

Tracking List: Lee's Summit TAFP

HB1606 - Changes the law regarding county financial statements

Sponsor

Rep. Peggy McGaugh (R)

Summary

This bill changes laws regarding political subdivisions.

COUNTY CORONERS (Sections 50.327, 58.095, and 58.200, RSMo)

Currently, a raise is authorized for county coroners in counties of the second classification. The bill changes it to apply to all non-charter counties. The bill also provides that the salary commission of any third class county may amend the base salary schedules as provided by law for the computation of salaries for county officials to include assessed valuation factors in excess of \$300 million dollars, provided that the percentage of any adjustments must be equal for all county officials in that county. The bill also authorizes a coroner who is acting as sheriff per law, to receive a salary equivalent to the sheriff's salary while acting as such.

COUNTY FINANCIAL STATEMENTS (Sections 50.800, 50.810, 50.815, and 50.820)

All non-charter counties are required, by June 30th, to prepare and publish in a qualified newspaper a financial statement for the previous year. Currently, these requirements only apply to counties of the first classification. The financial statement must include the name, office, and current gross annual salary of each elected or appointed county official. The county clerk or other officer responsible for the preparation of the financial statement must preserve the documents relied upon in the making of the financial statements and shall provide an electronic copy free of charge to any newspaper requesting a copy of the data. The sections previously dealing with county financial statements and their publication for counties of the second, third, and fourth classifications are repealed.

COUNTY AUDITOR (Section 55.160)

In counties of the first and second classification, the county auditor is authorized to have access to and the ability to audit and examine claims of every kind and character for which a county officer has a fiduciary duty.

BOONE COUNTY SHERIFF (Section 57.317)

Excludes the sheriff of Boone County from the salary schedule contained in this section.

MARITAL STATUS REQUIRED ON DEEDS (Sections 59.310 and 442.130)

This bill requires that the marital status of all grantors on a deed and other documents presented for recording to recorders of deeds are required. The recorder must not accept any document unless such information is provided.

PUBLIC HEARING NOTICE REQUIREMENTS (Sections 67.457, 67.461, 67.1421, 67.1431, and 67.1471)

The bill requires the governing body of the applicable city or county to provide notice of public hearing of Neighborhood Improvement Districts (NIDs) or Community Improvement Districts

(CIDs) regarding procedures of those districts also be given to the Department of Revenue (DOR), which shall publish such information on its website. It also requires the governing body establishing

the NID or CID to submit certain information to the State Auditor and DOR, and prohibits any NID or CID property assessments from being collected until the required information is submitted.

HOMELESSNESS PROGRAMS (Section 67.2300)

The bill provides that state funds for homelessness must be used for certain facilities, including parking areas, camping facilities, and short-term shelters, and must comply with certain requirements as provided in the bill. Additionally, any person who owns or operates a private camping facility pursuant to this bill will be immune from liability as provided in the bill. State funds otherwise used for permanent housing projects will be used to assist individuals with substance use, mental health treatment, and other services like short-term housing. The Department of Economic Development must award certain funds as bonuses for political subdivisions that reduce the number of individuals with days unhoused, days in jail, or days hospitalized.

This bill provides that no person shall be permitted to use stateowned lands for unauthorized sleeping, camping, or long-term shelters. Any violation shall be a Class C misdemeanor; however the first offense shall be a warning with no citation.

A political subdivision shall not adopt any policy under which the political subdivision prohibits the enforcement of any ordinance prohibiting public camping, sleeping, or obstruction of sidewalks. The Attorney General shall have the power to bring a civil action to enjoin the political subdivision from failing to enforce any ordinances prohibiting public camping, sleeping, or obstruction of sidewalks.

Any political subdivision with a higher per-capita homelessness rate than the state average will not receive further state funding until the Department determines the political subdivision has a lower homelessness rate than the state average or it enforces ordinances prohibiting unauthorized sleeping and camping.

A political subdivision may allocate up to 25% of funds it receives from the state through grants for public safety to the creation of homeless outreach teams as provided in the bill. These provisions will not apply to shelters for domestic violence victims.

The provisions of this section will be effective on January 1, 2023.

LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM (Section 70.631)

Currently, political subdivisions located in third class counties and Cape Girardeau County may, by majority vote of the governing body, elect to cover certain employee classes as public safety personnel members in the Local Government Employees' Retirement System (LAGERS). This bill removes this restriction and allows any political subdivision to cover such employee classes.

PROPERTY REGULATIONS (Sections 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775, 92.810, 92.815, 92.817, 92.825, 92.835, 92.840, 92.852, and 92.855).

For any improved parcel of land identified as being vacant by St. Louis City operating under the Municipal Land Reutilization Law, the city collector must, within no more than two years after delinquency, file suit in the circuit court against such lands or lots to enforce the lien of the state and the city as provided under the Municipal Land Reutilization Act. The failure of the collector to bring suit within two years will not constitute a defense or bar an action for the collection of taxes.

Currently, a suit for the foreclosure of certain tax liens begins by filing a petition with the circuit clerk and the land utilization authority. For each petition filed, the city collector must make available to the public a list detailing each parcel included in the suit.

For any improved nonhomestead parcel, any person having any right, title or interest in, or lien upon, any parcel of real estate may redeem the parcel at any time prior to the time of the foreclosure sale of the real estate by paying all of the sums due as of the date of redemption to the city collector, including all debts owed to the city.

The city collector must mail a notice to the people named in the petition as having an interest in the parcel, or people otherwise known to the collector, at the address most likely to inform the parties of the proceedings.

The city collector must file with the court an affidavit of compliance with all notice requirements for the suit prior to any sheriff's sale. The affidavit must include the identities of all parties to whom notice was attempted and by what means. For notices returned undeliverable, the collector's affidavit must certify what additional attempt was made and by what means.

The receipt of surplus funds will constitute a bar to any claim of right, title or interest in, or lien upon the parcel of real estate by the fund recipient. Currently, if the parcel of real estate is auctioned off at a sheriff's foreclosure sale for a sum greater than the total amount necessary to pay all the tax bills included in the judgment, all proceedings in the suit shall be ordered dismissed as to taxes owned.

No later than 120 days prior to the sheriff's sale, the collector must obtain a title abstract or report on any unredeemed parcels, which shall include all conveyances, liens, and charges against the real estate, and the names and mailing addresses of any interested parties and lienholders. Additionally, no later than 20 days prior to the sheriff's sale, the collector must send notice of the sale to the interested parties which shall include the date, time, and place of the sale and other information as provided in the bill.

The bill also modifies the requirement that the collector shall send notice of the sale to the parties having interest in the parcel no later than 40 days prior to the sheriff's sale, rather than 20 days. The notice must be sent to the addresses most likely to inform the parties of the proceedings.

Finally, no later than 20 days prior to the sheriff's sale, the sheriff must post a written notice on the parcel in a conspicuous location and attached to a structure. The notice must describe the property and advise that it is the subject of delinquent land tax collection proceedings and that it may be sold for the payment of delinquent taxes. This notice must also contain other information as provided in the bill. The sheriff must also attempt in person notice no later than 20 days prior to the sale to any person found at the property.

The city collector cannot enter into a redemption contract with respect to any improved parcel not occupied as a homestead. On an annual basis, the city collector will make publicly available the number of parcels under redemption contract.

The court must stay the sale of any parcel to be sold under foreclosure in an action for temporary possession of real property for rehabilitation, provided that the party who has brought such an action has, upon order of the court, paid to the circuit court the principal amount of all land taxes then due under the foreclosure judgment prior to the date of sale. Upon the granting by a court of temporary possession of the property, the court must direct payment to the collector of all principal land taxes paid to the circuit court. Additionally, the court shall order the permanent extinguishment of penalties and interest arising from actions to collect delinquent land taxes.

If the owner of the parcel moves for restoration of possession, the owner must pay into the circuit court all land tax amounts currently due, including all penalties, interest, attorney's fees, and court costs retroactive to the date of accrual. If the court orders the property be restored to the owner, all funds paid on the principal land taxes shall be returned to the payer and all funds paid to the circuit court by the owner will be paid out to the collector.

No person will be eligible to bid at the time of the sheriff's sale unless the person has, no later than 10 days before the sale date, demonstrated to the collector or sheriff that they are not the owner of any parcel of real estate in the city which is subject to delinquent taxes or fees. The collector or sheriff may require prospective bidders to submit an affidavit attesting to the bid requirements of this bill.

Within six months after the sheriff sells the parcel of real estate, the court must set a hearing to confirm or set aside the foreclosure sale. The court's judgment must include a specific finding that adequate notice was provided to all necessary parties.

If there are any surplus funds from the sale then 10% of the funds shall be distributed to the Affordable Housing Trust Fund of the city or its equivalent. The city may also, by ordinance, elect to allocate a portion of its share of the sale proceeds towards a fund for the purpose of defending against claims challenging the sufficiency of notice.

The purchasers of the property must agree that in the event of their failure to obtain an occupancy permit prior to any subsequent transfer of the property, they will pay \$5,000 in damages without proof of loss or damages, except these damages shall not constitute a lien on the property. If any purchaser applies for an occupancy permit and inspectors do not inspect the parcel in 120 days, the cost of the application shall be dedicated to the sheriff for the purpose of providing notice to interested parties.

If the sale is not confirmed within six months after the sale, any set-aside of the sale may include a penalty of 25% of the bid amount over the opening bid amount and shall be paid to the Affordable Housing Trust Fund of the city or its equivalent.

Provisions relating to the recording of a sheriff's deed are modified. All such deeds must be recorded with the recorder of deeds within two months after the court confirms the sale, if no proceeding to set aside the confirmation judgment is before the court. The sheriff's deed will be prima facie evidence that the suit and all proceedings met the requirements of law.

The provision is repealed that after two years from the date of the recording of the deed, there shall be a presumption that the suit and all proceedings met the requirements of law and no suit may be filed to attack the validity of the claim.

TAX INCREMENT FINANCING (Sections 99.825, 99.830 and 99.865)

A tax increment financing commission is required to provide notice of a public hearing prior to adoption of a redevelopment plan or project also to be given to the Department of Revenue, which must publish the information on its website. The bill also requires the governing body establishing the redevelopment to submit certain information to the State Auditor and DOR, and prohibits depositing any payments in lieu of taxes into the special allocation fund until the required information is submitted.

REQUIRED ANNUAL FINANCIAL STATEMENTS TO AUDITOR (Section 105.145)

This bill changes the laws regarding the consequences to a political subdivision for failure to file an annual financial statement with the State Auditor as required, which consequence is a fine. Any political subdivision that has gross revenues of less than \$5,000 or that has not levied a tax is not subject to the fine. If a political subdivision has outstanding fines due when filing its first annual financial statement after January 1, 2023, the Director of Revenue will make a one-time downward adjustment of the total amount due by at least 90%. In addition, the Director of the Department of Revenue has the authority to make a one-time downward adjustment to any fine he or she deems uncollectible.

DELINQUENT PROPERTY TAX AUCTIONS (Sections 140.170 and 140.190)

This bill allows a county collector to hold an auction of lands with delinquent property taxes through electronic media at the same time as the auction is held in-person.

SALES TAX EXEMPTION FOR SOCCER TICKETS (Section 144.051)

Beginning June 1, 2026, and ending July 31, 2026, a sales tax exemption is authorized for the sale of tickets to matches of the 2026 FIFA World Cup soccer tournament held in Jackson County.

TRANSPORTATION DEVELOPMENT DISTRICTS (Sections 238.212 and 238.222)

This bill requires notice that a petition has been filed to create a Transportation Development District (TDD) to also be given to the Department of Revenue (DOR), which shall publish the information on its website. It also requires the governing body establishing a TDD to submit certain information to the

State Auditor and DOR, and prohibits any district taxes from being collected until the required information is submitted.

POLITICAL SUBDIVISION BUILDING CODES (Section 260.295)

No building code adopted by a political subdivision may prohibit the use of refrigerants that are approved for use by federal law, provided any related equipment is installed in accordance with federal laws. Any provisions of a building code that violates this section is null and void.

EMERGENCY VEHICLES (Section 304.022)

County and municipal park ranger vehicles are added to the types of vehicles that are defined as "emergency vehicles";

PUBLIC ADMINISTRATORS (Section 473.742)

This bill provides that if a public administrator is appointed by the court as both a guardian and a conservator to the same ward or protectee, it will be considered two letters. Upon majority approval of the county salary commission, a public administrator may be paid according to the assessed valuation schedule set forth in the bill. If the salary commission elects to pay a public administrator according to the salary schedule it cannot thereafter change to paying the public administrator according to the average number of open letters. Beginning January 1, 2023, public administrators whose terms start on or after that date shall be deemed to have elected to receive a salary as provided in the bill.

CONDEMNATION (Section 523.061)

As specified in this bill, if a jury trial of exceptions occurs and the circuit judge presiding over the condemnation proceeding has determined that a homestead taking has occurred or heritage value is payable, then the judge must apply the provisions specified in statute to increase the jury verdict as appropriate. A circuit judge who determines that heritage value is payable must not increase the commissioners' award or jury verdict to provide for the additional compensation due where heritage value applies if the plaintiff moves for exclusion of the heritage value and shows, after an evidentiary hearing by a preponderance of the evidence, that the property taken has been abandoned, has been declared a nuisance and been ordered to be vacated, has been demolished or repaired after notice and a hearing, or has been shown to have materially and negatively contributed to a blighted area.

LAND CONVEYANCES (Sections 1, 2, 3, 4, 5)

The bill authorizes the Governor to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in land:

Located in the City of Kirksville in Adair County to the Kirksville R-III School District;
Located in City of Kirksville to Truman State University is also authorized; Located in the City of Rolla, Phelps County, to Edgewood Investments ; and Located in the City of St. Louis.

The land to be conveyed is described in the bill. The Commissioner of Administration shall set the terms and conditions for the conveyance. The Attorney General shall approve the form of the instrument of conveyance.

PROHIBITION AGAINST REQUIRED VACCINATION (Section 6)

Public employees cannot be required by a political subdivision as defined in this section to receive a COVID-19 vaccination as a condition of commencing or continuing employment.

HB1662 - Changes the laws regarding restrictive covenants by expanding the definition of prohibited covenants and establishes a procedure to remove prohibited covenants from deeds

Sponsor

Rep. Craig Fishel (R)

Summary

This bill enacts provisions relating to restrictions on real property.

ZONING REGULATIONS ON HOME-BASED WORK BY POLITICAL SUBDIVISIONS (Sections 64.008, 65.710, and 89.500, RSMo)

The bill creates new provisions governing the regulation of homebased work, as defined in the bill, by certain political subdivisions. Specifically, counties, municipalities, and townships are prohibited from enacting a zoning ordinance or regulation that:

Prohibits mail order or telephone sales for home-based work; Prohibits service by appointment within the home or accessory structure; Prohibits or requires structural modifications to the home or accessory structure; Restricts the hours of operation for home-based work; or

Restricts storage or the use of equipment that does not produce effects outside the home or accessory structure.

Furthermore, any such zoning ordinance or regulation may not explicitly restrict or prohibit a particular occupation.

These provisions do not supersede any deed restriction, covenant or agreement restricting the use of land nor any master deed, by law or other document applicable to a common interest ownership community.

LOCAL RESTRICTIONS ON HOME-BASED BUSINESSES (Section 71.990)

This bill provides that a political subdivision shall not prohibit the operation of a no-impact, home-based business or require a person to apply for any permit or license to operate such a

business. However, a political subdivision may establish reasonable regulations on such businesses that are narrowly tailored for the purpose of protecting public health and ensuring the businesses are compliant with state and federal law.

BUILDING CODES (Section 260.295)

No building code adopted by a political subdivision shall prohibit the use of refrigerants that are approved for use under the federal Clean Air Act.

RESTRICTIVE COVENANTS - DISCRIMINATORY COVENANTS (Sections 442.403)

This bill prohibits deeds recorded on or after August 28, 2022, from specifically referencing restrictions relating to a person's race, color, religion, or national origin.

The person preparing or submitting a deed for recording has the responsibility for ensuring compliance with this bill, and recorders of deeds may refuse to accept deeds that are in violation of the bill. Deeds in violation of this bill shall nevertheless constitute a valid transfer of real property.

The bill provides that the owner of real property may release the prohibited covenants by filing a certificate of release in a form specified under the bill.

RESTRICTIVE COVENANTS - RENEWABLE ENERGY (Sections 442.404 and B)

This bill specifies that no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the installation of solar panels or solar collectors, as defined in the bill, on the rooftop of any property or structure.

A homeowners' association may adopt reasonable rules regarding the placement of solar panels or solar collectors to the extent those rules do not prevent the installation of the device or adversely affect its functioning, use, cost, or efficiency.

These provisions shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

These provisions shall take effect January 1, 2023 (Section B).

PROPERTY REGULATIONS IN CERTAIN CITIES AND COUNTIES (Sections

59.310, 92.720, 92.740, 92.750, 92.760, 92.765, 92.770, 92.775,

92.810, 92.815, 92.817, 92.825, 92.835, 92.840, 92.852, 92.855, and 442.130)

The bill adds various clerical provisions related to document recording, such as the requirement that a grantor's marital status be listed in a certain place on a document presented to the recorder of deeds. Additionally, the bill adds a provision specifying that the collector must file suit within two years in the circuit court against land or lots identified by a certain type of city as being vacant to enforce the lien of the state and the city. Failure of the collector to bring suit within the required two years does not constitute a defense or bar an action for the collection of taxes. For each petition filed, the collector must make a list detailing each parcel included in the suit available to the public. The bill also provides a process for any person who has a right or interest in any improved non-homestead parcel.

The bill provides that the city collector must mail notice to people named in the petition as having a right or interest in a parcel or lot to the address most likely to inform the parties. Additionally, the collector must file with the court an affidavit of compliance with all notice requirements for suit prior to any sheriff's sale. The affidavit must include the identities of the parties to whom notice was attempted. No later than 120 days before a sheriff's sale, the collector must obtain a title abstract or report on any unredeemed parcels and, no later than 20 days before the sale, the collector must send notice of the sale to lienholders and interested parties as noted on the title abstract. No less than 40 days before the sale, rather than the current law of 20 days before the sale, the collector must send notice of the sale to parties having interest in the parcel as disclosed on the records of the assessor or otherwise known to the collector.

The bill provides that the city collector shall not enter into a redemption contract with respect to any improved parcel not occupied as a homestead. On an annual basis, the city collector shall make publicly available the number of parcels under redemption contract.

The court shall stay the sale of any parcel to be sold under foreclosure in an action for temporary possession of real property for rehabilitation, provided that the party that has brought such an action has, upon order of the court, paid to the circuit court the principal amount of all land taxes then due under the foreclosure judgment prior to the date of sale. Upon the granting by a court of temporary possession of the property, the court will direct payment to the collector of all principal land taxes paid to the circuit court. Additionally, the court must order the permanent extinguishment of penalties and interest arising from actions to collect delinquent land taxes.

If the owner of the parcel moves for restoration of possession, the owner shall pay into the circuit court all land tax amounts currently due, including all penalties. If the court orders the property be restored to the owner, all funds paid on the principal land taxes shall be returned to the payer and all funds paid to the circuit court by the owner shall be paid out to the collector.

The bill provides that no person shall be eligible to bid at the time of the sheriff's sale unless the person has, no later than 10 days before the sale date, demonstrated to the collector or sheriff that the person is not the owner of any parcel of real estate in the city that is subject to delinquent taxes or fees. The collector or sheriff may require prospective bidders to submit an affidavit attesting to the bid requirements of this bill.

This bill provides that, within six months after the sheriff sells the parcel of real estate, the court must set a hearing to confirm or set aside the foreclosure sale. The court's judgment will include a specific finding that adequate notice was provided to all necessary parties.

If there are any surplus funds from the sale, then 10% of the funds shall be distributed to the Affordable Housing Trust Fund of the city or its equivalent. The city may also, by ordinance, elect to allocate a portion of its share of the sale proceeds towards a fund for the purpose of defending against claims challenging the sufficiency of notice.

Additionally, the bill provides that the purchasers of the property must agree that, in the event of their failure to obtain an occupancy permit prior to any subsequent transfer of the property, they shall pay \$5,000 in damages without proof of loss or damages, except these damages will not constitute a lien on the property. If the sale is not confirmed within six months after the sale, any set-aside of the sale, at the discretion of the court or collector, will include a penalty of 25% of the bid amount over the opening bid amount and shall be paid to the Affordable Housing Trust Fund of the city or its equivalent.

The bill modifies provisions relating to the recording of a sheriff's deed. All such deeds shall be recorded with the recorder of deeds within two months after the court confirms the sale, if no proceeding to set aside the confirmation judgment is before the court. The sheriff's deed will be prima facie evidence that the suit and all proceedings met the requirements of law.

The bill repeals the provision that, after two years from the date of the recording of the deed, there will be a presumption that the suit and all proceedings met the requirements of law and no suit may be filed to attack the validity of the claim.

Lastly, all written instruments conveying real estate or any interest in real estate must state the marital status of any natural person acting as grantor, mortgagor, or other party executing the instrument.

HB1667 - Creates new provisions relating to the sale of kratom products

Sponsor

Rep. Phil Christofanelli (R)

Summary

This bill establishes the "Kratom Consumer Protection Act", which requires dealers who prepare, distribute, sell, or expose for sale a food that is represented to be a kratom product to disclose on the product label the basis on which this representation is made. A dealer is prohibited from preparing, distributing, selling, or exposing for sale a kratom product that does not conform to these labeling requirements.

A dealer may not prepare, distribute, sell, or expose for sale a kratom product that is adulterated or contaminated with a dangerous non-kratom substance, contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2% composition of the product, containing any synthetic alkaloids, or does not include on its package or label the amount of mitragynine, 7-hydroxymitragynine, or other synthetically derived compounds of the plant *Mitragyna speciosa*.

A dealer may not distribute, sell, or expose for sale a kratom product to anyone under 18 years of age. The bill specifies penalties for a violation of the labeling requirements and allows for a person who is aggrieved by a violation of the labeling requirements to bring a cause of action for damages resulting from the violation.

HB1878 - Modifies provisions for voter identification

Sponsor

Rep. John Simmons (R)

Summary

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

(1) Authorizes the Secretary of State (SOS) to quarterly audit voter registration lists and require election authorities to remove improper names. Audit procedures and deadlines are specified in the bill and noncompliance could result in a withhold of funds (Section 28.960, RSMo);

(2) Prohibits amendment or modification of Chapter 115 in the 26 weeks preceding a presidential election (Section 115.004);

(3) Removes obsolete references to ballot cards and requires voting machines to be air gapped as a security measure. The term "air gapped" is specified in the bill (Section 115.013, 115.417, and 115.447);

(4) Prohibits the state and its political subdivisions from receiving or expending private money, excluding in-kind donations as defined in the bill, for preparing, administering, or conducting an election or registering voters. If there is not sufficient appropriation of state funds to proportionately compensate counties pursuant to Sections 115.063 and 115.065, this section will not be enforced. The bill also prohibits candidates, candidate committees, campaign committees, and continuing committees from receiving in-kind donations (Section 115.022);

(5) Exempts board of election commissioners and county clerk employees from the requirement to reside in or register within the jurisdiction in which they serve (Sections 115.045 and 115.051);

(6) Allows appointment of election judges who reside outside the requisite election authority's jurisdiction without the need for written consent from the election authority in whose jurisdiction the potential judge resides. Procedures for selecting election judges from lists submitted by political party committees are specified (Sections 115.081 and 115.085);

(7) Repeals a provision that provides that in a presidential primary election, challengers may collect information about the party ballot selected by a voter and may disclose party affiliation information after the polls close (Section 115.105);

(8) Repeals the provision that requires an election for a presidential primary under Sections 115.755-115.785 to be held on the second Tuesday after the first Monday in March of each presidential election year (Section 115.123);

(9) Repeals specified registration exceptions for intrastate new residents (Section 115.135);

(10) Requires the Department of Revenue to use electronic applications when sending materials to election authorities under the existing voter registration program in place at the Division of Motor Vehicles and Drivers Licensing, within the Department of Revenue. No person with documentation showing non-citizenship will be offered registration to vote, and voter information may be analyzed to avoid mistakes using the statewide voter registration database as specified in the bill. Electronic applications shall be sent no later than three business days after completion of a form. The electronic applications shall be secure and in a format compatible with the existing Voter Registration System under Section 115.158. The Secretary of State and Director of the Department of Revenue shall guarantee the security and transmission of electronic data. Images of signatures may be used for the purpose of voter registration (Sections 115.151, 115.160, and 115.960);

(11) Requires, beginning January 1, 2023, that any person registering to vote must declare a political party affiliation from the established political parties or declare themselves unaffiliated. If a voter does not designate any political party affiliation, then the election authority shall designate the voter as unaffiliated. Voter identification cards will now contain a voter's political party affiliation. A voter can change his or her political party affiliation at any time by notifying his or her election authority in a signed, written notice substantially similar to the process for changing a voter's address under section 115.165, or when checking in to vote at any election. Prior to January 1, 2025, local election authorities must notify registered voters of the political party affiliation opportunities now offered using all current election mailings that would otherwise be mailed to registered voters (Sections 115.155, 115.163, 115.168, and 115.628);

(12) Restricts voter information released by election authorities by prohibiting the release of the date of birth of voters, instead allowing only the release of the year of birth, as well as prohibiting use of released information for commercial purposes. Specified voter history information will be forwarded to the Secretary of State within three months after an election (Section 115.157);

(13) Allows registered voters to file change of address forms in person after the deadline to register to vote including on election day at the Office of the election authority if they provide a type of personal

identification under Subsection 1 of Section 115.427 which involves photographic identification (Section 115.165);

(14) Prohibits payment for soliciting voter registration applications and requires registration with the Secretary of State's office for soliciting more than 10 voter registration applications as specified in the bill (Section 115.205);

(15) Beginning January 1, 2023, the bill requires the use of a paper ballot that is hand-marked by the voter or in another manner authorized by Chapter 115. Any election authority with touchscreen direct-recording electronic vote-counting machines may continue using such machines already in their possession until January 1, 2024. Each election authority shall, once every two years, allow a cyber security review of their office by the Secretary of State or an entity that specializes in cyber security reviews and the Secretary of State shall also allow such a cyber security review of its office by an entity that specializes in cyber security reviews. The Secretary of State will have the authority to require cyber security testing of vendors, upon appropriation. The Secretary of State may require that all election authorities be a member of an organization that provides information to increase cyber security and election integrity efforts (Sections 115.225 and 115.237);

(16) For the purpose of processing absentee ballots cast by voters in person in the election authority's office that is deemed designated as a polling place, the election authority may cause voting machines, if used, to be put in order, set, adjusted, tested, and made ready for voting within one business day of the printing of absentee ballots as provided in Section 115.281 (Section 115.257);

(17) Defines absentee ballots as those authorized to be cast away from a polling place or in the office of the election authority or other authorized location designated by the election authority. References to Space Force are included for purposes of voting processes and electronic ballot information authorized for the Armed Forces (Sections 115.275 and 115.902);

(18) Allows use of absentee ballots to vote in person with a form of personal identification as specified in the bill. Notarization requirements are also specified in the bill depending upon the excuse for voting absentee and whether or not voting is conducted in person. Affidavit forms are modified. No individual or group shall solicit voters regarding absentee ballot applications and such applications shall not be pre-filled and provided to voters (Sections 115.277, 115.279, and 115.283);

(19) Determines when absentee ballots are deemed to be cast, distinctions are made between absentee ballots received by the election authority in person and absentee ballots received through a common carrier (Section 115.286);

(20) Allows voter assistance in cases of temporary confinement due to illness or physical disability on election day, but repeals specific COVID-19 references to mail-in ballots that have expired (Sections 115.287, 115.291, and 115.652);

(21) This bill prohibits the use of mail-in ballots under executive or administrative order. Expired provisions are repealed relating to the use of mail-in ballots for the 2020 general election and absentee voting during the 2020 general election for voters who have contracted COVID-19 or who are at risk of contracting or transmitting COVID-19 (Sections 115.285, 115.302, and 115.652);

(22) Repeals obsolete intersectional references (Section 115.349);

(23) Specifies photographic identification requirements for voting a regular ballot or absentee ballot in person, but allows use of provisional ballots with any type of documentation currently allowed for voting. A line item appropriation for the Secretary of State's Office regarding notice of personal identification is repealed. Certain affidavit requirements are repealed and requirements for provisional ballots are specified in the bill (Section 115.427);

(24) Specifies that once a ballot is submitted, then it is deemed cast (115.435);

(25) Repeals reference to a presidential preference primary and provides that a series of caucuses will be conducted to nominate a candidate for president (Sections 115.776 and 115.904); and

(26) Provides that if any provision of Section A or the application thereof to anyone or to any circumstance is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances will not be affected thereby (Section 1);

(27) Provides that a public official, as defined in the bill, has no authority in any civil action in a state or federal court to compromise or settle an action, consent to any condition, or agree to any order in connection therewith if the compromise, settlement, condition, or order nullifies, suspends, enjoins, alters, or conflicts with any provision of chapters 115 to 128. Any compromise, settlement, condition, or order that a public official agrees with that violates this prohibition is null and void. Nothing in this section should be construed to limit or restrict any powers granted by articles III or VIII or the Missouri constitution.

Requires parties to provide a copy of the pleading to the Speaker of the House of Representatives and the President pro tem of the Senate within fourteen days of filing the pleading with the court in cases challenging the constitutionality of a statute facially or as applied, cases challenging a statute as violating or being preempted by federal law, or cases challenging the construction or validity of a statute, as part of a claim or affirmative defense. The Speaker of the House and the President pro tem of the Senate may intervene to defend against the action at any time in the action as a matter of right by serving motion upon the parties as provided by applicable rules of civil procedure.

The Speaker of the House and President pro tem of the Senate may intervene at any time in an action on behalf of their respective chambers, or acting jointly, intervene in an action on behalf of the General Assembly. They may obtain legal counsel other than from the Attorney General, with the cost of representation paid from funds appropriated for that purpose, to represent the respective chamber or General Assembly in any action. However, no individual member, or group of members, of the Senate or the House of Representatives, except the President pro tem and the Speaker, as provided under this bill, shall intervene in an action described in this bill or obtain legal counsel at public expense under this bill in the member's or group's capacity as a member or members of the Senate or the House of Representatives.

The participation of the Speaker of the House or the President pro tem of the senate in any state or federal action, as a party or otherwise, does not constitute a waiver of the legislative immunity or legislative privilege of any member, officer, or staff of the General Assembly (Section 2); and

(28) All audits required by subsection 6 of section 115.225 that are conducted by the secretary of state must be paid for by state and federal funding (Section 3).

HB2400 - Modifies provisions relating to professional employer organizations

Sponsor

Rep. Dan Houx (R)

Summary

PERSONAL PRIVACY PROTECTION ACT (Section 105.1500, RSMo)

This bill establishes the "Personal Privacy Protection Act" prohibiting public agencies, from disclosing or requiring the disclosure of personal information. Specifically, public agencies are prohibited from:

Requiring any individual to provide the public agency with personal information or otherwise compel the release of such personal information; Requiring any entity exempt from federal income taxation under Section 501(c) of the Internal Revenue Code to provide the public agency with personal information or otherwise compel the release of personal information; Releasing, publicizing, or otherwise publicly disclosing personal information in possession of a public agency; or

Requesting or requiring a current or prospective contractor or grantee with the public agency to provide the public agency with a list of entities exempt from federal income tax under Section 501(c) of the Internal Revenue Code to which it has provided financial or nonfinancial support.

The bill contains various exceptions to these prohibitions. Any person or entity may bring a civil action for appropriate injunctive relief, damages, or both. Furthermore, a person who knowingly violates a prohibition in this bill is guilty of a class B misdemeanor.

LLC CAMPAIGN CONTRIBUTIONS (Section 130.029)

The bill permits any limited liability company that has not elected to be classified as a corporation under federal law to make campaign contributions to any committee, provided such limited liability company has been in existence for at least one year prior to making such contribution and such entity submits a form to the Missouri Ethics Commission indicating that such LLC is a legitimate business with a legitimate business interest and is not created for the sole purpose of making campaign contributions.

BUSINESS HEADQUARTER TAX CREDIT EXTENSION (Sections 135.110, 135.155)

Currently, a tax credit is authorized for a 10-year period for businesses that establish a headquarters in the state, with an additional possible 10-year period if certain conditions are met. This bill allows for a further six years of tax credits if such conditions are being met.

Currently, such tax credit shall only be available for headquarters that commence operations on or before December 31, 2025. This bill extends such date to December 31, 2031.

TAX CREDIT ACCOUNTABILITY ACT (Sections 135.800-135.815)

This bill modifies the definition of "domestic and social tax credits" by removing the health care access fund tax credit, which has expired, and by adding the previously authorized Health, Hunger, and Hygiene tax credit.

This bill also modifies the definition of "recipient" to provide that such term does not include the transferee of a tax credit .

This bill requires an applicant for a tax credit, as a part of the application process, to sign a statement affirming that the applicant is aware of the reporting requirements and penalty provisions of the Tax Credit Accountability Act.

This bill requires that a person or entity begin submitting annual reports within one month after the credit issuance date.

This bill requires such annual reports to include both the estimated and actual project costs. This bill allows the name of a tax credit recipient to be made available either on the Department of Economic Development's website or through the Missouri Accountability Portal.

This bill modifies the penalties for late filing of required reports. Failure to file the first annual report for more than three months shall result in a penalty of 1% of the value of the credits, not to exceed 10%. Failure to file the second or third annual report for more than three months shall result in a penalty of 1.5% of the value of the credits, not to exceed 20% per report.

Current law provides for a penalty equal to 100% of the value of the credits for fraud in the tax credit application process. This bill increases such penalty to 200% for fraud in the application or reporting process.

This bill also provides that the Administrative Hearing Commission shall determine whether fraud has occurred. The Department of Revenue (DOR), the Department of Economic Development (DED), or the administering agency may file a fraud complaint to the

Administrative Hearing Commission, as described in the bill.

Currently, an administering agency is required to send a notice of delinquency 90 days after the annual report is due. This bill changes such requirement to 30 days.

This bill allows DOR to enter into agreements to compromise or abate some or all of any penalties administered under the bill.

Currently, tax credit applicants are required to forfeit and repay tax credits if such applicant purposely and directly employs unauthorized aliens. This bill changes such standard to an applicant knowingly employing unauthorized aliens.

S CORP TAX CREDIT (Section 143.081)

Current law authorizes a tax credit for the amount of income tax paid to another state for income that is also taxed in this state. This bill allows such tax credit to be claimed by resident shareholders of an S corporation for the amount of tax imposed by this state on income earned in another state but not taxed by such state.

HEALTH INSURANCE DEDUCTION TAX CREDIT (Section 143.119)

This bill modifies the tax credit for self-employed taxpayers who are ineligible for the federal health insurance deduction by making it nonrefundable, nontransferable, and not eligible to be carried forward or backward to any other tax year.

This bill also requires a taxpayer to have a Missouri income tax liability of less than \$3,000. A taxpayer shall not be able to claim such tax credit and the state health insurance deduction in current law for the same tax year.

This tax credit shall sunset on December 31, 2028.

SALT PARITY ACT (Section 143.436)

This bill establishes the "SALT Parity Act".

Currently, in lieu of a corporate income tax on a pass-through entity, shareholders of such pass-through entity must pay income tax on the shareholder's pro rata share of the entity's income attributable to Missouri.

For tax years ending on or after December 31, 2022, this act allows the pass-through entity to elect to pay the tax, as described in the act. The tax shall be equal to the sum of each member's income and loss items reduced by a deduction allowed for qualified business income, as described in federal law, and modified by current provisions of state law relating to the taxation of passthrough entities, with such sum multiplied by the highest rate of tax in effect for the state personal income tax.

A nonresident who is a member, shall not be required to file a tax return for a tax year if, for such tax year, the only income derived from this state for such member is from one or more affected business entities, as defined in the act, that has elected to pay the tax imposed under this act.

Each partnership and S corporation shall report to each of its members, for each tax year, the member's pro rata share of the tax imposed by this act.

Each taxpayer, including part-year residents, that are subject to the state personal income tax shall be allowed a tax credit if such taxpayer is a member of an affected business entity that elects to pay the tax imposed by this act. The tax credit shall be equal to the taxpayer's pro rata share of the tax paid under this act. Such tax credit shall be nonrefundable, but may be carried forward to subsequent tax years, except that a tax credit authorized for taxes paid to other states shall not be carried forward.

Each corporation that is subject to the state corporate income tax shall be allowed a tax credit if such corporation is a member of an affected business entity that elects to pay the tax imposed by this act. The tax credit shall be equal to the corporation's pro rata share of the tax paid under this act. Such tax credit shall be nonrefundable, but may be carried forward to subsequent tax years.

Partnerships and S corporations may elect to pay the tax imposed under this act by submitting a form to be provided by the Department of Revenue. A separate election shall be made for each tax year.

Such election shall be signed either by each member of the electing entity, or by any officer, manager, or member of the electing entity who is authorized to make such election and who attests to having such authorization under penalty of perjury.

An affected business entity shall designate a representative for the tax year to act on behalf of the affected business entity in any action required or permitted to be taken by an affected business entity pursuant to this act, a proceeding to protest taxes, an appeal to the Administrative Hearing Commission, or review by the judiciary with respect to such action, and the affected business entity's members shall be bound by those actions.

TRANSIENT ACCOMMODATION UTILITY SALES TAX (Section 144.010 and 144.011)

This bill exempts from the definition of "retail sale" or "sale at retail" for the purposes of sales tax law the purchase by persons operating hotels, motels, or other transient accommodation establishments of certain utilities, which are used to heat, cool, or provide water or power to the guests' accommodations, as specified in the bill, and which are included in the charge made for the accommodations. Any person required to remit sales tax on these purchases prior to August 28, 2022, is entitled to a refund on such taxes.

MISSOURI RX PLAN (Section 208.798)

Currently, the state pharmaceutical assistance program, known as the "Missouri RX Plan", is set to terminate on August 28, 2022. This bill extends the Missouri RX Plan to instead terminate on August 28, 2029.

PROFESSIONAL EMPLOYER ORGANIZATIONS (Section 285.730)

A fully insured welfare benefit plan sponsored by a registered professional employer organizations (PEO) for the benefit of its covered employees shall be treated for the purposes of state law as a single employer welfare benefit plan.

For purposes of sponsoring welfare benefit plans for its eligible covered employees, a registered PEO shall be considered the employer of all of its eligible covered employees, and all eligible covered employees of one or more clients participating in a health benefit plan sponsored by a registered PEO shall be considered employees of such registered PEO.

GAMBLING BOAT FACILITIES (Sections 313.800 and 313.805)

This bill requires that a "nonfloating facility" for the purposes of licensing excursion gambling boats to be within 1,000 feet from the closest edge of the main channel of the Missouri or Mississippi River.

This bill also allows the water beneath or inside of such facility to be in tanks in addition to rigid or semi rigid storage containers or structures.

The bill also makes technical corrections to provisions relating to the transition from a floating facility to a non floating facility. CHARITABLE ORGANIZATIONS ANNUAL FILING REPORTING (Section 407.475)

This bill specifies that the state shall not impose any additional annual filing or reporting requirements on a charitable organization that are more stringent, restrictive, or expansive than the report already required to be submitted to the Attorney General's office unless such filing or report is specifically required by federal law.

This provision shall not apply to labor organizations, state grants or contracts, or investigations by the Attorney General of charitable organizations as set forth in state statute.

The restriction on additional annual filing or reporting requirements on a charitable organization shall not apply when such organization is providing any report or disclosure required by state law to be filed with the Secretary of State.

SHOW-ME HEROES PROGRAM (Section 620.515)

This bill modifies the Show-Me Heroes Program to provide for grants for veteran apprenticeship training programs

This bill provides that the Department of Higher Education and

Workforce Development may award grants from the Show-Me Heroes Program or a program administering the Show-Me Heroes Program to one or more nonprofit organizations that facilitate the participation of veterans and active duty United States military personnel transitioning to civilian employment in apprenticeship training programs, as described in the bill.

The grant shall be used only to recruit or assist veterans or active duty United States military personnel transitioning into civilian employment to participate in an apprenticeship training program.

MISSOURI ONE START PROGRAM (Sections 620.800, 620.803, 620.806, and 620.809)

This bill modifies the Missouri One Start Program by adding, modifying, and repealing certain definitions.

The definition of "committee", "existing Missouri business", and

"training program" are removed. Definitions for "application", "recruitment services", and "relocation costs" are added. The definition of "project facility" is modified by removing county average wage requirements in cases where multiple facilities make up the project facility. The definition of "training project costs" is modified to include relocation costs and costs of training project services not otherwise included in the definition. This bill also repeals the Missouri One Start Job Training Joint

Legislative Oversight Committee, which was tasked with providing a report on all assistance to qualified companies under the Missouri One Start Program.

The bill authorizes the Department of Economic Development (DED) to contract with other entities to provide recruitment services to qualified companies.

The bill provides that recruitment services for qualified companies shall be administered by DED, while financial assistance for training projects shall be administered by a local education agency certified by DED for that purpose. This bill also repeals a provision prohibiting a qualified company from receiving more than 50% percent of its training program costs from the Missouri One Start Job Development Fund.

Beginning July 1, 2023, all unobligated moneys in such funds shall be transferred to the "Missouri One Start Community College Training Fund", which is created by the bill, and to which all new jobs credits and retained jobs credits shall be deposited.

CITIZEN'S LAND DEVELOPMENT COOPERATIVE ACT (Section 620.850)

This bill establishes the "Citizen's Land Development Cooperative Act", which creates the "Citizen's Land Development Cooperative

Commission" within the Department of Economic Development (DED). The Commission shall consist of 11 members to be appointed by the Governor.

The Commission shall gather information and make annual reports to the Governor and the General Assembly regarding the establishment and operation of citizen's land development cooperatives. Annual reports submitted by the Commission shall include recommendations on policies relating to the citizen's land development cooperatives, related tax reforms, studies, assistance to local communities, applying for and accepting private funds, and annual financial accounting reports, as described in the act.

The Department of Economic Development shall develop and maintain a program to make grants to communities seeking to establish community investment corporations and encourage them to become self-sustaining from land rentals and other fees within the first five years of their formation.

The Commission shall seek funding from local, state, federal, and private sources to make grants and loans and otherwise enhance the development of citizen's land development cooperatives. This bill creates the "Citizen's Land Development Cooperative Fund". QUALIFIED RESEARCH EXPENSE TAX CREDIT (Section 620.1039) Currently, no tax credits for qualified research expenses, as defined in the bill, can be approved, awarded, or issued.

Beginning January 1, 2023, the Director of the Department of Economic Development (DED) may authorize a tax credit of either 15% of a taxpayer's qualified research expenses or 20% if the additional research expenses relate to research that is conducted in conjunction with a public or private college or university located in this state. For tax credits that exceed the taxpayer's tax liability, the difference between the credit and the tax liability may be carried forward for 12 years.

The annual aggregate cap on the amount of these tax credits that can be authorized by DED is \$10 million with no single taxpayer being issued or awarded more than \$300,000. Of the \$10 million cap in tax credits, \$5 million will be reserved for minority business enterprises, women's business enterprises, and small businesses. Any reserved amount not issued or awarded to a minority business enterprise, women's business enterprise, or small business by November 1st of the tax year may be issued to any taxpayer otherwise eligible for a tax credit under this bill.

Additionally, purchases of Missouri qualified research and development equipment, as defined in the bill, are specifically exempt from all state and local sales and use tax.

The provisions of the new program authorized under this bill sunset on December 31st, 2028.

MEET IN MISSOURI ACT SUNSET EXTENSION (Section 620.1620)

Extends the sunset on the Meet in Missouri Act from August 28, 2022 to August 28, 2028.

MISSOURI WORKS PROGRAM (Section 620.2020)

This bill provides that a qualified company or industrial development authority shall not be prohibited from receiving tax credits or retaining withholding tax, or both, if applicable, through the Missouri Works Program for reporting fewer jobs than the number required for the tax year if a statewide state of emergency existed for more than 16 months of the qualified company's or industrial development authority's tax year, provided that the qualified company or industrial development authority otherwise met all program requirements.

SB672 - Modifies provisions relating to workforce development

Sponsor

Sen. Lincoln Hough (R)

Summary

SS/SCS/SB 672 - This act modifies provisions relating to workforce development.

JOINT COMMITTEE ON RURAL ECONOMIC DEVELOPMENT

This act establishes the Joint Committee on Rural Economic Development, which shall be composed of five members of the Senate to be appointed by the President Pro Tem, no more than three of which shall be from the majority party, and five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, no more than three of which shall be from the majority party. The Committee shall investigate and examine issues relating to the economic development of rural areas of the state, as described in the act. The Committee may submit a report of its activities to the General Assembly, which shall include any recommendations for legislative action or administrative and procedural changes.

This provision is identical to SB 705 (2022).

FAST TRACK WORKFORCE INCENTIVE GRANT

This act modifies provisions relating to the Fast Track Workforce Incentive Grant program.

Under the act, an eligible student shall include an individual who is enrolled with an eligible training provider, as such term is defined in the act.

Occupations relating to eligible apprenticeships are added to the programs of study that the Coordinating Board for Higher Education shall annually review.

Grants shall be awarded in an amount equal to the related educational costs for an eligible apprentice after all other governmental assistance provided for the apprenticeship has been applied.

This act repeals requirements that the eligible student complete counseling and execute a promissory note in order to be eligible for a grant. (Section 173.2553)

Current law allows a Fast Track grant to be converted into a loan if a student fails to meet certain conditions. This act repeals such ability. (Section 173.2554)

This act shall sunset on August 28, 2029, unless reauthorized by the General Assembly.

TARGETED INDUSTRIAL MANUFACTURING ENHANCEMENT ZONES

This act establishes the "Targeted Industrial Manufacturing Enhancement Zones Act".

This act allows any two or more contiguous or overlapping political subdivisions, as defined in the act, to create targeted industrial manufacturing enhancement (TIME) zones for the purpose of completing infrastructure projects to promote economic development. Prior to the creation of a TIME zone, each political subdivision shall propose an ordinance or resolution that sets forth the names of the political subdivisions which will form the zone, the general nature of the proposed improvements, the estimated cost of such improvements, the boundaries of the proposed TIME zone, and the estimated number of new jobs to be created in the TIME zone. The political subdivisions shall hold a public hearing prior to approving the ordinance or resolution creating the TIME zone.

This act allows the zone board governing the TIME zone to retain twenty-five percent of withholding taxes on new jobs created within the TIME zone to fund improvements made in the TIME zone. Prior to retaining such withholding taxes, the zone board shall enter into an agreement with the Department of Economic Development. Such agreement shall specify the estimated number of new jobs to be created, the estimated average wage of new jobs to be created, the estimated net fiscal impact of the new jobs, the estimated costs of improvements, and the estimated amount of withholding tax to be retained over the period of the agreement. The Department shall not approve an agreement unless the zone board commits to the creation of a certain number of new jobs, as described in the act.

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

The zone board shall submit an annual report to the Department and to the General Assembly, as described in the act.

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

The total amount of withholding taxes retained by TIME zones under this act shall not exceed \$5 million per year.

No new TIME zone shall be created after August 28, 2025. (Section 620.2250)

This provision is identical to HB 1685 (2022), and is substantially similar to HCS/HB 379 (2021) and HCS/HB 1695 (2020), and to a provision contained in SCS/SB 174 (2021), CCS/HCS/SB 365 (2021), HCS/SS/SCS/SB 594 (2020), HCS/SS/SCS/SB 570 (2020), HCS/SCS/SB 725 (2020), and SS#2/SCS/HCS/HB 1854 (2020).

SB724 - Modifies provisions relating to county financial statements

Sponsor

Sen. Dan Hegeman (R)

Summary

SS/SCS/SB 724 - This act modifies provisions relating to county financial statements.

PUBLISHING OF COUNTY FINANCIAL STATEMENTS (Sections 50.815 & 50.820)

This act changes the date counties shall prepare and publish their financial statements from the first Monday in March to June 30th of each year. Additionally, the county treasurer shall not pay the county commission until notice is received from the state auditor that the county's financial statement has been published in a newspaper after the first day of July.

This act also requires second, third, and fourth class counties to produce and publish a county annual financial statement in the same manner as counties of the first classification. The financial statement shall include the name, office, and current gross annual salary of each elected or appointed county official.

The county clerk or other county officer preparing the financial statement shall provide an electronic copy of the data used to create the financial statement without charge to the newspaper requesting the data.

Finally, the newspaper publishing the financial statement shall charge and receive no more than its regular local classified advertising rate as published 30 days before the publication of the financial statement.

These provisions are identical to provisions in SB 845 (2022) and SB 1191 (2022) and substantially similar to HB 381 (2021).

COUNTY FINANCIAL STATEMENT PENALTIES FOR FAILURE TO FILE (Section 105.145)

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

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

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

If the political subdivision has an outstanding balance for fines at the time it files its first annual financial statement after August 28, 2022, the Director of Revenue shall make a one-time downward adjustment to such outstanding balance in an amount that reduces the outstanding balance by no less than 90%. If the Director of Revenue determines a fine is uncollectable, the Director shall have the authority to make a one-time downward adjustment to any outstanding penalty.

This act is similar to HB 2220 (2022), HB 441 (2021), HB 826 (2021), and to provisions in SCS/SB 527 (2021).

EXPENDITURES OF SCHOOL DISTRICTS (Section 164.450)

Under this act, school districts in St. Charles county that receive voter approval for the issuance of bonds shall maintain a detailed accounting of each and every expenditure by the school district for the moneys generated by such issuance. School districts shall be required to maintain a budget for each project and the budget shall detail the exact cost of the project and the source of all moneys used to fund the project. All information in the budget shall be maintained and updated on the website of the school district and shall be publicly available.

Any project undertaken by a school district shall be halted immediately upon exceeding the budgeted amount of moneys to complete such a project by more than ten percent. The continuation of the project shall not occur until the school district receives voter approval for the issuance of further bond indebtedness specifically for such project.

Any taxpayer residing within a school district that violates the provisions of this section may seek, and a court shall order, injunctive relief against such school district in any court of competent jurisdiction to enforce the provisions of this section.

These provisions are substantially similar to SB 1034 (2022).

SB745 - Modifies provisions relating to utilities

Sponsor

Sen. Mike Cierpiot (R)

Summary

HCS/SS#2/SCS/SB 745 - This act modifies provisions relating to utilities.

MISSOURI DISASTER FUND (Section 44.032)

The act allows rural electric cooperatives, as defined in the act, to receive funds from the Missouri Disaster Fund.

This provision is identical to a provision in SCS/HCS/HB 1734 (2022) and the perfected SS/SCS/SB 756 (2022).

SALES TAXES ON CERTAIN PURCHASES OF UTILITIES (Sections 144.010 & 144.011)

This act provides that, for the purposes of levying sales tax, the definition of "sale at retail" shall not include the purchase by persons operating hotels, motels, or other transient accommodation establishments of electricity, electrical current, water, and gas, whether natural or artificial, which are used to heat, cool, or provide water or power to the guests' accommodations of such establishments, including sleeping rooms, meeting and banquet rooms, and any other customer space rented by guests, and which are included in the charge made for such accommodations. Any person required to remit sales tax on such purchases prior to August 28, 2022, shall be entitled to a refund on such taxes remitted.

This provision is identical to SB 945 (2022) and to a provision in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

SALES TAX EXEMPTION FOR CERTAIN PURCHASES (Section 144.030)

This act authorizes a sales tax exemption for purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided

that the systems are sold or leased to an end user or are used to produce, collect and transmit electricity for resale or retail.

This provision is identical to a provision in the truly agreed to and finally passed CCS/HCS/SB 820 (2022) and similar to SCS/SB 881 (2022).

RATE ADJUSTMENTS OUTSIDE OF GENERAL RATE PROCEEDINGS (Section 386.266)

Current law allows an electrical corporation to apply to the Public Service Commission to approve rate schedules authorizing periodic rate adjustments outside of general rate proceedings due to changes in customer usage due to weather and conservation or to defer and recover certain depreciation expense and return for qualifying electric plant recorded to plant-in-service on the utility's books, but an electrical corporation cannot elect to do both.

Under this act, an electrical corporation may make one application to the Commission to either approve rate schedules authorizing periodic rate adjustments outside of general rate proceedings or to defer and recover certain depreciation expense and return for qualifying electric plant recorded to plant-in-service on the utility's books if the corporation has provided notice to the Commission to elect the opposite option. However, the corporation shall not concurrently utilize electric rate adjustments and the deferrals.

This provision is identical to a provision in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

NET METERING (Sections 386.885 & 386.890)

The act establishes the Task Force on Distributed Energy Resources and Net Metering, to conduct hearings and research information related to net metering as set forth in the act. The Task Force shall compile a report for the General Assembly by December 31, 2023. The Task Force shall dissolve on December 31, 2023, or when the Task Force concludes its work, whichever is sooner.

The act modifies the definitions of "department", which is changed from the Department of Economic Development to the Department of Natural Resources, and "retail electric supplier", which now includes municipally-owned utilities.

The sale of qualified electric energy units to any customer-generator shall be subject to provisions of law related to consumer protection.

These provisions are identical to provisions in the perfected SS/SCS/SB 756 (2022) and to provisions in SCS/HCS/HB 1734 (2022), substantially similar to SCS/SB 763 (2022), and similar to HB 1852 (2022).

TASK FORCE ON SOLAR ENERGY SYSTEMS (Section 393.1072)

This act establishes the "Task Force on Fair, Nondiscriminatory Local Taxation Concerning Solar Energy Systems".

The Task Force shall compile a report for delivery to the General Assembly by December 31, 2022. The report shall include information on the taxation of solar energy systems and related issues as stated in the act.

This provision is identical to a provision in the perfected SS/SCS/SB 756 (2022) and identical to a provision in SCS/HCS/HB 1734 (2022).

ACCOUNTING PRACTICES OF UTILITIES (Section 393.1275)

Under this act, electrical corporations, gas corporations, sewer corporations, and water corporations shall defer to a regulatory asset or liability account any difference in state or local property tax expenses actually incurred, and those on which the revenue requirement used to set rates in the corporation's most recently completed general rate proceeding was based. The regulatory asset or

liability account balances shall be included in the revenue requirement used to set rates through an amortization over a reasonable period of time in such corporation's subsequent general rate proceedings. Such expenditures deferred under this provision are subject to Commission prudence review in the next general rate proceeding after deferral.

This provision is identical to a provision contained in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

PLANT-IN-SERVICE ACCOUNTING (Section 393.1400)

This act modifies the definition of "weighted average cost of capital" for a provision relating to plant-in-service accounting.

Current law states that an electrical corporation's election to defer depreciation expense, as set forth in statute, shall allow it to make such deferrals until December 31, 2023, or if approved by the Public Service Commission, continue to make such deferrals from January 1, 2024, through December 31, 2028. Under this act, an electrical corporation may seek permission to continue to make such deferrals for an additional 5 years beyond December 31, 2028, by filing an application with the Commission seeking such permission by December 31, 2026. The application shall be ruled on within 180 days after its filing.

The Commission shall make the determination of whether to grant such permission to continue after a hearing.

Failure to obtain such Commission permission to continue shall not affect deferrals made through the date for which permission has been granted, or the regulatory and ratemaking treatment of the regulatory assets arising from such deferrals.

The Commission may take into account any change in business risk to the electrical corporation resulting from implementation of the deferrals in setting the corporation's allowed return in any rate proceeding, in addition to any other changes in business risk experienced by the corporation.

This provision is identical to a provision contained in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

CAPITAL INVESTMENT PLAN (Section 393.1400)

For each project in the specific capital investment plan on which construction commences on or after January 1st of the year in which the plan is submitted, and where the cost of the project is estimated to exceed \$20 million, the electrical corporation shall identify all costs and benefits that can be quantitatively evaluated.

If a cost or benefit cannot be quantitatively evaluated, the corporation shall state the reasons why not, and how the corporation addresses such costs and benefits when reviewing and deciding to pursue a project.

No project shall be based solely on costs and benefits that cannot be quantitatively evaluated, and any quantification for such a project shall be accompanied by additional justification in support of the project.

In its report to the PSC on capital investments, an electrical corporation shall include information on the quantitatively evaluated costs and benefits generated by each of those investments that exceeded \$20 million and any efficiencies achieved as a result of those investments.

This provision is identical to a provision contained in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

DISCOUNTED ELECTRIC RATES (Section 393.1640)

This act modifies the criteria for electric customers to be considered for a discounted electric rate. The first discount of 35% is for customers with new load that is projected to be between 300 kilowatts but not more than 10 megawatts with a load factor of 45% and shall apply for 5 years. The second discount applies for new load that is projected to be more than 10 megawatts and have a load factor of 55% and the discount percentage shall be determined such that the applicant's total bill is expected to provide revenues equal to 120% of the corporation's variable cost, as described in the act, to serve the corporation's accounts that are to receive the discount. Such discount shall apply for 10 years.

In order to obtain one of the discounts, the customer's load shall be incremental, the customer must receive an economic development incentive from the local, regional, state, or federal government, and the customer must meet criteria set forth in the electrical corporation's economic development rider tariff sheet.

The electrical corporation shall verify the customer's incremental demand annually to determine continued qualification for the applicable discount.

In each general rate proceeding concluded after August 28, 2022, the difference in revenues generated by applying the discounted rates and the revenue that would have been generated without such discounts shall not be imputed into the electrical corporation's revenue requirement but instead such revenue requirement shall be set as described in the act.

An electrical corporation's authority to offer discounted rates shall terminate on the date that such electrical corporation's authority to make deferrals expires.

This provision is identical to a provision contained in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

REVENUE REQUIREMENT (Section 393.1656)

Beginning January 1, 2024, that part of an electrical corporation's retail revenue requirement used to set the electrical corporation's base rates in each of the electrical corporation's general rate proceedings that are concluded on or after August 31, 2023, that consists of revenue requirement arising from inclusion in rate base of certain regulatory asset balances shall not exceed the revenue requirement impact cap, as such term is defined in the act. Such provision shall continue to apply to electrical corporations until such corporation's permission to defer and recover certain depreciation expense and return for qualifying electric plant recorded to plant-in-service on the utility's books expires.

This provision is identical to a provision contained in the perfected SS/SCS/SB 756 (2022) and in SCS/HCS/HB 1734 (2022).

RESTRICTIVE COVENANTS (Section 442.404)

This act also specifies that no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the installation of solar panels or solar collectors, as defined in the act, on the rooftop of any property or structure.

This provision goes into effect on January 1, 2023.

This provision is identical to a provision in HCS/SB 820 (2022) and to a provision in the perfected SS/SCS/SB 756 (2022), and SCS/HCS/HB 1734 (2022).

FINANCING ORDERS (Section 393.1715)

Current provisions of law regarding utility financing orders state that an electrical corporation may be permitted to retain coal-fired generating assets in rate base and recover costs associated with operating the coal-fired assets that remain in service to provide greater certainty that generating capacity will be available to provide essential service to customers, including during extreme weather events, and the Public Service Commission shall not disallow any portion of such cost recovery on the

basis that such coal-fired generating assets operate at a low capacity factor, or are off-line and providing capacity only, during normal operating conditions.

Under this act, the electrical corporation shall be permitted to retain coal-fired generating assets in rate base and recover prudently incurred costs associated with such assets, including at a low capacity factor, or that are offline and providing capacity only in order to remain in service to customers for reliability during events such as extreme weather.

SUNSHINE LAW (Section 610.021)

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

This provision is identical to SB 827 (2022), a provision in the perfected SS/SCS/SB 756 (2022), a provision in SCS/HCS/HB 1734 (2022), a provision contained in the truly agreed SCS/HCS/HB 362 (2021), SB 214 (2021), and SCS/HB 657 (2021).

SB820 - Modifies provisions relating to utilities

Sponsor

Sen. Eric Burlison (R)

Summary

CCS/HCS/SB 820 - This act modifies provisions relating to utilities.

RETURN OF FEDERAL FUNDS (Section 1.513)

The state is authorized to seek the return of broadband funding from any provider that defaults or breaches agreements to deploy broadband. The Office of Broadband Development may adjudicate such matters consistent with state law. Providers who default in any state shall provide notice to the Office and there shall be a presumption of default in Missouri as specified in the act.

These provisions are similar to provisions in the perfected HCS/HB 2638 (2022).

INTERNET ACCESS IN THE STATE CAPITOL (Section 8.055)

Beginning January 1, 2024, high speed wi-fi internet access shall be provided to the public within the State Capitol building and on Capitol grounds.

This provision is identical to a provision in the perfected HCS/HB 2638 (2022).

VERTICAL REAL ESTATE MANAGEMENT (Section 8.475)

Under the act, any political subdivision is authorized to erect vertical real estate or towers, as such terms are defined in the act, on its property unless otherwise proscribed by law. Such political subdivisions are also authorized to enter into public-private partnerships in order to effectuation construction of vertical real estate or towers.

These provisions are identical to provisions in the perfected HCS/HB 2638 (2022).

DISASTER FUND (Section 44.032)

The act allows rural electric cooperatives, as defined in the act, to receive funds from the Missouri Disaster Fund.

These provisions are identical to provisions in the truly agreed to and finally passed HCS/SS#2/SCS/SB 745 (2022).

SALES TAX - SOLAR ENERGY SYSTEMS (Section 144.030.2(46))

This act authorizes a sales tax exemption for purchases by a company of solar photovoltaic energy systems, components used to construct a solar photovoltaic energy system, and all purchases of materials and supplies used directly to construct or make improvements to such systems, provided that the systems are sold or leased to an end user or are used to produce, collect and transmit electricity for resale or retail.

This provision is identical to a provision in the truly agreed to and finally passed HCS/SS#2/SCS/SB 745 (2022), and similar to a provision in the perfected SS/SCS/SB 756 (2022), SCS/HCS/HB 1734 (2022), and SCS/SB 881 (2022).

NET METERING (Sections 386.885 and 386.890)

This act establishes the Task Force on Distributed Energy Resources and Net Metering, to conduct hearings and research information related to net metering as set forth in the amendment. The Task Force shall compile a report for the General Assembly by December 31, 2023. The Task Force shall dissolve on December 31, 2023, or when the Task Force concludes its work, whichever is sooner.

The act modifies the definitions of "department", which is changed from the Department of Economic Development to the Department of Natural Resources, and "retail electric supplier", which term now includes municipally-owned utilities.

The sale of qualified electric energy units to any customer-generator shall be subject to provisions of law related to consumer protection.

These provisions are identical to provisions in the truly agreed to and finally passed HCS/SS#2/SCS/SB 745 (2022), and similar to SCS/SB 763 (2022), HB 1852 (2022), SCS/SB 178 (2021), HB 539 (2021), SB 1065 (2020), and HB 2608 (2020).

RESTRICTIVE COVENANTS - RENEWABLE ENERGY (Sections 442.404 and B)

This act specifies that no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the installation of solar panels or solar collectors, as defined in the act, on the rooftop of any property or structure.

A homeowners' association may adopt reasonable rules regarding the placement of solar panels or solar collectors to the extent those rules do not prevent the installation of the device or adversely affect its functioning, use, cost, or efficiency.

These provisions shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the individual property or structure.

These provisions shall take effect January 1, 2023. (Section B).

These provisions are identical to SCS/SB 249 (2021) and provisions in the truly agreed to and finally passed HCS/SS#2/SCS/SB 745 (2022), and similar to HB 938 (2021), SB 1008 (2020), HB 2526 (2020), provisions in HCS/SS/SCS/SB 594 (2020), provisions in HCS/SS/SB 618 (2020), provisions in HCS/SB 664 (2020), and provisions in HCS/SCS/SB 725 (2020).

EMINENT DOMAIN FOR ELECTRICAL CORPORATIONS (Sections 523.010, 523.025, 523.039, 523.040, and 523.256)

The authority for an electrical corporation, as defined in the act, to condemn property for purposes of constructing electric plant subject to a certificate of convenience and necessity shall not extend to the construction of a merchant transmission line with Federal Regulatory Energy Commission negotiated rate authority unless such line has a substation or converter station located in Missouri which is capable of delivering an amount of its electrical capacity to electrical customers in this state that is greater than or equal to the proportionate number of miles of the line that passes through the state.

This provision shall not apply to applications for a certificate of convenience and necessity filed prior to August 28, 2022. (Section 523.010)

If an electrical corporation acquires any involuntary easement in this state by means of eminent domain and does not obtain the financial commitments necessary to construct a project for which the involuntary easement was needed in this state within 7 years of the date that such easement rights are recorded, the corporation shall return possession of the easement to the title holder within 60 days and record the dissolution with the county recorder of deeds. In the event of such return of the easement to the title holder, no reimbursement of any payment made by the corporation to the title holder shall be due. (Section 523.025)

For eminent domain proceedings of any agricultural or horticultural property by an electrical corporation for purposes of constructing electric plant subject to a certificate of convenience and necessity, just compensation shall be an amount equivalent to 150% of fair market value as determined by the court. This provision shall not apply to applications for a certificate of convenience and necessity filed prior to August 28, 2022. (Section 523.039)

In any eminent domain proceeding involving agricultural or horticultural property for purposes of constructing electric plant subject to a certificate of convenience and necessity, at least one of the disinterested commissioners appointed by the court shall be a farmer who has been engaged in farming for a minimum of 10 years in the county where such property is situated. This provision shall not apply to applications for a certificate of convenience and necessity filed prior to August 28, 2022. (Section 523.040)

A condemning authority shall be deemed to have engaged in good faith negotiations if, for condemnation of any agricultural or horticultural property for the construction of an electrical transmission line designed to transmit electricity at 345 kilovolts or greater, but not for condemnation of such property by an electrical corporation operating under a cooperative business plan, for the purpose of constructing electric plant subject to a certificate of convenience and necessity, the total compensation package offered was no lower than the amount reflected in an appraisal performed by a state-licensed or state-certified appraiser for the condemning authority multiplied by 150% percent. This provision shall not apply to applications for a certificate of convenience and necessity filed prior to August 28, 2022. (Section 523.256)

These provisions are similar to SS/HCS/HB 2005 (2022).

SUNSHINE LAW - RECORDS OF MUNICIPAL UTILITIES (Section 610.021)

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

These provisions are identical to provisions in HCS/SS#2/SCS/SB 745 (2022), SB 827 (2022), a provision in the perfected SS/SCS/SB 756 (2022), a provision in SCS/HCS/HB 1734 (2022), a provision contained in the truly agreed SCS/HCS/HB 362 (2021), SB 214 (2021), and SCS/HB 657 (2021).

BROADBAND INTERNET GRANT PROGRAM (Sections 620.2450 & 620.2451)

This act modifies provisions of the Broadband Internet Grant Program to expand broadband internet access in unserved and underserved areas of the state to include improving the reliability of broadband in such areas.

The act adds a definition for "project" and modifies the definition of "underserved area", which is now defined as a project area without access to wireline or fixed wireless broadband internet service of speeds of at least 100 Mbps download and 20 Mbps upload. The definition of "unserved area" is also modified to mean a project area without access to wireline or fixed wireless broadband internet services of speeds of at least 25 Mbps download and 3 Mbps upload.

Grants awarded under the program shall prioritize projects providing speeds of the higher of 100 Mbps download and 100 Mbps upload that is scalable to higher speeds, or the minimum acceptable speed established by the Federal Communications Commission.

The funds awarded by the Department of Economic Development for the purposes of the grant program shall require the entity to use the funds specifically for purposes set forth in the grant.

BROADBAND INTERNET GRANT PROGRAM (Section 620.2453)

For an application to receive grant moneys from the Broadband Internet Grant Program to expand access to broadband internet service in unserved and underserved areas of the state to be considered, an applicant shall provide the Department of Economic Development with certain data detailed in the act.

These provisions are identical to provisions in the perfected HCS/HB 2638 (2022).

HIGH-SPEED INTERNET (Section 620.2465)

The Department of Economic Development shall implement a program to increase high-speed internet access in unserved and underserved areas.

OFFICE OF BROADBAND DEVELOPMENT (Section 620.2468)

This act authorizes the state office of broadband development to engage in pre-operational site inspections for broadband providers to which it has provided grants or loans.

These provisions are identical to provisions in the perfected HCS/HB 2638 (2022).
