



January 6, 2023

The 2023 session began on Wednesday, January 4. Each week we will send out an update report showing bill actions during the week. Below are summaries of bills of interest that were pre-filed.

Priority Bills

[HB 177](#) (Van Schoiack) - currently, no city in Missouri shall submit, to the voters, any proposal that results in a combined rate of sales taxes adopted under Section 94.510, RSMo in excess of 2%. This bill removes this requirement.

[HB 309](#) (Riggs) - authorizes two or more political subdivisions, upon a vote of eligible voters, to form a broadband infrastructure improvement district for the delivery of broadband Internet service to their residents. A district has the power to contract with a broadband Internet service provider to provide broadband Internet service to the residents of the district.

[HB 394](#) (Falkner) - defines as closed records email addresses of local government residents for purposes of receiving government correspondence and GPS records of public safety vehicles. (Support)

Court Bills

[HB 42](#) (Burnett) - Currently, municipal court judges cannot be a judge or prosecutor for any other court. This bill specifies that only full-time municipal court judges are prohibited from being a judge or prosecutor for any other court.

[HB 252](#) (Hafner) - currently, if a Missouri resident is charged with a moving violation and fails to dispose of the charges a, the court informs the resident that it will instruct the Department of Revenue to suspend the defendant's driver's license until charges are properly disposed. Under this bill, the court will inform the defendant that it may instruct the Department of Revenue to suspend the defendant's license. If a Missouri resident is charged with only a minor traffic violation and fails to dispose of the charges as ordered and fails to appear on two return dates without good cause, the court will, within 10 days of the failure to comply, inform the defendant that it may instruct the Department of Revenue to suspend the defendant's driver's license until charges are properly disposed. A person whose license is suspended under these provisions will receive limited driving privileges unless the Director of the Department of Revenue finds that the defendant is ineligible for such privileges.

[HB 305](#) (Roberts) - prohibits a court from issuing an arrest warrant for a person's failure to respond, pay an assessed fine, or appear in court for a motor vehicle equipment violation citation issued for an offense that is classified or charged as an infraction. Instead, the court must issue a notice, which will include a second scheduled court date, to be sent to the driver of the vehicle. If the driver fails to respond a second time, the court will issue a second notice of failure to respond, pay the fine assessed, or appear. A copy of the notice will be sent to the driver and to the Department of Revenue. When the driver applies to renew his or her driver's license, the Department of Revenue must deny the application until all delinquent fines and fees in connection with the motor vehicle equipment violation have been satisfied.

Economic Development Bills

[SB 96](#) (Koenig) - requires a unanimous vote of a local governing body to establish a community improvement district or transportation development district.

[SB 306](#) (Arthur) - allows a school district to exclude real property from a proposed tax increment financing redevelopment area if the school district determines that such redevelopment area will have an adverse effect on such school district. The school district shall adopt a resolution making such determination and shall deliver the resolution to the municipality establishing the redevelopment area. Within thirty days of receiving the resolution, the municipality shall remove such property from the redevelopment area or terminate the redevelopment area.

Election Bills

[SB 202](#) (Brattin) - changes the filing period for declarations of candidacy in all political subdivisions and special districts that have not otherwise required a filing period by law or charter to be 8:00 a.m. on the 18th Tuesday prior to the election until 5:00 p.m. on the 13th Tuesday prior to the election. The bill also requires all candidates for offices in cities, towns, villages, and townships to declare a political party affiliation when filing for office. (Oppose)

[SB 218](#) (Mosley) - requires each political subdivision to redistrict or reapportion their wards not later than 5 months prior to the opening of filing for office after the census data is reported to the President of the United States. Such wards shall be drawn using the following criteria, in order of priority: Wards shall be as nearly equal as practicable in population, and shall be drawn on the basis of one person, one vote. Wards are as nearly equal as practicable in population if they do not deviate by more than five percent from the ideal population;

[HB 186](#) (Murphy) - prohibits a political subdivision or election authority from describing any proposed tax on property in a political subdivision as not increasing taxes, or any language to that effect, unless both: (1) Failing to adopt the proposed measure would cause an actual increase in the tax rate; and (2) Adopting the measure would cause the tax rate to stay the same or decrease.

[HJR 16](#) (Seitz) - constitutional amendment to restrict tax increase elections to the general election date, which is November of even numbered years. (Oppose)

Miscellaneous Bills

[SB 174](#) (Koenig) - makes various changes to the Sunshine Law including allowing a public governmental body is authorized to close records that are related to email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications. (Support)

[SB 207](#) (Eslinger) - establishes a statutory cause of action for damages arising out of a public nuisance and replaces any such common law cause of action to the contrary. This act defines a public nuisance as an unlawful condition that violates an established public right, which is defined as those rights commonly held by all members of the public to the use of public land, air, and water. Additionally, this act provides that public nuisance actions may only be brought by the state or a political subdivision thereof and only through a government attorney of the relevant jurisdiction unless there is a contract to retain a private attorney that meets certain requirements provided by this act

[HB 64](#) (Terry) - establishes term limits of 8 years for 4th class city mayors. Allows monthly stipends for 4th class city elected officials, rather than salaries.

[HB 72](#) (Dinkins) - adds to the definition of "special victim" a sports official assaulted while he or she is performing sports official duties or as a direct result of such duties.

[HB 101](#) (Davidson) - provides that private contractors, when acting within the scope of a government contract, shall have the same sovereign or governmental tort immunity as a public entity.

[HB 103](#) (Barnes) - establishes the offenses of harassment of a school or recreation athletic official and entry or remaining on site of a school or recreation athletic contest after being forbidden

[HB 108](#) (Barnes) - adds to the definition of "special victim" a sports official assaulted while he or she is performing sports official duties or as a direct result of such duties.

[HB 256](#) (Pollitt) - expands the definition of "special victim" under Section 565.002, RSMo, to include sports officials assaulted at a sporting event while performing their duties as sports officials.

[HB 264](#) (Sander) - adopts the "International Swimming Pool and Spa Code" as it existed on May 1, 2022 and promulgated by the International Code Council, as the county and municipal swimming pool and spa code for the state. The Code applies to all construction, alteration, remodeling, enlargement, and repair of swimming pools and spas in any county or municipality that elects to regulate pools and spas. Counties and municipalities are authorized to establish procedures for the administration and enforcement of the International Swimming Pool and Spa Code, and are authorized to adopt local amendments to the Code or amendments made by the International Code Council.

[HB 296](#) (Haden) - specifies that the General Assembly occupies and preempts the entire field of legislation touching in any way the control or regulation of specific breeds of dogs. However, a village, town, city, or county can still prohibit dogs from running at large or to further control or regulate dogs within its boundaries so long as the ordinance, order, policy, or regulation is not breed specific.

[HB 362](#) (Proudie) - Specifies that limited liability companies that own real property in St. Louis County must designate a contact person with the county clerk.

[HB 380](#) (Quade) - in a civil action brought by the Attorney General against a political subdivision, including school districts, the court shall award attorney's fees, court costs, and all other expenses incurred by the political subdivision or school district in defense of any such action brought if the action is terminated in favor of the political subdivision or school district. (Support)

Personnel & Employment Bills

[SB 24](#) (Hough) - establishes the "Missouri First Responder Mental Health Initiative Act". This act establishes the rights of first responders to access behavioral health care services and responsive treatment and to have certain records of such treatment be deemed confidential, as specified in the act, and shall not be shared with an employer. First responders shall have the right to seek treatment in any geographic area without restrictions or limitations imposed by an employer or insurance carrier and the right to receive expanded Family and Medical Leave Act protections while voluntarily seeking preventative treatment. First responders shall have the right to have treatment and living quarters in facilities separate from other patients, as well as access to behavioral health treatment for up to 36 months following retirement regardless of Medicare restrictions. First responders receiving behavioral health services shall be able to seek reimbursement from the First Responder Behavioral Health Grant Program established by this act, in amounts specified in the act. The Department of Mental Health shall make grants to eligible recipients to reimburse behavioral health care expenses, as well as peer support education, prevention and awareness training, software, and other services.

[SB 46](#) (Gannon) - political subdivisions may elect to cover telecommunication first responders as public safety personnel.

[SB 120](#) (May) establishes post-traumatic stress disorder (PTSD), as described in the Diagnostic and Statistical Manual of Mental Health Disorders, Fifth Edition, (DSM-5) as a compensable occupational disease under workers' compensation when diagnosed in first responders. A first responder shall not require a physical injury in order to be eligible for benefits, but preexisting PTSD is not compensable.

[SB 311](#) (Beck) - This act provides that post-traumatic stress disorder (PTSD) diagnosed in any person who is a firefighter, police officer, emergency medical technician, emergency medical dispatcher or other first responder shall be presumed as an occupational disease resulting from employment if:

- The person has completed at least 5 years of employment; and
- The person was examined by a medical professional upon commencing employment and the examination failed to reveal any evidence of PTSD.

Denial of a claim under this act shall be on the basis of clear and convincing medical evidence that the cause of the PTSD is unrelated to the person's employment as a firefighter, police officer, emergency medical technician, emergency medical dispatcher, or other first responder.

[HB 125](#) (Nurrenbern) - Subjects public employers to the state minimum wage law. (Oppose)

[HB 141](#) (Adams) - requires every first responder agency to provide critical incident counseling services for all of its employees at the agency's expense

[HB 164](#) (Seitz) - recognizes Posttraumatic Stress Disorder (PTSD) as an occupational disease, under Chapter 287, RSMo dealing with Workers' Compensation, when diagnosed in specified first responders.

[HB 223](#) (Crossley) - if, preceding the date of an injury or death, an employee who was employed on active duty as a first responder is diagnosed with a mental impairment and had not been diagnosed with the mental impairment previously, the mental impairment shall presumptively be considered an occupational disease and shall be presumed to have arisen out of and in the course of employment.

Public Safety Bills

[SB 38](#) (Williams) - Under current law, the POST Commission sets a minimum number of basic training hours for licensure for peace officers no lower than 470 hours and no higher than 600 with certain exceptions as provided in law. This act changes this requirement to be no lower than 600 hours.

Additionally, this act adds additional grounds for when the Director of the Department of Public Safety shall discipline peace officers. This act provides that any peace officer shall be disciplined who:

- Is unable to perform the function of a peace officer with reasonable competency or reasonable safety;
- Has been convicted, or has entered a plea of guilty or nolo contendere, in a criminal prosecution under any state laws, any federal laws, or any laws of another country, regardless if a sentence was imposed;
- Has committed any act that involves moral turpitude or a reckless disregard for the safety of the public;
- Has tested positive for a controlled substance without a valid prescription;
- Is subject to an order suspending or revoking a peace officer license from another state, territory, the federal government, or any peace officer licensing authority; or
- Has committed any act of gross misconduct indicating inability to function as a peace officer.

[SB 78](#) (Schroer) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[SB 197](#) (Williams) modifies numerous provisions relating to warrants executed by law enforcement officers.

[SB 280](#) (Eigel) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[SB 445](#) (Washington) - modifies provisions relating to use of force by law enforcement officers

[HB 33](#) (Brown) - repeals Section 21.750, RSMo, in which the General Assembly preempts the entire field of firearms regulation. This bill allows political subdivisions to regulate firearms in any manner allowed by state and federal law that is consistent with their police powers or charter.

[HB 53](#) (Copeland) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[HB 109](#) (Sharp) - a person commits the offense of unlawful discharge of a firearm if that person, with criminal negligence, discharges a firearm within or into the limits of any municipality.

[HB 117](#) (Shields) - currently, qualified first responders are allowed to administer naloxone to a person suffering from an apparent overdose. This bill clarifies the definition of first responders so that state and local law enforcement agency staff members do not need to be acting under the directives and established protocols of a medical director of a licensed ground ambulance service. That requirement only applies to fire department personnel, fire district personnel, and licensed emergency medical technicians.

[HB 199](#) (Wright) - establishes authority for cities to issue municipal search warrants for ordinance violations

[HB 210](#) (Smith) - provides that no person will be stopped, inspected, or detained solely for a traffic violation that does not involve speeding or failure to register or re-register a vehicle, that does not involve an accident or injury, and that does not involve points assessed by the Department of Revenue

[HB 213](#) (Sparks) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[HB 216](#) (Myers) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[HB 282](#) (Schnelting) - allows a concealed carry permit holder to lawfully carry firearms on public transportation.

[HB 306](#) (Perkins) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

[HB 359](#) (Cook) - returns operations of the St. Louis City police to a state appoint board of police commissioners.

Taxation & Revenue Bills

[SB 8](#) (Eigel) - requires political subdivisions to annually reduce such percentage such that the amount by which the revenue generated by taxes levied on such personal property is reduced is substantially equal to one hundred percent of the growth in revenue generated by real property assessment growth, as defined in the act. Annual reductions shall be made until December 31, 2073. Thereafter, the percentage of true value in money at which personal property is assessed shall be equal to the percentage in effect on January 1, 2073. Subject to appropriations, a political subdivision that receives less than the allowable amount of total real and personal property tax revenues shall be eligible for reimbursement from the state in an amount equal to the amount by which such revenues are below the allowable amount.

[SB 23](#) (Hough) - requires licensed motor vehicle dealers to collect and remit to the Department of Revenue the sales tax on all motor vehicles the dealer sells, beginning January 1, 2024.

[SB 66](#) (Mosley) requires financing entities that extend financing to cover state and local sales taxes owed on the purchase of a motor vehicle to remit the amount of such state and local sales taxes to the appropriate taxing authority on behalf of the purchaser. The financing entity and purchaser shall be jointly liable to the taxing authority for the amount of sales tax owed.

[SB 104](#) (Cierpiot) - current law requires personal property to be assessed at 33.3% of its true value in money. Beginning with the 2024 calendar year, this act reduces such percentage by one percent a year through the 2035 calendar year. Beginning with the 2036 calendar year, personal property shall be assessed at 20% of its true value.

[SB 105](#) (Cierpiot) - Current law requires residential real property to be assessed at 19% of its true value in money. Beginning with the c024 calendar year, this act reduces such percentage by one percent a year through the 2026 calendar year. Beginning with the 2027 calendar year, residential real property shall be assessed at 15% of its true value.

[SB 161](#) (Coleman) - provides that retail sales of food shall be exempt from state and local sales taxes. (Oppose)

[SJR 7](#) (Eigel) - constitutional amendment, if approved by the voters, prohibits total state general revenue appropriations for any fiscal year, as defined in the amendment, from exceeding the level from the previous fiscal year, allowing for growth in an amount equal to the annual rate of inflation plus the annual percentage change in state population. Total state general revenue appropriations may exceed the previous fiscal year's amount only under certain conditions, as described in the amendment.

[SJR 18](#) (Brattin) - constitutional amendment to replace property taxes with a sales tax on the purchase..

[HB 58](#) (Terry) - Establishes a one-time one year period to set up payment plans for unpaid vehicle sales tax

[HB 181](#) (Van Schoiack) - authorizes all cities in the state to levy a transient guest tax of 2-5% to promote tourism. Subject to voter approval.

[HB 247](#) (Hurlbert) - allows any municipality to levy a public safety sales tax of up to 1/2 cent, subject to approval by 4/7 of the voters. The bill also allows any city with a fire department, any city contracting for fire service or any fire district (including those in St. Louis County) to levy a fire service sales tax of up to 1/2 cent, subject to 4/7 voter approval. The League supports the sales tax flexibility offered to cities in this bill but has long opposed sales tax authority for County fire districts.

[HB 260](#) (Sander) - exempts food from sales tax. (Oppose)

[HB 377](#) (Quade)- exempts food from sales tax. (Oppose)

Transportation and Vehicle Bills

[SB 231](#) (Carter) - repeals the 2021 gas tax increase, subject to state voter approval. (Oppose)

[SB 233](#) (Brown) - provides that any political subdivision that adopts an ordinance or other regulation that requires installation of electric vehicle charging stations at any non-automotive fueling station business shall pay all costs associated with the installation, maintenance, and operation of the stations. No political subdivision shall adopt any ordinance or other regulation that requires more than five such stations per parking lot located at any non-automotive fueling station, or infrastructure for future installation of more than five such stations. Such ordinances and regulations shall only apply to parking lots with more than thirty parking spaces.

[SB 242](#) (Eigel) - repeals the 2021 gas tax increase. (Oppose)

[SB 260](#) (Moon) - repeals the 2021 gas tax increase. (Oppose)

[SB 454](#) (Carter) - repeals the 2021 gas tax increase. (Oppose)

[HB 184](#) (Murphy) - provides that any political subdivision that adopts an ordinance or other regulation that requires installation of electric vehicle charging stations at any non-automotive fueling station business shall pay all costs associated with the installation, maintenance, and operation of the stations. No political subdivision shall adopt any ordinance or other regulation that requires more than five such stations per parking lot located at any non-automotive fueling station, or infrastructure for future installation of more than five such stations. Such ordinances and regulations shall only apply to parking lots with more than thirty parking spaces.

[HB 246](#) (Hurlbert) - prohibits the state and any political subdivision from establishing or collecting any fee for parking on any public street. (Oppose)

Utility & Broadband Bills

[SB 152](#) (Trent - modifies the definition of "video service" to include the provision of video programming by a video service provider provided through wireline facilities located in a public right-of-way without regard to the delivery technology. Video services does not include any video programming accessed via a service that enables users to access content over the internet, including streaming content

[SB 299](#) (Hoskins) - The act modifies the definition of "video service" for provisions of law relating to video service providers. The act excludes streaming content accessed via a service that enables users to access content via the internet from the definition of "video service"