

LEGISLATIVE UPDATE
WEEK ENDED 3/8/19

The main work for the next few weeks will be committee hearings with priority bills likely to come out first. Changes from last week are in red.

Court Bills

[HB 67](#) (Plocher) - allows a court to order credit for time served when an individual has been held in custody for a show cause order pertaining to any matter related to a minor traffic violation. The bill further requires any summons, notice to appear, or citation for a minor traffic violation to include the date and time a defendant is to appear in court when the defendant is first provided the summons, notice to appear, or citation. If the summons does not include such information when first given to the defendant, the summons will be void. The bill also prohibits a prosecutor in a county with a population greater than 250,000 from concurrently serving as city attorney. General Laws Committee. Heard 1/23. Passed Committee 1/24. Assigned Rules Committee. Passed Committee 1/28. Perfected 2/5. Passed House 2/7. Senate Criminal Jurisprudence Committee.

[HB 385](#) (Ellebracht) - specifies that limits on fines for traffic violations shall not apply if the defendant is represented by counsel and entered into a plea agreement with the court.

[HB 415](#) (Gray) - specifies that if the court finds that a defendant is indigent or is without sufficient disposable income to pay restitution, court costs, fees, expenses, or fines in whole or in installments over a one-year period, upon motion of the defendant, the court must consider sentencing the defendant to perform community service.

[HB 427](#) (Helms) - repeals provisions stating that failure to appear procedures in moving traffic violation cases, which include driving license suspension, shall not apply to minor traffic violations. This bill repeals a provision prohibiting a municipal judge from serving as a municipal judge in more than five municipalities. The terms "annual general operating revenue," "minor traffic violation," and "municipal ordinance violation," as applied in provisions regarding the assessment of fines in minor traffic violation and municipal ordinance violation cases, are modified. The bill repeals a provision prohibiting defendants in minor traffic violation or municipal ordinance violation cases from being placed in confinement for failure to pay a fine unless such nonpayment violates terms of probation or unless due process procedures are followed. This bill specifies that if such defendant fails to appear and the court finds there is not good cause for failing to appear, the current limitations regarding fines and confinement shall not apply. The bill also decreases the maximum amount of the fine a court can assess for minor traffic violations, if combined with court costs, from \$225 to \$150. Currently, a county or municipality that has a municipal court must submit a financial report to the auditor. This bill provides that a county or municipality meets compliance with this requirement by filing a statement confirming that 20% or less of its general revenue comes from fines, bond forfeitures, and court costs in municipal court cases. This bill modifies the procedures to be adopted and certified by each municipal court by repealing the procedure of prohibiting the detention of defendants in order to coerce the payment of fines and costs unless such defendant is found to be in contempt after compliance with due process and the procedure stating that the community service alternatives are to be offered at no cost to the defendant. Judiciary Committee. Heard 2/26. **Passed Committee 3/5. Referred Rules Committee.** (Support)

[HB 529](#) (Haffner) - Currently, if a Missouri resident is charged with a moving traffic violation and without good cause fails to pay the fine or court costs, the person's driver's license may be suspended. However, this does not apply to minor traffic violations. This bill repeals the restriction on minor traffic violations. Currently, there shall not be an additional charge in a municipal court for failure to appear for a minor traffic violation. The bill repeals that provision.

[HB 1045](#) (Falkner) - allows any city or village to establish, by ordinance, an administrative adjudication system for certain municipal code violations. The administrative tribunal shall operate under the supervision of the municipal court. Currently, the administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance. This bill provides that administrative law judges may be municipal court

judges or other persons qualified to be a municipal court judge. Points for driving violations shall be assessed by the Department of Revenue in the same manner as municipal court proceedings.

[HB 1202](#) (Carpenter) - requires that fines from municipal ordinance violations in cases heard before an associate circuit judge be distributed to county schools. (Oppose)

[SB 79](#) (Emery) - modifies the definition of the terms "annual general operating revenue" and "minor traffic violation" as applied in provisions regarding the assessment of fines in minor traffic violation and municipal ordinance violation cases. "Annual general operating revenue" now includes, rather than excludes, designated sales or use taxes, restricted user fees, grant funds, funds expended for technological assistance and other revenue designated for a specific purpose. The term "minor traffic violation" now excludes, rather than includes, amended charges. A court shall not assess a fine and court costs in excess of \$500, rather than \$225, in minor traffic violations. Currently, not more than twenty percent of a municipality's annual general operating revenue can come from certain fines, penalties, and forfeitures. The act repeals court costs and amended charges for municipal ordinance violations from being included in the twenty percent calculation. This act also removes a provision specifying that beginning January 1, 2016, the previous thirty percent limitation on municipal income shall be reduced to twenty percent except in St. Louis County, where it shall be reduced to twelve and one half percent. Current law requires counties and towns with a municipal court to file with the State Auditor a report demonstrating compliance with certain municipal court procedures. This act repeals the requirement that the court establish procedures to allow indigent defendants to present evidence of their financial condition. The act also repeals the municipal court requirements that community service alternatives are to be offered at no cost to the defendant, and that no additional charge shall be issued for the failure to appear for a minor traffic violation. Finally, the act repeals provisions which establish procedures to dissolve a municipal government when it fails to remit the revenue collected from certain fines, penalties, and forfeitures in excess of twenty percent to the DOR. Local Government Committee. (Support)

[SB 207](#) (Emery) - allows any city or village to establish, by ordinance, an administrative adjudication system for certain municipal code violations. The administrative tribunal shall operate under the supervision of the municipal court. Currently, the administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance. This act provides that administrative law judges may be municipal court judges or other persons qualified to be a municipal court judge. Points for driving violations shall be assessed by the Department of Revenue in the same manner as municipal court proceedings. Currently, any final determination of a code violation by an administrative tribunal may be reviewed under the Administrative Procedure and Review Act or by a trial de novo in circuit court, at the request of the defendant within 10 days. This act repeals the availability of review by a trial de novo in circuit court and only provides for judicial review under the Administrative Procedure and Review Act. Local Government Committee. Heard 2/20. Passed Committee 3/6. (Support)

[SB 392](#) (Wieland) - allows for municipal courts to select and operate a case management system. The Supreme Court of Missouri shall allow a two-way interface that supports integrated functions between the municipal court case management system and the Missouri state courts case management system. The Supreme Court shall develop rules regarding the interface. Criminal Jurisprudence Committee. Heard 3/4. (Support)

Economic Development Bills

[HB 31](#) (Stacy) - provides that the board or body overseeing a special taxing district may elect to have 50% of their property or sales taxes excluded from a TIF project or plan by passing a resolution with a two-thirds majority provided certain notice and public comment requirements are met. A school board of a school district may also elect to have 50% of its portion of property tax revenue allocated to the district by a county or city excluded from a TIF project or plan by passing a resolution with a two-thirds majority provided certain notice and public comment requirements are met.

[HB 32](#) (Stacy) - a municipality cannot adopt a redevelopment plan without making certain findings, which now must include a study conducted by a third party that includes a detailed description of the qualifying factors. This bill also prevents tax increment allocation financing in retail areas unless financing is exclusively used to fund retail infrastructure projects or if it is located in a blighted area or conservation area. Also includes provisions from HB 31 above.

[HB 84](#) (Beck) - changes the definitions of "economic activity taxes" in TIF projects to exclude local sales taxes dedicated to an education program or a fire protection district and "payment in lieu of taxes" to exclude revenue from any tax levied on real property whose revenue is dedicated to an education program or a fire protection district. The bill requires a redevelopment commission to approve a redevelopment plan before the redevelopment project can begin.

[HB 88](#) (Beck) - modifies the Fairness in Public Construction Act by permitting the state or any political subdivision to enter into a union-only project labor agreement for the procurement of construction services on a project-by-project basis if the project is funded 50% or less with state funds and sets forth certain criteria that must be considered before the state or a political subdivision may enter into such an agreement.

[HB 94](#) (Green) - TIF cannot be used for more than 5% of the total estimated redevelopment costs or 30% of the infrastructure costs, whichever is greater, of a project that is primarily retail unless the redevelopment is in a municipality, census block group, or group of block groups with a median household income less than 70% of that of the metropolitan area, a distressed community, a federal enterprise zone, or a federal empowerment zone.

[HB 137](#) (Kidd) - authorizes a school board to remove its district's operating levy from the definition of levies that are subject to tax increment allocation financing for redevelopment projects.

[HB 698](#) (Coleman) - modifies local tax increment financing projects by providing that a study shall be conducted by a party other than the proponent of the redevelopment plan, which details how the area meets the definition of an area eligible to receive tax increment financing. This act modifies the definitions of "blighted area" and "conservation area". This act also provides that retail areas, as defined in the act, shall not receive tax increment financing unless such financing is exclusively utilized to fund retail infrastructure projects, as defined in the act, or unless such area is a blighted or conservation area.

[HB 962](#) (Washington) - modifies the definition of a blighted area where TIF projects are possible to be areas where buildings are unsafe or unsanitary provided the area also qualifies as a distressed community, where the level of unemployment is one and one-half times greater than the state average unemployment rate, or where the average household income is less than 50% of the average household income of the surrounding metropolitan statistical area.

[HB 969](#) (Proudie) - prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance. Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary. If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political subdivision for various remedies including a cease and desist order, compensatory.

[HJR 3](#) (Ellington) - Constitutional amendment would prohibit counties and other political subdivisions from authorizing tax increment financing pursuant to a redevelopment plan unless such plan is approved by a majority of the qualified voters of that county or political subdivision. (Oppose)

[SB 108](#) (Koenig) - modifies local tax increment financing projects by providing that a study shall be conducted by a party other than the proponent of the redevelopment plan, which details how the area meets the definition of an area eligible to receive tax increment financing. This act modifies the definitions of "blighted area" and "conservation area". This act also provides that retail areas, as defined in the act, shall not receive tax increment financing unless such financing is exclusively utilized to fund retail infrastructure projects, as defined in the act, or unless such area is a blighted or conservation area. Ways & Means Committee. Heard 2/12. Committee Substitute Passed 2/21. Senate Perfection Calendar.

[SB 311](#) (Nasheed) - modifies local tax increment financing projects by limiting such projects to redevelopment areas that are found to be blighted. This act also provides that a redevelopment area shall not be found to be blighted without a study conducted by a party other than the municipality and developer which details how the redevelopment area meets

the definition of "blighted area". This act modifies the definition of "blighted area". This act also modifies the definition of "redevelopment plan" and "redevelopment area" to provide that such definitions shall not include "conservation areas" or "economic development areas". This act prohibits new projects from being authorized in any Greenfield area. Economic Development Committee.

Election Bills

[HB 28](#) (Stacy) - requires local elections to use the instant runoff ranked choice voting method. Voters rank the candidates in an ordinal preference fashion and then the candidate with the lowest total is eliminated and the process is repeated until a result is reached as specified in the bill. Elections Committee.

[HB 30](#) (Stacy) - requires the circuit court to conduct transportation development district director elections in a manner similar to mail-in elections for any registered voters in a district.

[HB 363](#) (Roeber) - prohibits the contribution or expenditure of public funds, including public resources or specified property, by any officer, board member, director, administrator, employee, or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. The bill does not prohibit these individuals from making public appearances or from issuing press releases concerning any such ballot measure. Elections Committee. Heard 1/30. Passed Committee 2/27.

[HB 595](#) (Christafonelli) - changes the filing period for political subdivision elections to the period beginning at 8:00 a.m. on the 17th Tuesday prior to the election day and ending at 5:00 p.m. on the 14th Tuesday prior to the election day. Elections Committee. **Hearing 3/13.**

Land Use and P&Z Bills

[HB 116](#) (Runions) - provides that, as an alternative to the municipal planning commission electing its chair, the mayor, with the approval of the board or council, must appoint one citizen member from the first ward of the municipality to be chair of the planning commission; thereafter, the term of chair shall be for one year, and the position of chair shall rotate among wards in numerical order.

[HB 623](#) (Wood) - authorizes the Board of Adjustment to keep records of all testimony, objections thereto, and rulings thereon by any form of audiotape, videotape, or digital recording.

[HB 1189](#) (Plocher) - **prevents a political subdivision from requiring a property owner from having a home inspection conducted of a residential property regarding the sale of the property. The bill does not apply to any inspection requirement of new construction or occupancy permits.**

[SB 320](#) (Hough) - modifies the notice given to a property owner that is seeking the abatement of any nuisance on their property. Additionally, this act repeals a provision requiring notice be given to the occupant of the property instead of the owner of the property in certain circumstances. If the nuisance on the property is overgrown vegetation or weeds that are seven inches or more in height, this act provides a municipality or county may provide one time notice to the property owner in a manner that is only available for this particular nuisance. Progress & Development Committee. Heard 2/26. **Passed Committee 3/5.**

Miscellaneous Bills

[HB 246](#) (Neely) - relates to conflicts of interest for the governing body of a political subdivision. The bill specifies the process for resolution of certain conflict of interest problems that arise when a quorum of members is prevented from voting because one or more members has a conflict of interest. In such cases, the board or other entity may seek an opinion from the Missouri Ethics Commission either allowing the vote because it is in the best interests of the public or not allow the vote. If the commission declines to allow a member with a conflict of interest from participating in a vote, then the common law rule of necessity cannot be invoked to allow the vote. The commission must notify the governing

body of its decision within 30 days of receiving the referral and the disqualified member may appeal to the commission within 30 days of being notified of the decision. Local Government Committee. Heard 1/29.

[HB 271](#) (Shaul) - prohibits political subdivisions from adopting ordinances restricting the use of plastic bags or other disposable containers. Local Government Committee. **Heard 3/5.** (Oppose)

[HB 297](#) (Hicks) - prohibits villages, towns, and cities from regulating dogs in a breed-specific manner. Urban Issues Committee. Heard 2/27. (Oppose)

[HB 386](#) (Ellebracht) - amends the Missouri Sunshine Law in Chapter 610, RSMo, amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances. The bill expands the requirements for preservation of communications through electronic means, including social media accounts, and requires the public entity to produce such records in usable electronic format.

[HB 412](#) (Gray) - Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a twelve-month period.

[HB 473](#) (Grier) - Prohibits municipalities from regulating home based businesses. Downsizing Government Committee. Heard 2/11. Committee Substitute Passed 2/21. Referred Rules Committee. Passed Rules Committee 2/26. (Oppose)

[HB 483](#) (Stacy) - a political subdivision shall evaluate and approve or deny a building plan, or application or inspection for a certificate of occupancy, not signed and sealed by an engineer or architect licensed in this state within five days of the plan's submission or one day of the application's or inspection's submission. A denial must include the reason therefore, specific citations to the building code, and the actions required to receive approval. Resubmissions of a denied plan shall be evaluated within five business days of resubmission while resubmission of a denied application or inspection shall be evaluated within one business day. A new plan, application, or inspection shall be approved if it includes changes that remedy all reasons for its original denial. Resubmitted plans cannot be denied for any requirement not stated in the initial denial. If a political subdivision fails to evaluate and approve or deny a plan, application, or inspection within the required time, the plan will be deemed approved and a permit shall be issued within seven business days of submission or resubmission while the application or inspection shall be deemed approved and a certificate of occupancy shall be issued within two business days. A political subdivision shall approve a residential building plan signed and sealed by an engineer or architect licensed in this state and issue a permit within two days of the plan's submission. An application or inspection for a certificate of occupancy signed and sealed by an engineer or architect licensed in this state shall be approved and a certificate issued within one business day of the application's or inspection's submission. In lieu of a political subdivision conducting building permit inspections, the recipient of the permit may hire an architect or engineer licensed in this state to inspect the work and report the results to the political subdivision using uniform inspection forms. A process and schedule for the issuance of a temporary certificate of occupancy are specified in the bill. Each violation by any member of a political subdivision is a class A misdemeanor and shall make the political subdivision liable to the applicant for a civil penalty of \$5,000 per violation. **Downsizing Government Committee. Hearing 3/11.** (Oppose)

[HB 490](#) (Evans) - expands the definition of "contractor" as used in the law requiring contractors on public works projects to provide a security bond to the public entity. The expanded definition now includes persons or entities who arrange for construction services by performing the construction services or entering into a contract with others to perform the construction services. Insurance Policy Committee.

[HB 689](#) (Mitten) - prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance. Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary. If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political

subdivision for various remedies including a cease and desist order, compensatory damages, attorney's fees, court costs, and other equitable relief.

[HB 733](#) (Franks) - authorizes the sale of the St. Louis airport subject to a vote by the City of St. Louis to sell the airport to either a private owner or the County of St. Louis. If the city votes in the affirmative, then the sale is conducted by the FAA using an existing process in federal law, but the County of St. Louis will have the option of a first right of refusal to purchase the airport under the same terms and price as it would transfer to a private owner under the federal process.

[HB 759](#) (Bondon) - changes the laws relating to video service providers. Prior to January 1, 2021, franchise entities may collect a video service provider fee from video service providers as specified in the bill. On and after January 1, 2021, every video service provider and competitive video service provider shall pay a fee to the Department of Revenue of no more than 3% of gross revenues from video service. Utilities Committee.

[HB 761](#) (Pfautsch) - specifies that any fine received by a political subdivision for failing to timely file an annual financial statement shall not exceed 10% of the total sales and use tax distribution for the fiscal year of the statement filed. If the failure to submit the statement was a result of fraud or other illegal conduct by any employee, the failure shall not result in a fine. Local Government Committee. Heard 2/12. Passed Committee 2/19. Referred Rules Committee. Passed Rules Committee 2/26. (Support)

[HB 762](#) (Wieman) - establishes the "Missouri Municipal Government Expenditure Database," to be maintained by the Office of Administration. For each fiscal year beginning on or after January 1, 2022, the database must include extensive information about a given municipality's expenditures and the vendors to whom payments were made. The data base must be accessible by the public without charge and have multiple ways to search and filter the information. Municipalities with websites must provide a link to the database. A municipality must provide the information to the Office of Administration on a biannual basis or it will be fined \$100 per day after 30 days. **During the executive session this week, the bill was amended to make this a voluntary process for cities. The penalties were removed and language was added that requires the state to pay for all associated expenses incurred by the cities. Language was also added that would allow 5% of the registered voters from the last election in a city to bring a petition forcing a city to put their financial information on the state portal.** Local Government Committee. Heard 2/19. **Committee Substitute Passed Committee 3/5. Referred Rules Committee.**

[HB 791](#) (Griesheimer) - 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. **Workforce Development Committee.**

[HB 955](#) (McCreery) - requires that a sewer district must notify a condominium owner that it is responsible for and served by its own lateral sewer line each time a notification of change of assessment is sent to the property owner.

[HB 1196](#) (Ruth) - **modifies provisions for government tort liability.**

[SB 122](#) (Burlison) - This act establishes the Stop Socialism Act. The act creates a cause of action by any person against a state or local public body if the public body provides, or offers to provide, a competitive service that is also provided by the person within the jurisdiction of the public body. Upon showing by a preponderance of the evidence that the offering of the service by the public body has been to the economic detriment of the person, the court shall award the person damages in an amount equal to the revenue lost by the person due to the actions of the public body. A court may also enjoin the public body from continuing to offer the competitive service. General Laws Committee. Heard 2/5. **Passed Committee 3/5. (Oppose)**

[SB 124](#) (Hough) - authorizes a political subdivision to hold a vote on whether or not to cover emergency fire and police telecommunicators, jailors, and emergency medical service personnel as public safety personnel members in the Missouri local government employees' retirement system. If the election made then the minimum retirement age for public safety personnel is 55 years of age. Health/Pension Committee. **Hearing 3/13.**

[SB 125](#) (Hough) - establishes the "Missouri Municipal Government Expenditure Database," to be maintained by the State Treasurer in conjunction with the Office of Administration. For each fiscal year beginning on or after June 1, 2020, the database shall include detailed information about a given municipality's expenditures and the vendors to whom payments were made. The database must be accessible by the public without charge and have multiple ways to search and filter the information. Municipalities with website's must provide a link to the database. A municipality must provide the information to the Treasurer on a quarterly basis or it will be fined \$100 per day after 14 days. The fine will be collected by offsetting sales and use tax distributions due to the municipality and will be distributed to the schools of the county in the same manner that penalties, forfeitures, and fines for breaches of penal laws are distributed. Local Government Committee. (Oppose)

[SB 215](#) (Schupp) - Current law states that all merchants are required to provide customers the option of either a paper or plastic bag. Political subdivisions are also prohibited from imposing any ban on the use of either paper or plastic bags. This act repeals these provisions. Local Government committee. (Support)

[SB 268](#) (Wieland) - Under current law, many legal notices are required to be published by a public body in a newspaper of general circulation within a particular area. This act repeals those requirements and instead requires the public body to post the legal notice on the front page of its website, if it has one. If the public body does not have a website, the notice shall be sent to the Secretary of State who shall publish the notice on the Legal Notices Website, required to be established and maintained by the Secretary pursuant to this act. General Laws Committee. Heard 2/26. (Support)

[SB 273](#) (Emery) - Beginning Jan. 1, 2021, every provider of video services will remit a 3 percent fee to the Missouri Department of Revenue. 100 percent of the 2019 Video Service Provider Fee Base shall be allocated and distributed among each franchise entity that imposed a video service provider fee on or before Jan. 1, 2019. All remaining funds shall be transferred to the Rural Broadband Fund established by the act to expand access to broadband internet service in unserved and under-served areas of the state. Commerce Committee. Heard 2/27. (Oppose)

[SB 380](#) (Hough) - preempts any procurement policy of a political subdivision that is in conflict with state law. Local Government Committee.

[SB 515](#) (Sater) - **provides that all public advertisements, notices, orders of publication, and legal publications required by law or directed by the court to be published in a newspaper, newspaper of general circulation, or daily newspaper shall additionally be posted on a website established and maintained by at least a majority of the newspapers whose principal place of business is in Missouri, at no cost to the state, to any political subdivision or to any person or entity thereof who shall be responsible for directing the notice be published. When any such notice is required to be published more than once, the newspaper may not charge for the second and successive insertions of the notice at a rate greater than eighty-five percent of the newspaper's regular local classified advertising rate.**

Personnel Bills

[HB 48](#) (Bangert) - establishes a presumption that post-traumatic stress disorder diagnosed in an emergency worker, during his or her service or within three years of the date of last active service, shall be an occupational disease compensable under Section 287.067.

[HB 568](#) (Black) - allows political subdivision to elect to cover emergency telecommunicators, jailors, and emergency medical service personnel as public safety personnel members of the public safety system. Pension Committee. **Heard 3/5.**

[HB 605](#) (Carpenter) - Requires minimum wage rates for public employees.

[SB 212](#) (Sifton) - the death, disability, or impairment of health of any person who is a firefighter, police officer, emergency medical technician, or other first responder of any political subdivision shall be considered an occupational disease if the following conditions are met: the person must have completed five or more years of employment as a firefighter, police officer, emergency medical technician, or other first responder; the death, disability, or impairment of health must have been caused by a disease of the lungs or respiratory tract, hypertension, cardiovascular-renal disease, or post-traumatic stress disorder; the death, disability, or impairment of health must be the result of employment as a firefighter, police officer, emergency medical technician, or other first responder; and the person must have taken a physical examination upon becoming employed that failed to reveal any evidence of any condition or impairment of health. Clear and convincing medical evidence that the cause of the condition or impairment of health of the person is unrelated to their employment is required in order to deny a workers' compensation claim under this act. Small Business Committee.

[SB 281](#) (Brown) - provides that if, preceding the date of injury or death, an employee who is on active duty as a first responder is diagnosed with a mental impairment and such person was not previously diagnosed such an impairment, then the impairment shall presumptively be considered an occupational disease and shall be presumed to have arisen out of and in the course of employment. This presumption may be rebutted by the employer or insurer. Insurance Committee.

Public Safety Bills

[HB 81](#) (Hill) - requires, within five years, that any city with a population of 5000 or less inhabitants, with an area of less than two square miles, with a municipal police department, and located in St. Louis County, to disband its police department and to contract for law enforcement services with either the county police department, or another city. Downsizing Government Committee. Heard 2/11. **Passed Committee 3/5. Referred Rules Committee.** (Oppose)

[HB 128](#) (Carter) - adds a requirement that the Peace Officer Standards and Training commission include in its requirements for continuing education a requirement that all peace officers complete a minimum of 72 total credit hours of continuing education training within each 3-year reporting period.

[HB 150](#) (Ellington) - in order to search a vehicle or person inside a vehicle regarding an alleged violation of law or ordinance, this bill requires the peace officer to read a statement specified in the bill to a person with the authority to provide permission to search the vehicle or to the person who would be subject to the search. The peace officer may conduct the requested search only if the person subject to the search consents.

[HB 236](#) (Franks) - repeals a section of statute that states that an officer may use all means necessary to effect an arrest if the defendant flees or forcibly resists after the officer gives notice to the defendant of his or her intention to arrest the defendant.

[HB 446](#) (Dogon) - requires every law enforcement agency to have a written policy regarding the investigation of officer-involved deaths. The written policy specified in the bill requires an investigation to be conducted by at least two investigators in the case of a traffic-related death; the investigation to use a crash reconstruction unit; and allows for an internal investigation. The investigators conducting an investigation must provide a complete report to the prosecutor of the county.

[HB 910](#) (Mitten) - requires a peace officer to provide an oral advisement and obtain written consent for a voluntary search of a person not under arrest or the person's effects or vehicle.

[HB 928](#) (Schroer) - specifies certain rights a law enforcement officer has when he or she is the subject of an administrative investigation or is being questioned or interviewed. These rights include being informed of the violation, requiring the complaint to be supported by a sworn affidavit and allowing the officer to have an attorney. This bill provides that any law enforcement officer who is suspended without pay, demoted, terminated, transferred, or placed on a status resulting in economic loss is entitled to a full due process.

[SB 75](#) (Curls) - authorizes any county, city, or village, to enact an ordinance to require that any person carrying a concealed weapon within the boundaries of such political subdivision must have a valid concealed carry permit or endorsement. Any penalty for violation of the ordinance must be consistent with authority granted to such political subdivision under state law. Public Safety Committee.

[SB 121](#) (Burlison) - would allow concealed weapons at local government meetings, bars, child care facilities and colleges, among other locations. Would prohibit cities from passing any law limiting concealed weapons. Public Safety Committee. Heard 2/28 (Oppose)

[SB 294](#) (Hough) - cancer contracted by a firefighter shall be presumed as an occupational disease under the following circumstances. Insurance Committee. **Heard 3/6.**

Reorganization Bills

[HB 734](#) (Franks) - specifies that a vote of whether to merge political subdivisions shall only be submitted to residents of political subdivisions subject to the potential merger. (Support)

[HB 946](#) (Falkner) - specifies that a vote of whether to merge political subdivisions shall only be submitted to residents of political subdivisions subject to the potential merger. (Support)

[HJR 37](#) (Bosley) - Constitutional amendment specifies that any change to the territories or governments of St. Louis city and St. Louis County shall only occur as authorized by Article VI, Sections 30(a) to 30(c) of the state constitution. (Support)

[HJR 43](#) (Chappelle-Nadal) - **Constitutional amendment to annex St. Louis City into the County.**

[HJR 51](#) (Plocher) - **Constitutional amendment to require 60% voter approval to approve future amendments.** (Support)

[HJR 54](#) (Plocher) - **constitutional amendment requiring ballots to merge or dissolve cities or counties only be approved if those cities or counties approve the ballot.** (Support)

[HCR 25](#) (Dogan) - concurrent resolution opposing any statewide vote or legislative mandate on governmental reorganization regarding the City of St. Louis and St. Louis County. (Support)

[SJR 21](#) (May) - under this constitutional amendment, the authority granted by the Missouri Constitution to consolidate St. Louis City and St. Louis County shall be exercised by a vote of only the people of the City and County. Local Government Committee. (Support)

[SJR 22](#) (Nasheed) - provides if any amendment to the Missouri Constitution directly modifies the form of government of one or more counties, cities, or towns then such amendment shall only go into effect if a majority of the voters in each affected county, city, or town vote in favor of the amendment. (Support)

[SCR 1](#) (Walsh) - This concurrent resolution opposes any statewide vote or legislative mandate on governmental reorganization regarding the City of St. Louis and St. Louis County. Rules Committee. Heard 2/19. Passed Committee 2/26. On Senate Calendar. (Support)

Taxation and Revenue Bills

[HB 41](#) (Lavender) - requires certain out-of-state sellers with no physical presence in Missouri to collect and remit Missouri sales tax. The seller must remit sales tax if he or she sells tangible personal property or products electronically and had previous or current calendar year sales of at least \$100,000 or 200 or more transactions in this state. (Support)

[HB 374](#) (Christafonelli) - original bill proposed a sales tax cap of 14%. Substitute language was adopted that dramatically changes the bill. Specifically, it removes the 14% sales tax cap and enacts new provisions that require sales tax ballots to specify the highest sales tax rate, the lowest sales tax rate and the average sales tax rate in the municipality. Ways & Means Committee. Heard 1/30. Passed Committee 2/27. Referred Rules Committee. **Passed Rules Committee 3/5. On Perfection Calendar.**

[HB 548](#) (Eggleston) - Establishes Simplified Remote Sales Tax provisions. Ways & Means Committee. Heard 1/30. **Passed Committee 3/6. Referred Rules Committee.**

[HB 593](#) (Christafonelli) - lower state income tax, enacts collection of sales taxes by businesses without a nexus in the state and establishes a simplified remote sales tax act.

[HB 674](#) (Kolkmeier) - allows any city to levy a hotel tax to promote tourism. Local Government Committee. **Hearing 3/12.**

[HB 701](#) (Falker) - provides that a vendor will be considered to be engaging in business activities in this state when certain criteria specified in the bill is met. Vendors meeting such criteria will be required to collect and remit the use tax as provided under current law. This bill also requires the Director of the Department of Revenue to provide and maintain a downloadable electronic database at no cost to the user of the database for taxing jurisdiction boundary changes and tax rates.

[HB 724](#) (Morgan) - enacts the Streamlined Sales and Use Tax Agreement and establishes a dedicated fund for early childhood education.

[HB 736](#) (Justus) - would source all retail sales in this state, excluding leases and rentals, of tangible personal property or digital goods to the location from which the seller ships the order or, if the seller does not ship the order, to the location where the seller receives the order. Ways & Means Committee.

[HB 883](#) (Swan) - adds language that the prepaid wireless emergency telephone service charge on retail transactions applies to items 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.

[HB 908](#) (Love) - implements the Streamlined Sales and Use Tax Agreement. Ways & Means Committee.

[HB 1207](#) (Razer) - **establishes provisions for the collection of online sales tax.**

[HB 1227](#) (Plocher) - **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. General Laws Committee.**

[HB 1245](#) (Bosley) - **establishes provisions for the collection of online sales tax.**

[HJR 8](#) (Ellebracht) - Constitutional amendment would prevent increases in the rates of any personal property taxes for individuals 65 years or older.

[HJR 19](#) (Christafanelli) - requires approval of 50% of registered voters for tax increase elections. Downsizing Government Committee. Heard 2/25. **Passed Committee 3/4. Referred Rules Committee.** (Oppose)

[HJR 23](#) (Lovasco) - Constitutional amendment to eliminate personal property tax. Ways & Means Committee. Heard 2/27. (Oppose)

[SB 46](#) & 50 (Koenig) - lower state income tax, enacts collection of sales taxes by businesses without a nexus in the state and enacts the streamlined sales law. Ways & Means Committee. Heard 1/29. Passed Committee as Substitute 2/12. Senate Informal Perfection Calendar.

[SB 52](#) (Eigel) - lowers state income tax but increases state sales tax by 2%. This act also places a cap of 8.775% on the combined rates of local sales taxes for any given taxing jurisdiction. Taxing jurisdictions in which the combined rate of sales taxes is in excess of such cap as of January 1, 2020, shall not be required to reduce or repeal any such taxes, but shall not be authorized to impose any new tax which shall result in a total combined rate of sales taxes in excess of the cap established in this act. Ways & Means Committee. Heard 2/12. Committee Substitute Passed 2/21. Senate Perfection Calendar. (Oppose)

[SB 112](#) (Eigel) - repeals the St. Louis and Kansas City earnings tax over a 10 year period. Ways & Means Committee. (Oppose)

[SB 149](#) (Koenig) - caps combined local sales tax rate at 7.275% (county, municipal and special districts). Government Reform Committee. **Hearing 3/12.** (Oppose)

[SB 189](#) (Crawford) enacts collection of sales taxes by businesses without a nexus in the state and clarifies use tax ballot language. Local Government Committee. Heard 2/20. (Support)

[SB 291](#) (Wallingford) - adds language that the prepaid wireless emergency telephone service charge on retail transactions applies to items 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. Commerce Committee. Heard 2/13. Committee Substitute Passed 2/20. **Perfected 3/5. Passed Senate 3/7.**

[SB 315](#) (Burlison) - no political subdivision of this state shall impose any occupational fees or licensing requirements on any profession if the political subdivision does not already impose occupational fees or licensing requirements on that profession. The political subdivision may continue to regulate any profession or occupation that is subject to occupational fees or licensing requirements so long as the fees do not exceed \$25 per year. If a profession is already subject to occupational fees that exceed \$25 per year, the existing fees do not apply and the licensing authority shall immediately reduce the fees to \$25. Professional Registration Committee. Heard 2/25.

[SB 333](#) (Rizzo) - increases the fire department sales tax rate from 1/4 cent to 1/2 cent. Local Government Committee. Heard 2/20. **Passed Committee 3/5. Senate Perfection Calendar.**

[SB 430](#) (Libla) - increases the gas tax by 2 cents for each of the next 3 years. **Hearing 3/14.** (Support)

[SB 483](#) (Hoskins) - **provides that if telecommunications services that are taxable under current law are aggregated with and not separately stated from charges for telecommunications services that are not taxable under current law, the nontaxable services may be subject to tax unless the telecommunications provider can identify by reasonable and verifiable standards the portion of the charges not subject to tax, as described in the act.**

[SJR 4](#) (Eigel) - Constitutional amendment to place a cap on annual appropriations and reduces income tax rates based on revenue growth. Appropriations Committee. (Oppose)

[SJR 5](#) (Eigel) - Constitutional amendment to eliminate personal property tax. Local Government Committee. (Oppose)

[SJR 10](#) (Burlison) - Constitutional amendment to place a cap on annual appropriations and reduces income tax rates based on revenue growth. Appropriations Committee. (Oppose)

[SJR 12](#) (Eigel) - Constitutional amendment to require approval of 50% of registered voters for tax increase elections. Local Government Committee. (Oppose)

[SJR 20](#) (Koenig) - constitutional amendment to prohibit the General Assembly from setting an income tax rate exceeding 5.9%, prohibits a combined local sales tax rate in excess of 12%, and repeals Article X, Section 26, relating to sales taxes levied on transactions not taxed as of January 1, 2015. Ways & Means Committee. **Heard 3/5.**

[SJR 24](#) (Cierpiot) - **constitutional amendment providing that any proposal by the state or a county, municipality, or other political subdivision for a new tax or fee or an increase in an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 22% of qualified voters cast a ballot in the election.**

Vehicle and Traffic Bills

[HB 218](#) (Hill) - establishes complete occupation of the field preemption pertaining to any vehicle equipped with automated driving systems. No law, rule, or regulation may be enacted by any political subdivision of the state which regulates such vehicles on the basis of their automated driving characteristics. The bill is retroactive and applies to any existing rules or regulations involving automated driving system vehicles. (Oppose)

[HB 611](#) (Spencer) - prohibits red light and traffic cameras. (Oppose)

[HJR 15](#) (Messenger) - constitutional amendment to authorize the highways and transportation commission to construct toll roads and impose and collect tolls on interstates and four-lane roadways. Transportation Committee.

[SB 111](#) (Eggel) - prohibits red light and traffic cameras. Public Safety Committee (Oppose)