

# House Bill Summary



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*Second Regular Session of the 98th General Assembly*

January 20, 2016

The following is a list of bills that have been filed as of Jan. 18. The MAC website – [www.mocounties.com](http://www.mocounties.com) – offers links for House and Senate Bill tracking, as well as bill summaries, hearing schedules and committee rosters. MAC's legislative bulletins and summaries are also available online.

## **Elections**

**HB 1379 – English** – requires election authorities to make available at least one electronic voting machine per polling location for blind or visually impaired voters at an election in order to comply with federal law.

**HB 1380 – English** – specifies that election challengers may remain present at polling places until all votes are counted, certification forms completed, and equipment delivered to the proper election authority.

**HB 1479 – Entlicher** – modifies laws relating to filing deadlines when a candidate withdraws from a race within two working days prior to the deadline.

**HB 1480 – Entlicher** – allows voting machines to be used for the purpose of processing absentee ballots.

**HB 1677 – Dunn** – requires the secretary of state to establish a system for automatic voter registration.

**HB 1767 – Conway, P.** – allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason.

**HB 1778 – Curtman** – modifies provisions relating to paper ballots.

**HB 1826 – McGaugh** – authorizes an election authority to accept voter registration applications with electronic signatures under certain circumstances.

**HB 1835 – McGaugh** – changes the laws regarding voter eligibility.

**HB 1844 – Gardner** – requires the secretary of state to establish a system for automatic voter registration.

**HB 1959 – Dugger** – adopts an agreement to elect the president by national popular vote.

**HB 2048 – LaFaver** – adopts an agreement to elect the president by national popular vote.

**HB 2081 – Nichols** – establishes a system for automatic voter registration.

**HB 2161 – Marshall** – specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day.

**HB 2175 – Curtis** – requires a runoff election for county executive, prosecuting attorney, and county assessor in St. Louis County if no candidate receives at least fifty percent of the votes cast and establishes cert.

**HB 2192 – May** – requires the secretary of state to establish a system for automatic voter registration.

**HB 2198 – Curtman** – provides that elections to approve the imposition of, or increase in, a tax, license, fee, or levy shall only be held on the general

election day or the primary election day designated in section.

**HB 2274 – Smith** – allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason.

**HJR 53 – Dugger** – proposes a constitutional amendment specifying that a person seeking to vote in a public election may be required by general law to provide a valid government-issued photo identification.

## **Taxation & Assessment**

**HB 1381 – English** – increases the tax imposed on motor fuel from 17 cents per gallon to 19 cents per gallon.

**HB 1394 – King** – specifies additional circumstances that allow the county collector of revenue to waive or refund any penalty or interest added to a tax bill.

**HB 1434 – Koenig** – establishes additional rules and procedures for certain counties' tax increment financing commission.

**HB 1440 – Mims** – requires Jackson County to provide a method for taxpayers to pay current personal property taxes in monthly installments upon the taxpayer's request.

**HB 1447 – Redmon** – changes the laws regarding the imposition of local

sales taxes on the titling of motor vehicles, trailers, boats, or outboard motors purchased from non-licensed Missouri dealers.

**HB 1448 – Redmon** – changes the laws regarding sales and use tax exemptions for utilities used or consumed in the preparation of food.

**HB 1456 – Butler** – modifies the definition of residential property for property taxation and creates a sales tax exemption for certain properties.

**HB 1463 – Burlison** – modifies provisions relating to sales tax on admission or fees to places of amusement and entertainment.

**HB 1475 – Dugger** – authorizes a local taxing jurisdiction to vote on the local sales tax on the titling of a motor vehicle at any time.

**HB 1561 – Leara** – changes the laws regarding the distribution of sales taxes among certain areas of St. Louis County.

**HB 1581 – McNeil** – authorizes a tax increase on diesel fuel by eight cents and on all other motor fuels by seven cents.

**HB 1587 – Hill** – prohibits the state and any political subdivision from imposing restrictions on the parking of unlicensed motor vehicles as long as certain conditions are met.

**HB 1598 – Kelley** – increases the allowed cost of new appliances exempted from state sales tax during the Show-Me Green sales tax holiday.

**HB 1600 – Shaul** – establishes additional rules and procedures for certain counties' tax increment financing commission.

**HB 1615 – Swan** – requires statements of no tax due to be presented with any bid to perform work on publicly funded projects.

**HB 1650 – Corlew** – establishes a limit on residential property assessment increases for the elderly and disabled who own and live in

their principal residence proportional to the increase of their Social Security benefit.

**HB 1737 – Johnson** – establishes the Missouri Emergency Road & Bridge Fund.

**HB 1785 – Swan** – requires the local use tax enacted by a local government apply to the titling of motor vehicles, trailers, boats, and outboard motors purchased out-of-state and be collected by the Department of Revenue when the item is titled in Missouri, provided that if a local use tax and a local sales tax exist with respect to such items, only one such tax will be collected from the taxpayer.

**HB 1798 – Zerr** – prohibits any tax imposed on internet access or the use of internet access.

**HB 1814 – Hicks** – states that no municipality shall impose any business license tax, on the gross receipts of a telecommunications company derived from the business of providing prepaid wireless telecommunications service, except as specified.

**HB 1854 – Allen** – changes the laws regarding the distribution of sales taxes among certain areas of St. Louis County.

**HB 1895 – Otto** – exempts the residential property of certain individuals from increases in assessed valuation that are not from new construction or improvements and from rate increases.

**HB 1898 – Berry** – authorizes telephone companies to elect to have their tangible personal property assessed in accordance with a depreciation schedule.

**HB 1901 – Taylor** – authorizes a sales tax holiday for a new firearm purchased on the Saturday following July 4<sup>th</sup>.

**HB 1911 – Hinson** – specifies the levy rate for certain local government general obligation bond issues be set

at the rate needed to meet the bond issue obligation and be adjusted solely to meet that obligation. The levy rate set by a drainage or levee district for the payment of bonds must be set at a rate determined by the boards of supervisors.

**HB 1913 – Hinson** – eliminates a provision allowing for property tax levy adjustments for inflation and modifies standing for Hancock Amendment challenges.

**HB 1952 – Spencer** – requires a portion of sales and use taxes collected to be deposited in the State Road Fund.

**HB 1956 – Dohrman** – allows a computer-assisted mass appraisal (CAMA) system to be used by a county assessor, except in charter counties, to assist in the performance of his or her duties and in estimating property value. The bill also allows the county assessor or communities to restrict access to geographic information associated with a CAMA.

**HB 2065 – Berry** – allows a county to carry out technology business facility projects for economic development, accept grants from the federal and state governments for technology business facility project purposes, and enter into an agreement that is not contrary to the laws of this state. The county may receive gifts and donations from private sources to be used for technology business facility project purposes.

**HB 2079 – Nichols** – requires that no tax change be implemented before the Study Commission on State Tax Policy issues its final report or Dec. 31, 2017, whichever occurs first.

**HB 2113 – Eggleston** – extends the expiration date on the authority of the commission of a regional jail district to submit a ballot proposal imposing a sales tax.

**HB 2114 – Kelley** – authorizes Barton County to repeal a property tax in favor of a sales tax dedicated to hospital district.

**HB 2130 – White** – changes the laws regarding the assessment of commercial real property destroyed by a natural disaster.

**HB 2140 – Hoskins** – extends the Nov. 2016 deadline for an election on retaining local sales tax on titling of motor vehicles, trailers, and outboard motors until Nov. 2022, and it establishes the "Missouri Task Force on Fair, Nondiscriminatory Local Taxation Concerning Motor Vehicles, Trailers, Boats, and Outboard Motors." The bill also provides new ballot language.

**HB 2188 – Hough** – authorizes Greene County, or any city within the county, to impose a sales tax, upon voter approval, to fund early childhood education.

**HB 2242 – Cornejo** – amends Missouri Supreme Court Rule 52.08 to prohibit a political subdivision from participating in any action in Missouri state court as a representative or member of a class to enforce or collect any tax.

**HB 2243 – Cornejo** – prohibits a county, city, village, town, or other political subdivision from participating in any action in federal court as a representative or member of a class to enforce or collect any tax.

**HB 2271 – Entlicher** – authorizes Cedar County to pass a sales tax for funding for public libraries.

**HJR 56 – Burlison** – proposes a constitutional amendment to limit general revenue appropriations and mandate state income tax rate reductions in certain situations.

**HJR 61 – Davis** – proposes a constitutional amendment exempting certain disabled veterans from the payment of property taxes.

**HJR 66 – Spencer** – proposes a constitutional amendment authorizing an exemption from property tax designated for school systems and all personal property owned by citizens who have reached the age of 72.

**HJR 67 – Spencer** – proposes an amendment to the constitution to increase funding deposited in the County Aid Road Trust Fund by ten percent.

**HJR 77 – Carpenter** – proposes a constitutional amendment exempting from taxation real and personal property owned by a veteran with a total service-connected disability.

## **Judiciary, Corrections & Law Enforcement**

**HB 1408 – White** – creates the Law Enforcement Technology Advancement Fund for the purpose of purchasing equipment or software to improve the law enforcement capabilities of a department. The fund will be underwritten by a surcharge of \$25 assessed as costs in each criminal court proceeding with exclusions noted in the bill. The bill prohibits political subdivisions from reducing a law enforcement agency's budget as a result of moneys received from this fund.

**HB 1409 – White** – requires the court proceedings in the 29th judicial circuit to be assessed an additional surcharge to fund the operation and maintenance of a county juvenile center and the county judicial facility.

**HB 1424 – Walker** – allows persons to be stopped by law enforcement solely for failure to wear a safety belt.

**HB 1502 – Walton Gray** – modifies provisions allowing law enforcement officers to use deadly force in certain circumstances and establishes a task force on the use of force.

**HB 1516 – Ellington** – requires uniformed law enforcement officer to wear a video camera while on duty to record any interaction between a law enforcement officer and a member of the public.

**HB 1560 – McCann Beatty** – specifies that if charges are filed

against a law enforcement officer based on an officer involved shooting, the judge must appoint a special prosecutor.

**HB 1685 – Fitzwater** – allows the presiding judge of certain circuits to appoint a circuit court marshal.

**HB 1751 – Roden** – affects various statutes relating to public safety. The bill protects employees with medical conditions and pregnancy. The bill would make several changes to fire protection jurisdictions and districts.

**HB 1759 – Miller** – adds a circuit judge to the 26th judicial circuit.

**HB 1789 – Rone** – changes the laws regarding public administrators to require the county to provide a staff if the public administrator handles at least 50 cases.

**HB 1793 – Morris** – divides the Thirty-Eighth Judicial Circuit and creates a new Forty-Sixth Judicial Circuit.

**HB 1802 – Pace** – allows an affidavit to be filed to appoint a special prosecutor to determine if a prosecuting attorney should recuse himself or herself if the attorney's impartiality might reasonably be questioned.

**HB 1805 – Bayse** – requires local law enforcement and other government agencies to report information on MULES within 24 hours of the issuance of a warrant or the revocation of a warrant with respect to certain offenses.

**HB 1812 – Hicks** – changes the definition of "adult" to a person 18 years of age or older and "child" to a person under 18 years of age for purposes of juvenile court jurisdiction.

**HB 1837 – Fitzwater** – prohibits two-way telecommunications devices and their component parts in correctional centers and jails.

**HB 1893 – Korman** – specifies that before law enforcement officers may seize an individual's property, a petition stating what the property is,

that the property is located within the jurisdiction of the court, the grounds for forfeiture, and the names of all persons known to have or claim an interest in the property must be filed.

**HB 1904 – Lauer** – changes the laws regarding 911 emergency communication services.

**HB 1936 – Wilson** – allows sheriffs and deputies to assist in other counties throughout the state.

**HB 1945 – Spencer** – prohibits the use of automated traffic enforcement systems beginning Aug. 28, 2016, and requires any political subdivision to complete or terminate any automated traffic enforcement contract within one year.

**HB 1987 – McDaniel** – allows law enforcement officers to enforce the seat belt law as a stand-alone offense.

**HB 2091 – Chipman** – decreases the amount the state must reimburse a county jail or other institution for the costs of detention under certain sentencing guidelines from at least \$30 per day per offender to at least \$25 per day. The Department of Corrections is required to enter into an annual contractual agreement with the counties to pay this amount by June 30th of each year.

**HB 2142 – Hill** – provides that any peace officer employed by the state or a county, city, or other political subdivision has the right to carry a firearm at all times.

**HB 2259 – Jones** – modifies provisions regarding county law enforcement restitution funds.

## **Labor, Wages & Workers' Comp**

**HB 1443 – Leara** – modifies provisions relating to the Missouri local government employees' retirement system.

**HB 1528 – Brown** – adds any person or corporation in the construction industry to the definition of "employer" as it relates to Workers' Compensation Law.

**HB 1700 – Lant** – allows public bodies to opt out of prevailing wage laws for the construction of public works projects that are \$750,000 or less.

**HB 1880 – Lant** – modifies the definition of "construction" for the purposes of prevailing wage laws. The definition of "maintenance work" is also modified. The changes in the bill do not apply to charter counties. This bill is similar to SB 606.

**HB 1931 – Love** – changes the law to require contractors and subcontractors to pay employees state or federal minimum wage, whichever is higher. Contractors and subcontractors would be permitted to pay higher than the minimum wage if they chose, but that would not be a requirement. This does not apply to any work done for or by any drainage or levee district.

**HB 2148 – Vescovo** – modifies provisions relating to fairness in public construction.

## **Local Ordinances and Authority**

**HB 1378 – English** – modifies a provision relating to electrical contractor licenses issued by political subdivisions.

**HB 1418 – Pfautsch** – changes the laws regarding audits of transportation development districts.

**HB 1421 – Walker** – modifies the definition of "political subdivision" as it relates to its cooperation with other political subdivisions to include county sheltered workshop boards.

**HB 1426 – Walker** – prohibits the power of eminent domain from being exercised for any electric transmission line project if the project

is in specified counties or if the project is constructed entirely with private funds and users of the line pay for the transmission line. The specified counties are Adair, Knox, Marion, and Schuyler counties.

**HB 1445 – Redmon** – changes the laws regarding eminent domain for electric transmission line projects. This bill is similar to HB 1426.

**HB 1455 – Butler** – creates the Neighborhood Watch Fund to which the General Assembly may appropriate moneys to provide funds for the creation or establishment of neighborhood watch organizations.

**HB 1473 – Dugger** – changes the deposit requirement from 1.5 percent of the county general revenue of the preceding year to be deposited to \$2,500 as a guaranty of good faith of the bidding banking corporation or association when bidding as a depository of county funds.

**HB 1547 – McNeil** – creates the Energy Benchmark Transparency Act. Beginning Sept. 1, 2016, the owner of every public building in the state must use the Energy Star Portfolio Manager to measure and track, including establishing benchmarks, the energy and water consumption of each permanent public building and report the data to the Department of Economic Development's Division of Energy annually.

**HB 1554 – Neely** – transfers the authority to inspect nursing homes from the Department of Health and Senior Services to local health departments.

**HB 1695 – Rowland** – adds Taney County to the list of counties authorized to enact nuisance abatement ordinances.

**HB 1723 – Wiemann** – prohibits counties or municipalities from requiring property owners of property abutting a county or municipality right-of-way or easement to maintain or pay for its maintenance.

**HB 1729 – Reiboldt** – prohibits political subdivisions from adopting any ordinance or regulation relating to the labeling, cultivation, or other use of fertilizers or soil conditioners.

**HB 1800 – Pace** – changes the limits of the annual general operating revenue from traffic fines in St. Louis County and municipalities within such county from 12.5 percent to 20 percent.

**HB 1817 – Fraker** – extends the sunset on provisions related to amending county budgets until July 1, 2027.

**HB 1823 – McGaugh** – exempts certain structures used for agricultural purposes from county health orders, ordinances, rules, or regulations.

**HB 1858 – Mathews** – establishes provisions relating to filings with the recorder of deeds and establishes the crime of false filings.

**HB 1863 – Korman** – adds building officials, building inspectors employed by local governments, and other qualified individuals to the list of volunteers for the emergency volunteer program to be administered by the Missouri State Emergency Management Agency in the event of a disaster.

**HB 1894 – Korman** – modifies provisions relating to design-build contracts.

**HB 1912 – Hinson** – changes the law regarding erection of public buildings so that county commissions no longer need to appoint superintendents for that purpose.

**HB 2032 – Spencer** – transfers the maintenance of all state routes with letter designations to the county in which the road lies and maintenance work is funded by money the county receives from the County Aid Road Trust Fund. The provisions of this bill become effective upon passage of a constitutional amendment to increase the amount of money allocated to the County Aid Road Trust Fund by 10 percent.

**HB 2089 – Chipman** – requires county financial statements to be published on a county website or in a newspaper of general circulation.

**HB 2102 – Justus** – modifies the membership for the 911 board for Taney County.

**HB 2139 – Rowden** – specifies certain county hospitals may invest up to 15 percent of their funds in mutual funds.

**HB 2162 – Marshall** – changes the laws regarding blighted areas and the use of eminent domain.

**HB 2180 – Fitzpatrick** – allows for consolidation of road districts within a county.

**HB 2258 – Jones** – modifies provision of law relating to population determinations for political subdivisions.

**HB 2272 – Andrews** – authorizes county commissions that oversee cemetery funds to utilize investment managers.

## **Legislature & Elected Officials**

**HB 1452 – Hoskins** – changes the filing deadline for personal financial disclosure reports from May 10 annually to Jan. 15 and July 15 biannually.

**HB 1477 – Dugger** – amends laws relating to elections and political parties.

**HB 1572 – Rowden** – imposes a ban on all lobbyist gifts for state and local elected officials.

**HB 1632 – Alferman** – specifies that vacancies occurring in the office of county commissioner shall be filled within 60 days, with the appointment subject to the advice and consent of the senate.

**HB 1675 – Muntzel** – allows the county commission to immediately appoint persons to county elected

offices to fill vacancies that have occurred to serve until the governor makes an appointment.

**HB 1993 – Cornejo** – modifies numerous provisions relating to the Missouri Sunshine Law.

**HB 2090 – Chipman** – specifies that public administrators shall not be required to disclose their personal financial information in order to serve as guardian or conservator.

**HJR 78 – Pogue** – proposes a constitutional amendment to allow an elected official of this state or any of its political subdivisions to be removed from office by recall petition.