the action shall be the corporation's principal place of residence. The principal place of residence for a corporation is the county where the corporation has its registered agent. When all defendants are nonresidents, proper venue in a non-tort action is

any county in this state if there is personal jurisdiction over each defendant, independent of each other defendant.

In tort actions where the plaintiff was first injured outside the State of Missouri, venue shall be the, rather than any, county where the defendant corporation has its principal place of residence. If the defendant is an individual, then venue shall be the, rather than any, county where the defendant has his or her principal place of residence, which shall be that of his or her employer corporation if any count alleges conduct in the course of employment. This bill specifies that an insurance company shall be deemed to reside in the county in which it maintains its registered office. A foreign insurance company without a registered office in any county in Missouri shall be deemed to reside in, and be a resident of, Cole County (Section 508.010).

#### PUBLIC DEFENDERS

This bill removes a provision requiring the Director of the Public Defender's Office to prepare a plan to establish district offices, which would coincide with existing judicial circuits (Sections 476.001 and 600.042).

- - - - -  
SB 275 -- HEALTH CARE

#### SHELTERED WORKSHOPS

Currently, the Department of Elementary and Secondary Education pays sheltered workshops an amount determined by a set formula, but no less than an amount equal to \$21 for each six-hour or longer day worked by a handicapped worker. This bill adds the requirement that the six-hour or longer day must occur in a standard work week of up to and including 38 hours worked. For a handicapped worker employed by a sheltered workshop for less than a 38-hour week or a six-hour day, the workshop receives a percentage of the corresponding amount normally paid based on the percentage of time worked by the handicapped employee (Section 178.931, RSMo).

#### SENIOR SERVICES

This bill establishes the "Senior Services Growth and Development Program" within the Department of Health and Senior Services to provide additional funding for senior services through area agencies on aging. Beginning January 1, 2020, the Director of the Department of Revenue shall deposit 5%, phased in over two years, of the premium tax collected from certain insurance companies and associations, excluding any moneys statutorily mandated to be transferred to the State School Moneys Fund and excluding the cost



of collection, in the "Senior Services Growth and Development Program Fund." The moneys collected shall be placed in a special fund in the State Treasury and the Department of Health and Senior Services shall disburse the funds to the area agencies on aging. All area agencies shall report annually to the Department of Health and Senior Services, the Department of Insurance, Financial Institutions and Professional Registration, and the General Assembly on the distribution and use of the funds (Section 192.385).

#### DENTAL PRESCRIPTIONS

This bill specifies that long-acting or extended-release opioids shall not be used to treat acute pain in dentistry. If the dentist, in his or her professional judgment, believes a long-acting or extended-release opioid is necessary to treat the patient, the dentist shall document and explain in the patient's dental record the reason for the necessity for the long-acting or extended-release opioid.

Dentists shall avoid prescribing doses greater than 50 Morphine Milligram Equivalents (MME) per day for treatment of acute pain. If the dentist believes doses greater than 50 MME are necessary to treat the patient, the dentist shall document and explain the reason for the dose greater than 50 MME.

The Missouri Dental Board is required to maintain an MME conversion chart and instructions for calculating MMEs on its website (Sections 195.080 and 332.361).

#### JOINT TASK FORCE ON RADIOLOGIC TECHNOLOGIST LICENSURE

This bill establishes the "Joint Task Force on Radiologic Technologist Licensure." The purpose of the task force is to review the current status of licensure of radiologic technologists and develop a plan to address the most appropriate method to protect public safety when radiologic imaging and radiologic procedures are utilized.

The task force membership shall include two members of the Senate and two members of the House of Representatives and shall meet within 30 days of its creation. The task force shall service without compensation but may have reimbursement for actual and necessary expenses.

The task force must submit a report to the General Assembly and the Division of Professional Registration by January 15, 2020 (Section 334.1135).

- - - - -  
HCS SB 282 -- DISPOSITION OF HUMAN REMAINS

DEATH REGISTRATION PROCESS

Currently, the medical certification from a medical provider is entered into the electronic death registration system. This bill requires an attestation from the medical provider who completed the medical certification to be entered into the system as well.

Additionally, if the State Registrar determines that information on a document or record submitted to a local registrar is incomplete, the State Registrar shall return the records or documents with the incomplete information to the local registrar for correction by the data provider, funeral director, or person in charge of the final disposition.

The bill repeals a provision allowing the State Registrar to adopt pilot programs or voluntary electronic death registration programs until an electronic death registration system is certified. Additionally, this bill repeals a provision requiring the Division of Community and Public Health within the Department of Health and Senior Services to create a working group for the purposes of evaluating the electronic vital records system and submit a report on findings to the General Assembly by January 1, 2016 (Sections 193.145 and 193.265, RSMo).

RIGHT OF SEPULCHER

Currently, law provides a list, in the order of priority, of next-of-kin who have the right to control the disposition of a dead human body. This bill provides that the surviving spouse shall not be considered as next-of-kin if an action for dissolution of marriage has been filed and is pending in a court of competent jurisdiction. Additionally, the next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

This bill specifies that an individual with a superior claim to the disposition of the deceased may be notified in person or by written notice with delivery confirmation, rather than "personally served with written notice" by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased (Section 194.119).

Also makes a technical correction to language regarding surviving spouses (Section 36.020).

ORGAN DONORS

This bill allows a donor to make an anatomical gift by placing a donor symbol sticker authorized and issued by the Department of Health and Senior Services on the back of the donor's driver's license or identification card.

The department shall include on its website information about organ donation and a link where the person making an anatomical gift can register. Once a person has registered, the department will contact the Department of Revenue to determine whether the organ donor symbol is printed on a registrant's driver's license or identification card. If the donor symbol does not appear, the department will mail a donor symbol sticker to be placed on the back of the registrant's driver's license or identification card. State agencies and departments may provide a link on the homepage of their website directing the public to the organ donation information and registration link (Section 302.171).

#### OUTDOOR CREMATIONS

The bill allows a licensed funeral establishment to include an outdoor human cremation facility or perform an outdoor cremation at another location with appropriate permits and in accordance with other procedures and in compliance with all local ordinances. Any cremation performed at an outdoor human cremation facility may only be performed by a licensed funeral director and must be attended by a licensed director or designee (Section 333.011).

- - - - -  
SS SCS SB 291 -- EMERGENCY COMMUNICATION SERVICES

This bill modifies provisions relating to emergency communication services.

Currently any county that has a county sales tax for the central dispatch of emergency services that is automatically reduced in future years is prohibited from submitting for voter approval any proposal greater than the reduced amount. This bill specifies that any county that authorized a tax levy for certain emergency services prior to January 1, 2012, and such levy is reduced automatically after approval of such levy, shall not submit for voter approval any proposal greater than the reduced amount. The bill specifies that the Jefferson County 911 Board shall not set a tax rate greater than 0.25% for the purposes of emergency services or providing central dispatching for emergency services. Additionally, for the Jefferson County 911 Board, funds collected from the prepaid wireless emergency telephone service charge shall be remitted to the county's general fund for the purpose of public safety infrastructure.

The bill requires Jackson County to submit to the voters of the county no later than the general election in 2020 the question of whether to impose a monthly fee of up to \$1 on a subscriber of a communications service enabled to contact 911, except for prepaid service, in lieu of a telephone service tax or a county-wide sales tax.

This bill adds language that the prepaid wireless emergency telephone service charge on retail transactions applies to purchases that provide prepaid wireless telecommunications services.

The prepaid wireless telecommunications service charge shall not apply to the first \$15 of a retail transaction for prepaid wireless telecommunications service.

When prepaid wireless telecommunications service is sold with one or more products or services for a single, non-itemized price, the service charge shall apply to the entire non-itemized price unless the seller elects to apply such service charge as allowed in the bill. The first \$15 of such a transaction shall not be subject to the prepaid wireless telecommunications service charge.

The Director of the Department of Revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the service charge, and the Director shall collect all services charges imposed by the bill. Such service charges shall be collected and reported with all taxes imposed under the sales tax law of the state.

The bill states that the initial percentage rate of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 Service Trust Fund as set by the Missouri 911 Service Board for counties and the city of St. Louis may be adjusted annually for the first 3 years, and thereafter the rate may be adjusted every 3 years. Currently, the rate may be adjusted every two years. Such rate shall be set by June 30th of each applicable year.

If a county has an elected emergency services board, the Missouri 911 Service Board shall remit funds collected from the prepaid wireless emergency telephone service charge to the elected emergency services board.

Any county or city which by at least a 2/3 vote of their governing body prohibited the prepaid wireless emergency telephone service charge at least 45 days prior to August 28, 2018, may take a vote, and notify the Department of Revenue of the result of such vote, by November 15, 2019, to impose such charge on January 1, 2020. A 2/3

majority vote is required to impose such charge. The Department shall notify the Missouri 911 Service Board of notices received by December 1, 2019.

Currently, certain provisions of law relating to the prepaid wireless emergency telephone service charge expire on January 1, 2023. This bill repeals the sunset provision.

If a court of competent jurisdiction issues a declaratory ruling prior to the effective date of the amendment that emergency services taxes imposed in certain counties are preempted by the prepaid wireless emergency telephone service charge on all retail sales subject to sales tax in a taxing jurisdiction that did not opt out of the collection of the prepaid wireless emergency telephone service charge, a seller or general retailer who collected and remitted the emergency services tax in such situation shall not be required to refund such taxes to taxpayers. All requests for refunds by taxpayers shall be made directly to the taxing jurisdiction.

These provisions apply to taxes collected between January 1, 2019, and the first day of the calendar month following the declaratory ruling.

Further, if a court of competent jurisdiction issues a declaratory ruling prior to the effective date of the amendment that emergency services taxes imposed in certain counties are preempted by the prepaid wireless emergency telephone service charge only on sales of prepaid wireless telecommunications services in a taxing jurisdiction that did not opt out of the collection of the prepaid wireless emergency telephone service charge, a seller or general retailer who did not collect emergency services taxes in certain counties on the retail sale of wireless telecommunications service and wireless devices associated with such service shall not be liable for any assessment or incur any other liability on such uncollected taxes.

These provisions apply to assessments for the period beginning January 1, 2019, and ending on the first day of the calendar month following the declaratory ruling. These provisions shall expire on January 1, 2023.

The Missouri 911 Service Board is required to establish an annual budget, retain records of all revenue and expenditures made, retain minutes of all meetings and subcommittees, and post records, minutes, and report's on the Board's web page on the Department of Public Safety website.

Finally, the bill modifies the rulemaking authority of the Missouri 911 Service Board.

This bill contains an emergency clause.

- - - - -  
SB 297 -- JURY DUTY

This bill allows a person 75 years of age or older to apply to the court to opt out of serving on a grand or petit jury.

- - - - -  
SS SB 306 -- MILITARY FAMILY MEMBERS

#### SCHOOL REGISTRATION

This bill allows a member of the military to remotely register their children for school instead of demonstrating physical presence if they have orders relocating them to the state of Missouri.

Additionally, the bill does not require proof of residency for the purpose of registration, but proof of residency is required within 10 days of the student's attendance in the school district (Section 167.020, RSMo).

#### IN-STATE TUITION

This bill makes the determination of eligibility for in-state tuition at public institutions of higher education for dependents of military members stationed in Missouri when accepted to enroll at the institution (Section 173.1155).

#### MISSOURI RETURNING HEROES ACT

Currently, the Missouri Returning Heroes Act caps undergraduate tuition at \$50 per credit hour before federal and state aid for combat veterans that served after September 11, 2001, that were residents of Missouri before entering service at public institutions of higher education for 10 years after an honorable discharge.

This bill expands the act to include combat veterans that served prior to September 11, 2001 and combat veterans who are eligible to register to vote in Missouri, registered to vote in Missouri, or are current Missouri residents. Additionally, this bill would place a cap of 30% on tuition and fees for qualified combat veterans pursuing graduate degrees, but not professional degrees, for a period of 20 years after an honorable discharge.

The bill also makes it so the cap may be applied before all federal and state aid is applied to tuition, at the combat veteran's discretion.

Finally, this bill defines how a combat veteran can show their combat service for the purpose of using the Missouri Returning Heroes Act (Section 173.900).

#### VETERAN'S SURVIVOR GRANT PROGRAM

Currently, the Veteran's Survivors Grant Program sunsets on August 28, 2020. The program provides higher education financial aid grants to qualified survivors of qualified military members. This bill removes the sunset clause (Section 173.234).

-----  
SB 333 -- FIRE PROTECTION DISTRICTS

#### FIRE PROTECTION SALES TAX

Currently, certain fire protection districts and municipalities having a municipal fire department are authorized to propose to the voters a sales tax not to exceed 0.25% for the operation of the fire protection district or municipal fire department. This bill increases the maximum rate to 0.5% (Section 321.242).

-----  
CCS SB 368 -- TRANSPORTATION

This bill changes provisions relating to transportation.

#### PORT AUTHORITIES

Currently, notes and bonds issued by port authorities are tax exempt. This bill also exempts sales and leases of real or personal property made by or to any port authority involving the use of such tax exempt bonds from taxation. A port authority issuing bonds for incentivize development must require the developer to confer with tax authorities (Section 68.040, RSMo).

#### MOTOR VEHICLE RENTAL AND LEASING

The bill requires any entity engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors to pay an annual fee of \$250 to the Director of the Department of Revenue.

Any person, company, or corporation engaged in the business of renting or leasing 3,500 or more motor vehicles which are to be

used exclusively for rental or leasing purposes and not for resale, and that has applied to the Director of the Department of Revenue for authority to operate as a leasing company may also operate as a registered fleet owner.

Every applicant to be a lease or rental company must furnish, with the application, a corporate surety bond or irrevocable letter of credit issued by any state or federal financial institution in the penal sum of \$100,000, on a form approved by the department. The proceeds of the bond or irrevocable letter of credit must be paid upon receipt by the department of a final judgment from a Missouri court against the principal and in favor of an aggrieved party. The Director of the Department of Revenue may issue license plates to a fleet owner after he or she completes an application, as designed by the director, and payment of an annual fee of \$360 for the first 10 plates and \$36 for each additional plate for fleet vehicles. The payment and issuance of the plates shall be in lieu of registering each motor vehicle with the director. These motor vehicles will not be exempt from safety and emission inspections required by law, but these inspections will not be required to be presented to the director.

Registrations for fleets are on an annual or biennial basis. If an applicant elects a biennial registration, the annual fleet license plate fees are doubled and the agent fee is collected in an amount equal to the fee for two years.

Prior to the issuance of fleet license plates, the applicant must provide proof of insurance as required under current law. The authority of a recipient of a lease or rental company license issued by the director as prescribed in Section 144.070 to operate as a fleet owner as provided in this section shall expire on January 1st of the licensure period.

A lease or rental company operating fleet license plates issued under these provisions shall make available, upon request, to the Director of the Department of Revenue and all Missouri law enforcement agencies any corresponding vehicle and registration information that may be requested as specified by the rule (Sections 144.070 and 301.032).

#### ORGAN DONOR DESIGNATIONS ON DRIVER'S LICENSES

This bill allows a donor to make an anatomical gift by placing a donor symbol sticker authorized and issued by the Department of Health and Senior Services on the back of the donor's driver's license or identification card.

The department shall include on its website information about organ



donation and a link where the person making an anatomical gift can register. Once a person has registered, the department will contact the Department of Revenue to determine whether the organ donor symbol is printed on a registrant's driver's license or identification card. If the donor symbol does not appear, the department will mail a donor symbol sticker to be placed on the back of the registrant's driver's license or identification card.

State agencies and departments may provide a link on the homepage of their website directing the public to the organ donation information and registration link (Sections 194.225 and 302.171).

#### VEHICLE DEALER LICENSE PLATES

This bill allows use of specified motor vehicle dealer license plates on cars used by customers while their vehicles are being serviced or repaired by the motor vehicle dealer (Section 301.560).

#### COMMERCIAL DRIVER'S LICENSES

This bill modifies the storage and record requirements for test score documents issued by commercial testers and documents submitted by military service members by adding them to existing exemptions. Currently, a commercial driver's instruction permit is valid for six months and may be renewed once for an additional six months. The bill changes the permit to a one-year nonrenewable instruction permit and increases the fee from \$5 to \$10. The fee for a duplicate permit is \$5. This bill requires an applicant for a commercial driver's license to take an entry-level driver training program that is currently established by regulation. The bill also allows the Director of the Department of Revenue to waive specified written test requirements for current or former military service members (Sections 302.170, 302.720, and 302.768).

- - - - -  
SS SB 391 -- AGRICULTURAL OPERATIONS

This bill changes the laws relating to agricultural operations.

#### JOINT COMMITTEE ON AGRICULTURE

The bill establishes the "Joint Committee on Agriculture" to study the economic impact of Missouri's agricultural industry in the state, the agricultural industry's ongoing efforts to improve environmental stewardship while improving the economic sustainability of Missouri agriculture, ways to create incentives to encourage members of the agricultural industry to adopt best practices to scientifically address Missouri's carbon footprint, and Missouri residents' views on agricultural issues. The

committee shall consist of five members of the Senate, five members of the House of Representatives, the Director of the Department of Agriculture or his or her designee and the Director of the Department of Natural Resources or his or her designee. The committee must prepare a report of its activities for submission to the General Assembly. The report must be submitted no later than January 15th of each year in which the General Assembly convenes in regular session, starting with the year 2021.

The committee dissolves on January 15, 2024.

#### CONCENTRATED ANIMAL FEEDING OPERATIONS

This bill specifies that any orders, ordinances, rules, or regulations promulgated by county commissions and county health center boards may not impose standards or requirements on an agricultural operation and its appurtenances that are inconsistent with or more stringent than any of law, rules, or regulations relating to the Department of Health and Senior Services, environmental control, the Department of Natural Resources, air conservation, and water pollution.

Currently, notice of intent to file an application for an operating permit for a new or expanded facility is sent to property owners within 1.5 times the buffer distances for concentrated animal feeding operations provided in law. The bill requires that notice be given to property owners located within three times of such buffer distances and that the notice be sent by certified mail.

Construction on a new or expanded facility may not begin until the Department of Natural Resources has issued an operating permit to the owner or operator of such facility.

Currently, the administrators of the Concentrated Animal Feeding Operation Indemnity Fund may only expend moneys in the fund for animal waste lagoon closure activities on real property where the state, county, or municipal government, or an agency thereof, has made reasonable and prudent efforts to sell said property to a qualifying purchase. The bill allows money to be expended for animal waste lagoon closure activities on real property where the state, county, or municipal government, or an agency thereof, has made reasonable and prudent efforts to remediate the property.

All liquefied manure from a concentrated animal feeding operation that is purchased or received by a third party and is surface-applied must maintain an application setback of at least 50 feet from a property boundary, 300 feet from any public drinking water lake, 300 feet from any public drinking water intake structure, 100 feet from any perennial and intermittent streams without vegetation

abutting such streams, and 35 feet from any perennial and intermittent streams with vegetation abutting such streams. If the Department of Natural Resources promulgates rules providing for a distance requirement for the application of liquefied manure from a concentrated animal feeding operation that are stricter than such setbacks, such rules apply to the spread of all liquefied manure under these provisions. Any violation is subject to the penalties set forth in the Missouri Clean Water Law for unlawful acts.

- - - - -  
SB 397 -- MUSEUM AND CULTURAL DISTRICTS

Currently, a petition to create a museum and cultural district must be filed within five years after the Presidential declaration establishing a disaster area. This bill extends the filing time to within 15 years of the declaration.

- - - - -  
SS SB 414 -- INSURANCE INNOVATION TASK FORCE

This bill creates the "Missouri Health Insurance Innovation Task Force" with the purpose of soliciting concepts and making recommendations for a Section 1332 Innovation Waiver application under the Affordable Care Act. The task force shall focus on improving access to health care, decreasing premiums, and increasing the number of carriers.

The task force shall consist of members specified in the bill, with the Director of the Department of Insurance, Financial Institutions and Professional Registration to serve as chair. Members shall serve without compensation, but members and staff shall be reimbursed for actual and necessary expenses. The director may expend funds as necessary to conduct the business of the task force, including commissioning actuarial reviews of waiver concepts considered by the task force.

Unless the deadline is extended by majority vote of the task force, no later than December 31, 2019, the chair shall complete a final report of the task force's activities and recommendations, to be delivered to the Governor, Speaker of the House, and President Pro Tem of the Senate. Recommendations of the task force shall be revenue neutral and shall be approved by a majority of the task force members.

The bill authorizes the department to work with the task force and with the Centers for Medicare and Medicaid Services to develop innovative ways to transform the health insurance marketplace and

to submit applications for a Section 1332 Innovation Waiver under the Affordable Care Act.

The bill shall not be construed to permit the department, or any other state agency, to implement or operate a state-based exchange or to facilitate in the operation of a federally facilitated marketplace as otherwise prohibited by law. However, the state may take over ancillary administrative functions in furtherance of the objectives of the bill.

Provided the General Assembly accepts the task force's findings by filing with the Secretary of State no later than March 15, 2020 a petition signed by 2/3 of each chamber, the director shall, subject to approval by the Governor and no later than December 31, 2020, or as soon as practicable following the enactment of any legislation necessary for the state to qualify, submit an application to the Centers for Medicare and Medicaid Services seeking approval of a Section 1332 Innovation Waiver based on the recommendations of the task force.

This bill contains an emergency clause.

- - - - -  
SB 514 -- HEALTH CARE

#### TASK FORCE ON SUBSTANCE ABUSE PREVENTION AND TREATMENT

This bill establishes the Task Force on Substance Abuse Prevention and Treatment. The task force is made up of six members of the House of Representatives appointed by the Speaker, six members of the Senate appointed by the President Pro Tem, and four members appointed by the Governor. The committee must meet at least once during each legislative session and will conduct hearings on current and future drug and substance abuse, explore solutions to substance abuse issues, and draft or modify legislation as necessary to reach the goals of finding and funding education and treatment solutions to combat drug and substance use and abuse. The committee will send a report of recommendations for legislation to the Governor and the General Assembly each year (Section 21.790, RSMo).

#### HEALTH PROFESSIONAL STUDENT LOAN REPAYMENT PROGRAM

This provision adds psychiatrists to the Health Professional Student Loan Repayment Program. The Department of Health and Senior Services shall designate areas of need for psychiatric services when such areas have been designated as mental health care

professional shortage areas by the federal Department of Health and Human Services or when the Director of the Department of Health and Senior Services has determined such areas to have an extraordinary need (Sections 191.603, 191.605, and 191.607).

#### REPORTS REGARDING CHILDREN EXPOSED TO CONTROLLED SUBSTANCES

This provision requires health care providers to refer to children's division families in which infants are born and identified as affected by substance abuse withdrawal symptoms resulting from prenatal drug exposure, or a Fetal Alcohol Spectrum Disorder (Section 191.737).

#### MEDICATION-ASSISTED TREATMENT

The "Ensuring Access to High Quality Care for the Treatment of Substance Use Disorders Act" provisions apply to all health insurance plans delivered in the state and specify that medication-assisted treatment (MAT) services shall include, but not be limited to, pharmacologic and behavioral therapies. Formularies used by a health insurer or managed by a pharmacy benefits manager, and medical benefit coverage in the case of medications dispensed through an opioid treatment program, shall include all certain specified medications. All MAT medications required for compliance with these provisions shall be placed on the lowest cost-sharing tier of the formulary.

MAT services provided under these provisions shall not be subject to: annual or lifetime dollar limits; limits to predesignated facilities, specific numbers of visits, days of coverage, days in a waiting period, scope or duration of treatment, or other similar limits; financial requirements and quantitative treatment limitations that do not comply with the federal Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA); step therapy or other similar strategies when it interferes with a prescribed or recommended course of treatment from a licensed health care professional; or prior authorization (Sections 191.1164, 191.1165, 191.1167, and 191.1168).

#### PREGNANCY-ASSOCIATED MORTALITY

This bill establishes the "Pregnancy-Associated Mortality Review Board" within the Department of Health and Senior Services. It is designated to improve data collection and reporting regarding maternal mortality and to develop initiatives that support at-risk populations. Before June 30, 2020, and each year thereafter, the board shall submit a report on maternal mortality in the state and proposed recommendations to the Director of the Centers for Disease Control and Prevention, the Director of the Department of Health

and Senior Services, the Governor, and the General Assembly (Sections 192.067 and 192.990).

#### INFECTION DATA REPORTING

This bill specifies that hospitals and the Department of Health and Senior Services shall not be required to comply with infection data reporting requirements if the Centers for Medicare and Medicaid Services (CMS) also requires the submission of such data, except that the department shall post a link on its website to the publicly reported data on CMS's website.

Additionally, hospitals that have established antimicrobial stewardship programs shall meet the National Healthcare Safety Network requirements for reporting antimicrobial usage or resistance when CMS's conditions of participation become effective. Nothing shall prohibit a hospital from voluntarily reporting the data prior to the effective date of the conditions of participation (Section 192.667).

#### PHYSICIAN ASSISTANTS

These provisions modify current law relating to supervision agreements between physicians assistants and supervising physicians by changing such agreements to collaborative practice arrangements with collaborating physicians. Collaborative practice arrangements shall delegate to the physician assistant the authority to prescribe, administer, or dispense drugs, including certain controlled substances, and provide treatment to patients.

Geographic proximity requirements shall be determined by the Board of Registration for the Healing Arts. Further requirements of collaborative practice arrangements are specified in the bill. No collaborative practice arrangement shall supercede existing hospital licensing regulations governing hospital medication orders for inpatient or emergency care. Additionally, the physician assistant program accrediting entity is changed under this bill to include other accreditation programs (Sections 193.015, 195.100, 334.037, 334.104, 334.108, 334.735, 334.736, 334.747, 334.749, 338.010, 630.175, and 630.875).

#### ELECTRONIC PRESCRIBING

Beginning January 1, 2021, no person shall issue a prescription for any Schedule II, III, or IV controlled substance unless the prescription is electronic and made to a pharmacy, excluding prescriptions issued in circumstances specified. Pharmacists receiving a written, oral, or faxed prescription shall not be required to verify that the prescription falls into one of the

exceptions and may continue to dispense medication from an otherwise valid non-electronic prescription. An individual who violates this provision may be subject to disciplinary action by his or her professional licensing board (Sections 195.060, 195.550, 196.100, 221.111, 338.015, 338.055, and 338.056).

#### OPIOID PRESCRIPTIONS FOR SICKLE CELL PATIENTS

This provision excludes patients undergoing treatment for sickle cell disease from the initial opioid prescription limitations in current law (Section 195.080).

#### VETERANS' HEALTH CARE FUND

Allows the Department of Health and Senior Services to establish a fee if the funds in the Missouri Veterans' Health Care Fund are insufficient to provide for the administration of the provisions of Article XIV of the Constitution (Section 195.820).

#### HOSPITAL INSPECTIONS

The Department of Health and Senior Services is prohibited from assigning an individual to inspect or survey a hospital if the inspector or surveyor was an employee of such hospital or another hospital within its organization or a competing hospital within 50 miles of the hospital to be inspected or surveyed within the previous two years. The department shall require inspectors or surveyors to disclose the name of every hospital in which he or she was employed in the previous 10 years, the length of service, and the job title held, as well as the same information for any immediate family member employed at a hospital. Such information shall be considered a public record. If any person has reason to believe that an inspector or surveyor has any personal or business affiliation that would result in a conflict of interest, he or she may notify the department. If the department has reason to believe the information to be true, the department shall not assign the inspector or surveyor to the hospital or any hospital within its organization (Section 197.108).

#### CERTIFIED NURSING ASSISTANTS

This bill requires certified nursing assistant training programs to be offered at skilled nursing or intermediate care facility units in Missouri veterans homes and hospitals. Certified nursing assistants shall include certain employees at such units and hospitals who have completed the training and passed the certification examination. The Department of Health and Senior Services may offer additional training programs and certifications to students already certified as nursing assistants as specified in

the bill (Section 198.082).

#### TICKET TO WORK HEALTH ASSURANCE PROGRAM

This bill extends the Ticket to Work Health Assurance Program's expiration date from August 28, 2019, to August 28, 2025 (Section 208.146).

#### MO HEALTHNET BENEFITS FOR FORMER FOSTER YOUTH

Persons who reside in Missouri, are at least 18 years of age and under 26, and who have received foster care for at least six months in another state shall be eligible for MO HealthNet benefits (Section 208.151).

#### MEDICAID PER DIEM REIMBURSEMENT RATES

Any intermediate care facility or skilled nursing facility participating in MO HealthNet that incurs total capital expenditures in excess of \$2,000 per bed shall be entitled to obtain a recalculation of its Medicaid per diem reimbursement rate based on its additional capital costs or all costs incurred during the facility fiscal year during which such capital expenditures were made (Section 208.225).

#### MISSOURI RX PLAN

Currently, only Medicaid dual eligible individuals meeting certain income limitations are eligible to participate in the Missouri RX Plan. This provision removes the Medicaid dual eligible requirement, while retaining the income limitations (Section 208.790).

#### SUSPENSION OF MO HEALTHNET BENEFITS OF OFFENDERS IN CORRECTIONAL FACILITIES AND JAILS

MO HealthNet benefits shall be suspended, rather than canceled or terminated, for offenders entering into a correctional facility or jail if the Department of Social Services is notified of the person's entry into the correctional center or jail, the person was currently enrolled in MO HealthNet, and the person is otherwise eligible for MO HealthNet benefits but for his or her incarcerated status. Upon release from incarceration, the suspension shall end and the person shall continue to be eligible for MO HealthNet benefits until such time as he or she is otherwise ineligible.

The Department of Corrections shall notify the Department of Social Services within 20 days of receiving information that a person receiving MO HealthNet benefits is or will become an offender in a



correctional center or jail and within 45 days prior to the release of such person whose benefits have been suspended under this bill. City, county, and private jails shall notify the Department of Social Services within 10 days of receiving information that a person receiving MO HealthNet benefits is or will become an offender in the jail (Sections 217.930 and 221.125).

#### FAMILY CAREGIVING AND PERSONAL CARE ASSISTANT SERVICES

Structured in-home family caregiving will be an agency-directed model under MO HealthNet to ensure availability of comprehensive and cost-effective choices for persons with Alzheimer's or a related disorder. This bill directs the Department of Social Services to apply to the United States Secretary of Health and Human Services for a structured family caregiver waiver under Section 1915(c) of the Federal Social Security Act, if needed. The department must request an effective date of not later than July 1, 2020. The bill specifies a cap of 300 participants. This bill also extends the sunset date for financial assistance for consumer-directed personal care assistance services from June 30, 2019 to June 30, 2025 (Sections 208.896 and 208.930).

#### PRESCRIBING OF LONG-ACTING OR EXTENDED RELEASE OPIOIDS BY DENTISTS

Long-acting or extended-release opioids shall not be used to treat acute pain in dentistry. Dentists shall avoid prescribing doses greater than 50 morphine milligram equivalents (MME) per day for treatment of acute pain. If the dentist believes doses greater than 50 MME are necessary to treat the patient, the dentist shall document and explain the reason for the dose greater than 50 MME. The Missouri Dental Board is required to maintain an MME conversion chart and instructions for calculating MMEs on its website (Section 332.361).

#### TELEHEALTH

This bill repeals the sunset provision on the utilization of telehealth for advanced practice registered nurses in rural areas of need (Section 335.175).

#### SUICIDE ASSESSMENT

This change requires marital and family therapists to complete two hours of suicide assessment, referral, treatment, and management training as a condition of initial licensure and as a condition of license renewal (Section 337.712).

#### TOBACCO CESSATION

The practice of pharmacy shall include the prescribing and dispensing of any nicotine replacement therapy product. A nicotine replacement therapy product is defined as any drug, regardless of whether it is available over-the-counter, that delivers small doses of nicotine to a person and that is approved by the Food and Drug Administration (FDA) for the sole purpose of aiding in tobacco or smoking cessation. The Board of Pharmacy and the Board of Healing Arts shall jointly adopt regulations governing a pharmacist's authority to prescribe and dispense nicotine replacement therapy products (Sections 338.010 and 338.665).

#### PHARMACIST VOLUNTARY COMPLIANCE AGREEMENTS

Currently, the Board of Pharmacy may issue letters of reprimand, censure, or warning to any pharmacist licensed, registered, or with a permit in the state for any violations that could result in disciplinary action. This bill specifies that, the board may enter into a voluntary compliance agreement with a pharmacist to ensure or promote compliance with current law and the rules of the board, in lieu of disciplinary action. The agreement shall be a public record, and the time limitation set forth for commencing a disciplinary proceeding shall be tolled while an agreement authorized under this bill is in effect (Section 338.140).

#### PHARMACY PILOT PROJECTS

The Board of Pharmacy may approve, modify, and establish requirements for pharmacy pilot or demonstration research projects related to technology assisted verification or remote medication dispensing that are designed to enhance patient care or safety, improve patient outcomes, or expand access to pharmacy services. Board approval of such pilot or research projects shall be limited to a period of up to 18 months. The board may rescind approval at any time, or approve an additional six month expansion if it is deemed necessary or appropriate to gather or complete research data or if it is deemed to be in the best interests of the patient. The provisions of this bill shall expire on August 28, 2023. The board shall provide a final report on the approved projects and related data or findings to the General Assembly on or before December 31, 2022. The name, location, approval dates, general description of and responsibilities for an approved pilot project shall be deemed an open record (Section 338.143).

#### UNANTICIPATED OUT-OF-NETWORK HEALTH CARE SERVICES

This specifies that health care professionals shall, rather than may, utilize the process outlined in statute for claims for unanticipated out-of-network care (Section 376.690).

## UTILIZATION REVIEWS

This bill replaces "utilization review organization" with "utilization review entity," and "prospective review" with "prior authorization review" throughout the statutes relating to utilization reviews. Additionally, other terms in the section have been modified.

This bill also replaces references to "initial certification" with "certification" and "initial determination" with "determination." Currently, notice of an adverse determination is required to include instructions for requesting a written statement of the clinical rationale, including the clinical review criteria used to make the determination. These requirements are repealed, and it now specifies that the adverse determination notice shall include a written statement of the clinical rationale, requires notice to the health care provider, and repeals the requirement that notice of the adverse determination must be requested. Written procedures to address a failure or inability of a provider or enrollee to provide all information necessary to make a decision shall be made available on the health carrier's website or provider portal. Provided the patient is an enrollee of the health benefit plan, no utilization review entity shall revoke, limit, condition, or otherwise restrict a prior authorization within 45 working days of its receipt by a health care provider. Provided the patient is an enrollee of the health benefit plan at the time the service is provided, no health carrier, utilization review entity, or health care provider shall bill an enrollee for any health care service for which a prior authorization was in effect at the time the service was provided, except as consistent with cost-sharing requirements applicable to covered benefits.

Any utilization review entity performing prior authorization review shall provide a unique confirmation number to a provider upon receipt from that provider of a request for prior authorization. Confirmation numbers shall be transmitted or otherwise communicated through the same medium through which the requests for prior authorization were made. No later than January 1, 2021, utilization review entities shall accept and respond to requests for prior authorization of drug benefits through a secure electronic transmission using the National Council for Prescription Drugs SCRIPT Standard Version 2017071 or a backwards-compatible successor adopted by the United States Department of Health and Human Services.

Also, no later than January 1, 2021, utilization review entities shall accept and respond to requests for prior authorization of health care services and mental health services electronically, which shall not include facsimile, proprietary payer portals, and

electronic forms. And, utilization review entities shall develop a single secure prior authorization cover page for all its health benefit plans utilizing prior authorization review, which the carrier or its utilization review entity shall use to accept and respond to, and providers shall use to submit, requests for prior authorization. The cover page shall include, but not be limited to, fields for certain information as specified.

Health carriers and utilization review entities to make available on its website or provider portal any current prior authorization requirements or restrictions, including written clinical criteria. Requirements and restrictions, including step therapy protocols, shall be described in detail. No health carrier or utilization review entity shall amend or implement a new prior authorization requirement or restriction prior to the change being reflected on the carrier or review entity's website or provider portal. Health carriers and utilization review entities shall provide in-network health care providers with written or electronic notice of the new or amended requirement not less than 60 days prior to implementing the requirement or restriction.

This bill also modifies the panel for a second-level grievance review for an adverse determination to require a majority of persons that are "clinical peers licensed to practice" rather than "appropriate clinical peers" in the same or similar specialty as would typically manage the case being reviewed (Sections 374.500, 376.1350, 376.1356, 376.1363, 376.1364, 376.1372, and 376.1385).

#### HEALTH INSURANCE REIMBURSEMENT

Health carriers and entities acting on their behalf from restricting methods of reimbursement to a method requiring health care providers to pay a fee to redeem the amount of their claim for reimbursement, discount the amount of their claim for reimbursement, or remit any other form of remuneration in order to redeem the amount of their claim for reimbursement. Health carriers initiating or changing the method of reimbursement to such forms shall notify health care providers of the fee, discount, or other remuneration required to receive reimbursement through the new or different method and provide clear instructions to the provider as to how to select an alternative payment method. A health carrier shall allow the provider to select to be reimbursed electronically. Violation of these provisions shall be deemed an unfair trade practice under the Unfair Trade Practice Act (Section 376.1345).

#### VARIOUS INSURANCE PROVISIONS

Multiple employer self-insured health plans having a certificate of

authority approved by the Director of the Department of Insurance, Financial Institutions and Professional Registration may offer such plans to the public. Health carriers acting as an administrator for a plan shall permit any willing licensed broker to market such plans.

Third-party payers for health care services shall not limit coverage or deny reimbursement for treatment for physical, cognitive, emotional, mental, or developmental disabilities in specified situations (Sections 376.1040, 376.1042, and 376.1224).

This bill makes changes regarding second-level reviews of grievances. When a grievance receives an adverse determination and the advisory panel makes a preliminary decision that the determination should be upheld, the health carrier shall submit the grievance for review to two independent clinical peers in the same or similar specialty as would typically manage the case being reviewed, and who were not involved in the circumstances giving rise to the grievance or in any subsequent investigation or determination of the grievance. In the event that both independent reviews agree with the grievance advisory panel's preliminary decision, the panel's decision shall stand. In the event that both independent reviewers disagree with the grievance advisory panel's preliminary decision, the initial adverse determination shall be overturned. In the event that one of the two independent reviewers disagrees with the grievance advisory panel's preliminary decision, the panel shall reconvene and make a final decision in its discretion (Sections 376.1372 and 376.1385).

- - - - -  
SS SCS SJRs 14 & 9 -- TERM LIMITS FOR PUBLIC OFFICERS

Upon voter approval, this proposed Constitutional amendment enacts identical term limits of two terms of four years per term for each statewide elected official. Any person who serves for more than two years to a term to which another individual was elected cannot be elected more than once to that office. Service in the offices of Governor or State Treasurer prior to December 3, 2020, counts for purposes of the term limits.