



MPUA

Missouri Public Utility Alliance

MAMU Legislative Committee – 1/17/20

HB1261 - Repeals provisions that prohibit political subdivisions from adopting orders, ordinances, or regulations relating to firearms

Sponsor Rep. Richard Brown (D)

Summary This bill repeals Section 21.750, RSMo, in which the General Assembly preempted the entire field of firearms regulation. Political subdivisions will now be able to regulate firearms in any manner allowed by state and federal law and that is consistent with their police powers or charter. This bill is the same as 1st Extraordinary Session HB 9 (2019).

Last Action 01/09/2020 H - Read Second Time

HB1344 - Prohibits public bodies from entering into certain contracts

Sponsor Rep. Ben Baker (R)

Summary This bill shall be known as the "Anti-Disrimination Against Israel Act". This bill prevents any public entity from entering into a contract with a company, except a sole proprietorship, that is boycotting Israel or territories under its control. There is also an exemption for contracts under \$100,000 and contractors with less than 10 employees. This bill is the same as HB 1006 (2019).

Last Action 01/16/2020 H - Referred to House committee on General Laws

HB1347 - Changes the law relating to the prohibition on expenditure of public funds to support or oppose candidates and certain measures

Sponsor Rep. Ben Baker (R)

Summary This bill prohibits contribution or expenditure of public funds, including public resources or specified property, by any officer, board member, director, administrator, employee, or agent of a political subdivision to advocate, support, or oppose ballot measure or candidate for public office. Individuals are also restricted from specified advocacy before the General Assembly when acting in an official capacity or during work hours. The bill does not prohibit individuals from making public appearances or from issuing press releases concerning ballot measure. The bill does allow the use of legislative liaisons by political subdivisions and special districts to communicate information to General Assembly about policies and procedures. Any resident of a political subdivision who challenge a contribution or expenditure of public funds may bring an action in any circuit court of the political subdivision in which violation occurred. The court shall consider petition and evidence, hear arguments, and determine whether a violation occurred. If the court decides the contribution or expenditure of public funds was a violation, then the court may award attorney fees and the political subdivision shall be subject to a civil penalty in an amount 10 times the amount of the contribution or expenditure or \$1,000 whichever is greater, or if the violation involved only use of public resources, then a civil fine not to exceed \$1,000 for those offenses that are committed by specified administrators or board members. A first violation of these provisions by specified non-administrative level employees will not be subject to any fine, but a subsequent offense will be punished using the previous categories. This is same as HB 363 (2019).

Last Action 01/16/2020 H - Scheduled for Committee Hearing 01/22/2020 8:00 AM - House-Elementary and Secondary Education, HR 7

HB1363 - Modifies provisions of sunshine laws relating to data exchanged on government-issued cell phones

Sponsor

Rep. Mark Ellebracht (D)

Summary

This bill amends the Missouri Sunshine Law in Chapter 610, RSMo. It amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances. The bill expands the requirements for preservation of communications through electronic means, including social media accounts, and requires the public entity to produce such records in usable electronic format. This bill is the same as HB 386 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1366 - Modifies provision for closed meetings of governmental bodies

Sponsor

Rep. Mark Ellebracht (D)

Summary

This bill modifies the law to allow records or meetings of governmental bodies that include descriptions of discussion about security procedures, including evacuation and lock down procedures, to remain confidential and closed to the public. This bill is the same as HB 389 (2019).

Last Action

01/16/2020 H - Referred to House Special Committee on Homeland Security

HB1370 - Modifies the computation of heritage value in condemnation proceedings

Sponsor

Rep. Mark Ellebracht (D)

Summary

Currently, "heritage value" applies to real property that has been owned within the same family for at least 50 years, and the value is calculated to be 50% of fair market value. This bill amends the definition of "heritage value" to apply to real property that has been owned within the same family for at least 10 years. Heritage value for property that has been owned within the same family for 10 years and one day shall be 10% of fair market value. For every 10 years and one day increment thereafter, such value shall increase by 10% for each such increment. This bill is the same as HB 396 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1408 - Modifies the membership of the "Clean Water Commission."

Sponsor

Rep. Robert Sauls (D)

Summary

Currently, at least two members of the Missouri Clean Water Commission must be knowledgeable about the needs of agriculture, industry, or mining, and not more than four members must represent the public. This bill modifies the composition of the Missouri Clean Water Commission so that two members must be knowledgeable about the needs of agriculture, industry, or mining, and four members must represent the public. This bill is the same as HB 921 (2019) and HB 1850 (2018).

Last Action

01/09/2020 H - Read Second Time

HB1548 - Establishes provisions for net neutrality

Sponsor

Rep. Matt Sain (D)

Summary

This bill specifies that it is unlawful for a fixed or mobile Internet service provider to engage in certain specified activities or to offer or provide services other than broadband Internet access that are delivered over the same last-mile connection as the broadband Internet access under certain conditions. Nothing in the bill is to be construed to prohibit a fixed or mobile Internet service provider from offering or providing services other than broadband Internet access service that are delivered over the same last-mile connection as the broadband service. The provisions of this bill do not supersede any obligation or authorization a fixed or mobile Internet service provider may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities or prohibit reasonable efforts by a fixed or mobile Internet service provider to address copyright infringement or other unlawful activity. This bill is the same as HB 625 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1555 - Modifies provisions for the Property Assessment Clean Energy Act

Sponsor

Rep. Bruce DeGroot (R)

Summary

This bill modifies provisions relating to the Property Assessment Clean Energy (PACE) Act. This bill is the same as SB 577 (2020) and similar to HCS HB 215, SCS SB 173 (2019), HB 2214, SB 933, and SB 2344 (2018).

Last Action

01/09/2020 H - Read Second Time

HB1611 - Allows customers of utilities to opt out of installation of certain types of meters

Sponsor

Rep. Mary Elizabeth Coleman (R)

Summary

This bill requires utilities regulated by the Public Service Commission to allow customers to choose between smart meters and traditional meters. Customers may also request that existing smart meters be replaced. Provisions for notice, requesting change of meters, and time limits for performance are specified in the bill. The bill also contains various consumer protection clauses designed to prevent customers from being coerced into accepting smart meter technology. Smart meter technology is regulated so that customer data is encrypted, not subject to public record laws, and subject to request by law enforcement only by warrant or lawful court order.

Last Action

01/09/2020 H - Read Second Time

HB1635 - Modifies provisions relating to the requirement to yield for emergency vehicles

Sponsor

Rep. Jeff Porter (R)

Summary

This bill clarifies that when an emergency vehicle is approaching, every other vehicle must yield the right-of-way and pull over: (1) On two-lane roadways, as far as possible to the right of, the traveled portion of the highway; and (2) On roadways with more than two lanes, as far as possible to the left of, or to the right of, the traveled portion of the highway.

Last Action

01/16/2020 H - Referred to House committee on Crime Prevention and Public Safety

HB1703 - Creates the "Missouri Electricity Bill Reduction Assistance Act"

Sponsor

Rep. Michael O'Donnell (R)

Summary

This bill creates the Missouri Electricity Bill Reduction Assistance Act (MO-EBRA). Electrical corporations may apply to the Public Service Commission for a financing order authorizing the: (1) Issuance of bonds; (2) Collection of MO-EBRA charges on customer bills (which are separate from the electrical corporation's base rates) to finance costs related to the retirement of an electric generating facility; and (3) Creation of MO-EBRA property following the retirement of an electric generating facility. This bill is similar to HB 935 and SB 289 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1737 - Establishes provisions to improve electricity resilience at critical facilities

Sponsor

Rep. Ron Hicks (R)

Summary

This bill authorizes electrical corporations to file requests for cost recovery with the Public Service Commission for investments to improve electricity resilience at critical facilities. The commission must consider certain factors when determining cost recovery for the investments. Approved investments must be supported through cost-recovery mechanisms otherwise approved by the commission and the commission must conduct an annual review of investments to determine their performance in improving critical facility energy resilience. This bill is the same as HB 1155 (2019).

Last Action

01/16/2020 H - Referred to House Special Committee on Homeland Security

HB1738 - Prohibits public bodies from entering into certain contracts

Sponsor

Rep. Ron Hicks (R)

Summary

This bill shall be known as the "Anti-Disrimination Against Israel Act". This bill prevents any public entity from entering into a contract with a company, except a sole proprietorship, that is boycotting Israel or territories under its control. There is also an exemption for contracts under \$100,000 and contractors with less than 10 employees. This bill is the same as HB 1006 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1762 - Allows the Public Service Commission to authorize a low income rate for water and sewer service

Sponsor

Rep. Jeff Knight (R)

Summary

This bill authorizes the Public Service Commission, during a general rate proceeding, to set a separate, lower fixed charge or customer charge for low-income customers of water corporations and sewer corporations. The aggregate impact of the low-income rate must be no more than one-half of one percent of the total revenue requirement allocated to the residential customer class. The commission must also require the water or sewer corporation to verify a customer's financial status using a third party or community agency. This bill is the same as HCS HB 160 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1764 - Modifies requirements for written offers in condemnation proceedings

Sponsor

Rep. Kathy Swan (R)

Summary

Currently, a condemning authority must, at the time of an offer, provide the property owner with an appraisal or an explanation with supporting financial data for its determination of value for purposes of the offer. This bill clarifies that the condemning authority is required to provide an explanation with supporting financial data for its determination of value for purposes of the offer only when the offer is not based on an appraisal. The offer must provide the property owner with a concise and understandable disclosure statement describing the effects of the project on the property, which must include certain information as set out in the bill. If a condemning authority's offer fails to comply with the procedural requirements or is presented prior to notice of intended acquisition, it will be deemed a nonconforming offer. What is considered an offer and a nonconforming offer are described in the bill. The lack of a nonconforming offer for up to two years prior to the filing of the condemnation petition is a factor in determining whether a condemning authority engaged in good faith negotiations. This bill is the same as HB 228 (2019).

Last Action

01/16/2020 H - Referred to House Committee on Judiciary

HB1768 - Specifies that the Dept of Econ Dev shall maintain a record of all funds obtained under the Broadband Internet Grant Program

Sponsor Rep. Louis Riggs (R)

Summary This bill requires the Department of Economic Development to maintain a record of all federal grants awarded to entities for the purposes of providing, maintaining, and expanding rural broadband in the state of Missouri. In cases in which funds have been retained, withheld or not distributed due to failure to meet performance standards or other criteria, the department must seek to have the funds awarded to another eligible, qualified Missouri broadband provider. This bill is the same as HCS HB 1162 (2019).

Last Action 01/16/2020 H - Referred to House committee on Economic Development

HB1782 - Establishes provisions for net neutrality

Sponsor Rep. Mark Ellebracht (D)

Summary This bill provides that broadband service providers shall publicly disclose information regarding network management practices, performance, and the commercial terms of its broadband Internet access. Broadband service providers shall also not block any broadband Internet access, impair broadband Internet access, engage in paid prioritization, or unreasonably disadvantage an end user's ability to select Internet content or an edge provider's ability to provide Internet content to end users. The Public Service Commission may only sanction paid prioritization if it will provide some significant public interest benefit and not impede the open access of the Internet. The bill also authorizes the Attorney General to enforce the provisions of the bill, with any resulting proceedings including a penalty up to \$5,000 for each violation, not to exceed \$25,000 per day. Additionally, any individual violating the provisions of the bill shall be subject to all penalties, remedies, and procedures provided by merchandising practice laws This bill is the same as HB 391 (2019).

Last Action 01/09/2020 H - Read Second Time

HB1784 - Allows electrical corporations to charge for services based on the costs of certain construction work in progress

Sponsor

Rep. John Black (R)

Summary

This bill creates the "Missouri Nuclear Clean Power Act", which allows clean base load electric generating plants or facilities that utilize renewable sources to produce energy not in commercial operation as of August 28, 2020 to charge for costs associated with construction work in progress before the facility is operational. The Public Service Commission may authorize an electrical corporation to charge for additional amortization to maintain the corporations financial ratios that will better allow to costeffectively construct a clean baseload generating plant or a renewable source generating facility.

Last Action

01/09/2020 H - Read Second Time

HB1801 - Prohibits the enforcement of any federal rule or regulation promulgated by the United States Environmental Protection Agency unless the rule or regulation is approved by the General Assembly

Sponsor

Rep. Lynn Morris (R)

Summary

This bill prevents all state departments and agencies from enforcing any rule or regulation promulgated by the United States Environmental Protection Agency until such rule or regulation has been approved by the General Assembly. This bill is similar to SB 715 (2020).

Last Action

01/09/2020 H - Read Second Time

HB1804 - Requires the department of natural resources to assist permit applicants throughout the permitting process

Sponsor Rep. Randy Pietzman (R)

Summary This bill requires the Department of Natural Resources to provide assistance to small businesses applying for permits by designating one or more people who are trained in the process to assist applicants. The staff must be trained in the permit application process, but not involved in the review or approval of permits. No later than January 1, 2021, the department must post on its website exemplars of completed and approved permit applications. If the department fails to provide the required assistance, the department must reduce the fees associated with each permit it issues to the applicant by an amount equal to the costs the applicant incurred to seek assistance from outside sources. This bill is similar to HB 1158 (2019).

Last Action

01/16/2020 H - Scheduled for Committee Hearing 01/27/2020 6:00 PM - House-Conservation and Natural Resources, HR 7

HB1836 - Establishes the "Missouri Prompt Pay Act" relating to payment dates for contractors and subcontractors

Sponsor

Rep. Alan Green (D)

Summary This bill establishes the "Missouri Prompt Pay Act", which provides that when a contractor performs according to the provisions of a contract, the owner or owner's representative shall pay the contractor within 15 days of receipt of any payment request based upon work completed or service provided under the contract. A subcontractor who has performed according to the provisions of a subcontract with a contractor or another subcontractor shall be paid within 10 days of receipt by the contractor or other subcontractor of any periodic or final payment. Payments may be withheld under certain specified conditions. In any action to enforce a claim under this bill, the prevailing party may recover interest and reasonable attorney fees. The provisions of this bill do not apply to improvements to real property of 12 or fewer residential units, or to contracts entered into prior to August 28, 2020. This bill is the same as HB (2019).

Last Action 01/09/2020 H - Read Second Time

HB1854 - Modifies provisions relating to political subdivisions

Sponsor Rep. Donna Pfautsch (R)

Summary This bill changes the laws regarding the consequences of a political subdivision for failure to file an annual financial statement with the State Auditor as required. If the failure to submit the annual financial statement was a result of fraud or other illegal conduct by any employee, the failure shall not result in a fine. Any political subdivision that has gross revenues of less than \$5000 or fails to collect or levy sales or use taxes shall not be subject to the fine. In addition, the Director of the Department of Revenue shall have the authority to make a one-time downward adjustment to any fine he or she deems uncollectable. If, after August 28, 2020 and before January 31, 2021, a political subdivision fails to file an annual statement, or if a political subdivision files an annual statement in that time period but fails to file any statement thereafter, the Director of the Department of Revenue must notify the Attorney General, and the Attorney General will initiate the process to dissolve the political subdivision. In addition, the residents of a political subdivision may apprise the Attorney General of the failure to file and the Attorney General, after investigation and confirmation, will initiate the process to dissolve the political subdivision as specified in the bill. The process for dissolving a political subdivision that is not in compliance with the annual financial statement requirement is specified in the bill, as is the available court orders. This bill is similar to HB 761 (2019).

Last Action 01/16/2020 H - Referred to House Committee on Local Government

HB1859 - Extends the sunset provision from the broadband internet grant program

Sponsor

Rep. Louis Riggs (R)

Summary

This bill extends the sunset on the Broadband Internet Grant Program to August 28, 2027. This bill is similar to SB 632 (2019).

Last Action

01/09/2020 H - Read Second Time

HB1877 - Modifies provisions for eminent domain for utility purposes

Sponsor Rep. Jim Hansen (R)

Summary This bill specifies the owner of a transmission line of 200 kilovolts or higher does not have the power of eminent domain unless the line includes electric substations constructed at intervals of less than 50 miles that are necessary to accommodate both the purchase and sale of electricity within the state and elsewhere and the owner of the line has been directed or designated to construct the line by a regional transmission organization by the Federal Energy Regulatory Commission. This bill is similar to HB 1062 (2019).

Last Action 01/09/2020 H - Read Second Time

HB1906 - Modifies provisions governing authorization of deduction of monies from public employee paychecks for benefit of public labor orgs

Sponsor Rep. Phil Christofanelli (R)

Summary A public body may withhold fees from public employee paychecks for the purpose of paying any portion of labor organization dues, agency shop fees, or any other fees paid to a labor organization only upon the annual consent of the public employee. Annual consent is also required for labor organizations to use such fees or dues for political purposes. This bill requires any such authorization to be submitted to the Department of Labor and Industrial Relations. Furthermore, the department shall require clear and compelling evidence that the authorization was freely given by a public employee. The department is additionally required to create and maintain an electronic database whereby public employees can submit or revoke any authorization. This bill is the same as SB 701 (2020).

Last Action 01/09/2020 H - Read Second Time

HB1914 - Modifies provisions relating to taxation of certain energy-producing property

Sponsor Rep. Jeff Porter (R)

Summary

This bill modifies several provisions related to property that uses solar energy to generate electricity. The bill removes solar energy systems not held for resale from properties exempted from taxation (Section 137.100, RSMo). Additionally, this bill develops a depreciation table, as described in the bill, for the purpose of assessing all real or tangible personal property associated with a project that uses solar energy to generate electricity (Section 137.123). Beginning January 1, 2021, any public utility company which has ownership of any real or personal property associated with a project that directly uses wind energy to generate electricity will be taxed using a standardized methodology of: (1) Any solar energy property will be assessed on the county assessor's local tax rolls; (2) Any real property consisting of land, improvements to the land, improvements attached to the land, and buildings related to the solar energy project will be assessed under Chapter 137 (Section 153.030). Additionally, this bill specifies that any real or tangible personal property associated with a project which uses solar energy directly to generate electricity will be valued and taxed by any state and local authorities having jurisdiction (Section 153.034)

Last Action

01/09/2020 H - Read Second Time

HB1920 - Modifies provisions relating to the misclassification of workers

Sponsor Rep. Justin Hill (R) **Last Action** 01/09/2020 H - Read Second Time

Summary This bill establishes the criteria of a worker to be considered as an independent contractor. The bill states that independent contractors shall have a written contract that states the person is an independent contractor, not an employee, and that the person is responsible for all costs, fees, and taxes as an independent contractor. In addition, the person must have the right to control the manner and means by which the work is accomplished and satisfies at least five out of nine listed requirements of an independent contractor. This bill also changes the definition of "employee" by removing the reference to the factors in IRS Rev. Rule 87-41, 1987-1 C.B.296 and stating that an individual who meets the requirements for an independent contractor as specified in this bill is not an employee. This bill is similar to HCS HB 1137 (2019).

HB1933 - Establishes "MO Local Government Expenditure Database"

Sponsor Rep. John Wiemann (R)

Summary This bill establishes the "MO Local Government Expenditure Database", maintained by Office of Administration (OA). For each FY beginning after 12/31/22, the database must include extensive info about a given municipality's or county's expenditures & vendors to whom payments were made. The data base must be accessible by public without charge & have multiple ways to search & filter info. A municipality or county may voluntarily participate in database or be required to participate if a petition process by its residents is used to require participation. A link to the database on a municipal or county website is required. OA may stipulate a format for info and provide a template for municipalities and counties to use in sending info. Other duties and responsibilities of OA regarding the database are detailed in the bill. Financial reimbursement to municipalities and counties for costs associated with the database is authorized. This bill is similar to HB 762 (2019).

Last Action 01/14/2020 H - Scheduled for Comm Hearing 01/21/2020 12PM - House-Local Govt, HR 1

HB1936 - Establishes new provisions allowing for creation of benefit corps

Sponsor Rep. Rocky Miller (R)

Summary Bill defines "benefit corporation" & requires all such to create a general public benefit, as specified. It authorizes a MO general corp to elect to become a benefit corp by amending its articles of incorporation & mtg requirements outlined. The board of directors of a benefit corp, when determining the best interest of benefit corp, must consider effects of action/inaction upon: (1) Shareholders of corp; (2) Employees of corp; (3) Interests of customers as beneficiaries of general public benefit; (4) Community & societal factors; (5) Local & global environment; (6) Short- & long-term interest of benefit corp; and (7) Ability of benefit corp to accomplish its general public benefit purpose. Directors & officers shall not have a duty to any person that is a beneficiary of general public benefit or special public benefit of corp & shall not be personally liable for monetary damages for failure of benefit corp to pursue or create a general public benefit (§351.1418, RSMo). Each benefit corp may have a benefit director responsible for preparing annual rpt addressing whether it acted in its general public benefit purpose and any adopted specific public benefit purposes. Additionally, the opinion shall address whether the directors & officers acted in accordance with required statutory roles. A benefit director shall not be personally liable for an act/omission in his/her capacity as benefit director (§351.1421). Each corp may have a benefit officer who shall, among other responsibilities, prepare an annual benefit rpt containing specified info. Each corp shareholder shall receive annual benefit rpt within 120 days of FY end or at time that corp delivers any other annual rpt to shareholders. The rpt shall be publicly available on website (§351.1427 to §351.1433). The bill provides for benefit enforcement whereby entities may claim against the benefit corp for violation of obligation, duty, or standard required by law, or failure to pursue/create a general public benefit or specific public benefit. Only specified entities may commence a benefit enforcement proceeding (§351.1435). Similar to HB 2669 (2018) and HB 1448 (2020).

Last Action 01/09/2020 H - Read Second Time

HB1953 - Modifies provisions of the sunshine law by adding utility customer information to closed records

Sponsor Rep. Curtis Trent (R) **Last Action** 01/09/2020 H - Read Second Time

Summary This bill adds individually identifiable customer usage and billing records for customers of municipally owned utilities to the list of records that are exempt from disclosure under the Sunshine Law, except that a municipally owned utility must make available the customer's name, billing address, location of service and dates of service for a commercial service account. This bill is the same as HB 1098(2019).

HB1963 - Modifies provisions of the "Missouri Public-Private Partnerships Transportation Act" to include a tube transport system

Sponsor Rep. Travis Fitzwater (R)

Summary

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on General Laws by a vote of 12 to 1. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 5 to 3. This bill defines a "tube transport system" as a high-speed transportation system, including infrastructure and facilities, in which pressurized pods containing passengers or freight ride or coast upon a cushion of air through magnetic levitation within a reduced-pressure or vacuum tube, propelled by electric power, and adds "tube transport system" to the types of projects that are eligible for a public-private partnership. PROPONENTS: Supporters say that if this bill passes, Missouri will become a leader in the future of transportation. Proponents want Missouri to remain competitive with other states in the future of transportation. The government will also have the opportunity to partner with private organizations for projects. Testifying for the bill were Representative Fitzwater; Missouri Chamber of Commerce and Industry; American Council of Engineering Companies-Missouri; Kansas City Tech Council; Andrew Gill Smith; Greater Kansas City Chamber of Commerce. OPPONENTS: There was no opposition voiced to the committee.

Last Action 01/15/2020 H - Voted do pass from committee - Rules-Legislative Oversight

HB1970 - Modifies provisions for underground facility notification

Sponsor Rep. Aaron Griesheimer (R)

Summary The bill specifies that if the owner of an underground facility fails to mark its facilities, fails to mark them accurately, or fails to contact the excavator as required, the owner or operator is in violation of the provisions of the law and subject to a penalty of no less than \$500 and no more than \$5,000 for each offense, payable to the excavator for documented time lost and expenses. Each calendar day that the owner or operator remains in violation is an additional violation.

Last Action 01/09/2020 H - Read Second Time

HB1992 - Modifies provisions for gas utility plant projects

Sponsor Rep. Bill Kidd (R)

Summary This bill modifies the definition of "gas utility plant projects" as it applies to the infrastructure system replacement surcharge for gas corporations.

Last Action 01/09/2020 H - Read Second Time

HB2028 - Allows a property owner to choose utility service for new structures built on the property

Sponsor Rep. Herman Morse (R) **Last Action** 01/09/2020 H - Read Second Time

Summary Bill specifies any new structures on a tract of land may be served by electrical supplier that serves the other structure on tract and that, at discretion of the property owner, a utility may continue to serve a structure even if ownership of property is transferred. The bill also specifies that property owner whose property is located on boundary line of a territorial agreement between two utility providers may choose electrical service that is most convenient and cost-effective without applying to PSC for change in agreement.

HB2033 - Modifies provisions for eminent domain for utility purposes

Sponsor Rep. Jim Hansen (R)

Summary COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 9 to 4. The following is a summary of the House Committee Substitute for HCS HB 2033. The bill specifies that no private entity has the power of eminent domain for the purposes of constructing above-ground merchant lines. This restriction will not apply to any rural electric cooperatives. The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill. PROPONENTS: Supporters say that this bill will create guidelines related to eminent domain and will not impact cooperatives. Supporters of this bill are mostly concerned that the Grain Belt Express Project will negatively impact eight counties within Missouri and 700 property owners. The project would be disruptive to the agriculture industry and roads, and harmful to the environment. More specifically, supporters said that the Grain Belt Express Project would eliminate all of the corn crops within the route of the project. Proponents also said that some landowners, on the route of the Grain Belt Express Project, have already sold their property to avoid any nuisance. Those property owners have had difficulties finding insurance to cover their property. Proponents do not believe that Missouri needs private enterprises as an energy source because Missouri has a surplus of energy capacity that will last for at least 19 years. Supporters also testified that the right of eminent domain should not be given to a private entity. Proponents also said that neighboring states have already updated their eminent domain laws and Missouri should restore the integrity of eminent domain. Supporters stated that cooperatives will not have to go through the same regulations as utility companies. Testifying for the bill were Representative Hansen; Missouri Cattlemen's Association; Missouri Farm Bureau; Marilyn O'Bannon; Wiley Hibbard, Ralls County; Donald W Shaw; and the Missouri Landowners Alliance. OPPONENTS: Those who oppose the bill say that this bill is an additional unnecessary regulation that will further delay the completion of the Grain Belt Express Project. The estimated savings to Missouri municipal utilities is approximately \$13 million annually, if the project would be completed. The savings for local municipalities will help local Boards of Public Works maintain stable electric rates resulting in direct savings to current customers, while aiding the ability to attract new customers through economic development. The Missouri Public Service Commission already approved the Grain Belt Express Project at least six years ago. Opponents also testified that the construction of the Grain Belt Express will create over 1,500 construction jobs for Missourians and will be of no cost to taxpayers. This project will help grow local economies, especially in the rural areas of Missouri. Opponents of this bill said that the project will help pay for schools, libraries, and other public programs. The enterprise governing the Grain Belt Express Project said that they have already spent \$1 million on land easements and that they are not seeking ownerships of the properties that will be impacted by the project, they are simply interested in purchasing easements. Testifying against the bill were Stephen White; John Richard Tregnago; John Fletcher, Central Missouri Agriservice LLC; American Federation of Labor and Congress of Industrial Organizations; Missouri Association of Municipal Utilities; Eric B Patterson, City of Harrisonville; Rodney Bourne, Rolla Municipal Utilities; and Invenergy LLC. OTHERS: Available for informational purposes were the Missouri Public Service Commission and the Missouri Electric Cooperatives. This bill is similar to SCS HB 1062 (2019).

Last Action 01/15/2020 H - Voted do pass from committee -Rules-Legislative Oversight

HB2040 - Modifies provisions relating to special license plates for the Association of Missouri Electric Cooperatives

Sponsor Rep. Greg Sharpe (R) **Last Action** 01/09/2020 H - Read Second Time

HB2050 - Requires that comprehensive state energy plan be reviewed by the Div of Energy by 1/1/22, biennially thereafter, & updated if necessary

Sponsor Rep. Rocky Miller (R) **Last Action** 01/09/2020 H - Read Second Time

HB2077 - Requires the DNR to implement regulations that comply with the UN Framework Convention on Climate Change Paris Agreement

Sponsor Rep. Jon Carpenter (D) **Last Action** 01/09/2020 H - Read Second Time

HB2091 - Modifies provisions relating to video service providers

Sponsor Rep. Jack Bondon (R) **Last Action** 01/13/2020 H - Read Second Time

HB2094 - Creates the Missouri Water and Sewer Infrastructure Act

Sponsor Rep. Jack Bondon (R) **Last Action** 01/16/2020 H - Ref to H Comm on Utilities

Summary Establishes "MO Water & Sewer Infrastructure Act", which specifies a water or sewer company may file a petition & proposed rate schedules with PSC to create or change an infrastructure rate adjustment (WSIRA) that provides for the recovery of pretax revenues associated with eligible infrast.projects. The PSC cannot approve a WSIRA for a water or sewer corp that has not had a general rate proceeding decided or dismissed within the past 3 years of filing a WSIRA petition unless corp has filed or is subject of new general rate proceeding. A corp cannot collect a WSIRA for more than 3 years unless corp had filed for or is the subject of a new rate proceeding. In such case, the WSIRA can be collected until effective date of new rate schedules. Upon filing, the PSC must publish a notice of filing, and conduct an examination of proposed WSIRA. If PSC finds that a petition complies with the requirements, the PSC must enter an order authorizing the corp to implement the WSIRA. A corp may effectuate a change in its WSIRA no more often than twice in every 12-month period. The bill specifies information the PSC may consider in determining the appropriate pretax revenues and how the WSIRA is calculated. If this information is unavailable and the PSC has not provided it on an agreed-upon basis, the PSC must use the last authorized overall pretax weighted average cost of capital for a WSIRA or the last authorized overall pretax weighted average cost of capital in a general rate proceeding for the corp. At the 12-month period the WSIRA was in effect, the corp must reconcile the differences between the revenues from a WSIRA and the appropriate pretax revenues found by the PSC for that period and submit the reconciliation and proposed WSIRA to the PSC for approval to recover or credit the difference. A corp that has a WSIRA must file revised WSIRA schedules when new base rates and charges become effective following a general rate proceeding that includes the WSIRA eligible costs in the base rates. Once the eligible costs are included in corp's base rates, the corp must reconcile any previously unreconciled WSIRA revenues to ensure that revenues resulting from the WSIRA match as closely as possible the appropriate pretax revenues. A corp's filing of a petition to establish or change a WSIRA is not considered a request for a general increase in the corp's base rates and charges. Nothing in this bill impairs the authority of the PSC to review the prudence or eligibility of specific projects in the proposed WSIRA.

HB2102 - Requires internet service providers to block obscene websites and provide subscribers the ability to create a password to access such websites

Sponsor

Rep. Mike Moon (R)

Last Action

01/13/2020 H - Read Second Time

HB2103 - Places restrictions on how municipalities may allocate revenues from taxes authorized under Article IV, Section 30(a) of the Constitution

Sponsor

Rep. Glen Kolkmeier (R)

Last Action

01/13/2020 H - Read Second Time

HB2120 - Establishes provisions relating to water safety and security

Sponsor

Rep. Bill Kidd (R)

Summary

This bill specifies that within one year, every public water system in the state that uses an Internet-connected control system must create a plan that establishes policies and procedures for identifying and mitigating cyber risk. All public water systems must also create a valve inspection and a hydrant inspection program as specified in the bill and must submit a report upon the request of the Department of Natural Resources that certifies compliance with regulations regarding water quality sampling, testing, reporting, hydrant and valve inspections, and cyber security plans. These requirements do not apply to cities with a population of more than 30,000 inhabitants, Jackson or St. Louis counties. This bill is the same as HCS HB 801 (2019).

Last Action

01/16/2020 H - Referred to House Special Committee on Homeland Security

HB2124 - Repeals the sunset date for discounted electric rates for qualifying customers of electrical corporations

Sponsor

Rep. Dave Muntzel (R)

Last Action

01/14/2020 H - Read Second Time

HB2179 - Prohibits public bodies from entering into certain contracts

Sponsor Rep. Holly Rehder (R)

Last Action 01/16/2020 H - Referred to House committee on General Laws

HB2182 - Repeals the sunset clause on the Uniform Small Wireless Facility Deployment Act

Sponsor Rep. Rocky Miller (R)

Last Action 01/16/2020 H - Read Second Time

HB2184 - Changes laws on political subdivisions allowing neighborhood & community improvement dists to expend funds on telecomm services

Sponsor Rep. Hannah Kelly (R)

Last Action 01/16/2020 H - Read Second Time

HB2214 - Modifies the term public entity relating to sovereign immunity

Sponsor Rep. Phil Christofanelli (R)

Last Action

01/16/2020 H - Introduced and Read First Time

SB526 - Modifies provisions relating to video service providers

Sponsor

Sen. Ed Emery (R)

Summary

SB 526 - This act modifies provisions relating to video service providers.No political subdivision shall adopt a linear foot fee to be charged to any entity that holds a franchise or video service authorization.The act modifies the definition of "gross revenues".Currently, franchise entities may collect a video service provider fee equal to not more than 5% of the gross revenues of a video service provider providing service in the geographic area of such franchise entity. Under the act, a franchise entity may collect a video service provider fee equal to not more than 5% of the first \$20 of the gross revenues charged to each customer of a video service provider that is providing video service in the geographic area of such franchise entity.A franchise entity or political subdivision shall not demand any additional fees, licenses, gross receipt taxes, or charges on a video service provider that holds a video service authorization, or an affiliate of such video service provider, with respect to:• The placement, construction, or modification of facilities integrated with or attached to a video service network within the geographic area of the franchise entity or other political subdivision; or• The provision by such video service provider operator or affiliate of any service over a video service network within the geographic area of the franchise entity or other political subdivision.Finally, the act repeals the sunset date for the Uniform Small Wireless Facility Deployment Act.This act is similar to SB 273 (2019).JAMIE ANDREWS

Last Action

01/15/2020 S - Scheduled for Senate Committee Hearing - Commerce, Consumer Protection, Energy, and the Environment - 01/15/20 - 12:00 pm - Senate Lounge

SB577 - Modifies provisions relating to property assessment contracts for energy efficiency

Sponsor Sen. Sandy Crawford (R)

Summary SB 577 - This act modifies provisions relating to the Property Assessment Clean Energy (PACE) Act. This act is similar to SCS/SB 173 (2019), HCS/HB 215 (2019), SB 933 (2018), HB 2214 (2018), and HB 2344 (2018).JAMIE ANDREWS

Last Action 01/09/2020 S - Referred to Senate Committee on Insurance and Banking

SB592 - Establishes provisions related to water and sewer infrast.rate adjustments for water and sewer corporations

Sponsor Sen. Bill White (R)

Summary Establishes the MO Water & Infrast.Act, which specifies that a water or sewer corporation may file a petition and proposed rate schedules with the Public Service Commission to create or change a water and sewer infrast.rate adjustment (WSIRA) that provides for the recovery of pretax revenues associated with eligible infrast.projects. The WSIRA and any future changes must meet specific requirements as set forth in the act.The Commission shall not approve a WSIRA for a water or sewer corporation that has not had a general rate proceeding decided or dismissed in the 3 years before the filing of a WSIRA petition unless the water or sewer corporation has filed for or is the subject of a new general rate proceeding.At the time the water or sewer corporation files a petition for a WSIRA, it shall submit proposed WSIRA rate schedules and supporting documentation, and the corporation shall also serve the Office of Public Counsel with a copy of the petition, rate schedules, and documentation. Upon the filing of a petition, the Commission shall conduct an examination of the proposed WSIRA, as specified in the act. The Commission may hold a hearing on the petition and any associated WSIRA rate schedules. If the Commission finds that a petition complies with the requirements set forth in the act, the Commission shall enter an order authorizing the water or sewer corporation to implement the WSIRA. A corporation may petition the Commission for a change in its WSIRA no more than two times in every 12-month period.The act lists what information the Commission may consider in determining the appropriate pretax revenues and how the WSIRA is calculated. If this information is unavailable and the Commission is not provided such information on an agreed-upon basis, the Commission shall use the last authorized overall pretax weighted average cost of capital in a general rate proceeding for the water or sewer corporation. At the end of each 12-month calendar year that a WSIRA is in effect, the corporation shall reconcile the differences between the revenues from a WSIRA and the appropriate pretax revenues found by the Commission for that period and submit the reconciliation and proposed WSIRA to the Commission for approval to recover or credit the difference.A water or sewer corporation that has a WSIRA shall file revised WSIRA schedules when new base rates and charges become effective following a general rate proceeding that includes the WSIRA eligible costs in the base rates. Once the eligible costs are included in the water or sewer corporation's base rates, the corporation shall reconcile any previously unreconciled WSIRA revenues to ensure that revenues resulting from the WSIRA match as closely as possible the appropriate pretax revenues.A water or sewer corporation's filing of a petition to establish or change a WSIRA is not considered a request for a general increase in the corporation's base rates and charges. Nothing in the act impairs the authority of the Commission to review the prudence or eligibility of specific projects in the proposed WSIRA.This act is similar to SB 377 (2019) and HCS/HB 633 (2019).JAMIE ANDREWS

Last Action

01/16/2020 H - Scheduled for Committee Hearing 01/22/2020 12:00 PM - Senate-Commerce, Consumer Protection, Energy and the Environment, Senate Lounge

SB597 - Modifies provisions relating to the power of eminent domain for utility purposes

Sponsor

Sen. Justin Brown (R)

Summary

SB 597 - This act specifies that no private entity, which is defined as a utility company that does not provide service to end-use customers or provide retail service in Missouri, or does not collect its costs to provide service under a regional transmission organization tariff, regardless of whether it has received a certificate of convenience and necessity from the Public Service Commission, shall have the power of eminent domain for the purpose of constructing above-ground merchant lines, as such term is defined in the act. This act is identical to SCS/HB 1062 (2019). JAMIE ANDREWS

Last Action

01/15/2020 S - Hearing Conducted

SB604 - Modifies provisions relating to the power of eminent domain for utility purposes

Sponsor

Sen. Cindy O'Laughlin (R)

Summary

SB 604 - This act specifies that no private entity, which is defined as a utility company that does not provide service to end-use customers or provide retail service in Missouri, or does not collect its costs to provide service under a regional transmission organization tariff, regardless of whether it has received a certificate of convenience and necessity from the Public Service Commission, shall have the power of eminent domain for the purpose of constructing above-ground merchant lines, as such term is defined in the act. This act is identical to SCS/HB 1062 (2019).

Last Action

01/15/2020 S - Hearing Conducted

SB618 - Modifies the definition of "gas utility plant projects" for provisions of law relating to an infrast.system replacement surcharge for gas corporations

Sponsor

Sen. Wayne Wallingford (R)

Summary

SB 618 - This act modifies the definition of "gas utility plant projects" for provisions of law relating to an infrast.system replacement surcharge for gas corporations.

Last Action

01/16/2020 S - Read Second Time

SB619 - Requires public water systems and public water supply districts that intend to start or stop fluoridation of their water supply on a continuing basis to seek and receive information about the impact of fluoridation from the local health department

Sponsor

Sen. Wayne Wallingford (R)

Summary

SB 619 - This act requires any public water system or public water supply district that intends to start or stop fluoridation of its water supply on a continuing basis to seek and receive information about the impact of public water fluoridation from the local health department. The public water system or public water supply district shall inform the Department of Natural Resources and the Department of Health and Senior Services that the water system or water district has sought and received information on the impact of public water fluoridation prior to submitting notification of the water system's or water district's intention to start or stop public water fluoridation on a continuing basis. In cases of an investor-owned water system, the entity calling for the modifications to fluoridation shall be responsible for all costs associated with compliance. This act is similar to SCS/SB 278 (2019), HB 975 (2019), and HB 2213 (2018).

Last Action

01/16/2020 S - Read Second Time

SB632 - Extends the expiration date of the broadband internet grant program for unserved and underserved areas of the state from August 28, 2021 to August 28, 2027

Sponsor

Sen. Dan Hegeman (R)

Summary

SB 632 - Currently, the broadband internet grant program for unserved and underserved areas of the state will expire on August 28, 2021. This act extends the program until August 28, 2027.

Last Action

01/16/2020 S - Read Second Time

SB674 - Reauthorizes the Wood Energy Tax Credit until June 30, 2026

Sponsor

Sen. Justin Brown (R)

Summary

SB 674 - Current law provides for a tax credit for the production of certain wood-energy processed wood products, with such tax credit to expire on June 30, 2020. This act extends the tax credit until June 30, 2026. This act is identical to a provision contained in SB 454 (2019).

Last Action

01/08/2020 S - Read First Time

SB678 - Requires not for profit entities and nonprofit corporations to make their financial statements available to the public if the entity enters into a contract or agreement with the state or any political subdivision

Sponsor

Sen. Cindy O'Laughlin (R)

Summary

SB 678 - This act requires not for profit entities and nonprofit corporations, including charter schools, to make their financial statements available to the public if the entity enters into a contract or agreement with the state or any political subdivision. This act is identical to SB 301 (2019) and SB 676 (2018).

Last Action

01/08/2020 S - Read First Time

SB692 - Modifies provisions of the Public Access to Automated External Defibrillator Act

Sponsor

Sen. Mike Cunningham (R)

Summary

SB 692 - This act modifies provisions of the Public Access to Automated External Defibrillator Act. Under current law, persons or entities that have acquired an automated external defibrillator are required to ensure that: (1) expected users receive training from the American Red Cross, American Heart Association, or other equivalent training course; (2) the defibrillator is maintained and tested according to the manufacturer's operational guidelines; (3) the user activates the emergency medical services system as soon as possible; and (4) person or entity placing a defibrillator outside of a health care facility has a physician review and approve the protocol and training. This act repeals these provisions and requires that a person or entity who acquires an automated external defibrillator to do the following: (1) comply with all regulations governing placement of the defibrillator; (2) notify the local emergency medical services agency of the defibrillator's existence, location, and type; (3) ensure that the defibrillator is maintained and tested to the manufacturer's guidelines; (4) ensure that testing of the defibrillator occurs at least every 2 years and after each use; and (5) ensure that an inspection of all defibrillators on the premises is made every 90 days. Currently, a person who gratuitously and in good faith renders emergency care through the use or provision of an automated external defibrillator shall not be held liable for any civil damages, unless he or she acted in a willful and wanton or reckless manner. This act extends this immunity to criminal penalties. Additionally, a person or entity that provides training, owns the defibrillator, or is responsible for the site where the defibrillator is located shall likewise not be held liable. This act repeals such immunity for the person or entity that provided the clinical protocol for the sites or programs and for the licensed physician who reviews and approved the clinical protocol. This act is substantially similar to SB 423 (2019) and similar to provisions in HCS/SS/SB 145 (2019), HCS/SB 333 (2019), HCS/SCS/SB 363 (2019), SS#3/SCS/HB 113 (2019), and HB 1038 (2019).

Last Action

01/08/2020 S - Read First Time

SB701 - Modifies provisions governing the authorization of the deduction of monies from the paychecks of public employees for the benefit of public labor organizations

Sponsor Sen. Bob Onder (R)

Summary Under current law, a public body may withhold fees from public employee paychecks for the purpose of paying any portion of labor organization dues, agency shop fees, or any other fees paid to a labor organization only upon the annual consent of the public employee. Annual consent is also required for labor organizations to use such fees or dues for political purposes. This act requires any such authorization to be submitted to the Department of Labor and Industrial Relations. Furthermore, the Department shall require clear and compelling evidence that the authorization was freely given. The Department is additionally required to create and maintain an electronic database whereby public employees can submit or revoke any authorization.

Last Action 01/08/2020 S - Read First Time

SB715 - Prohibits enforcement of any federal rule/regulation promulgated by the USEPA unless rule/regulation is approved by General Assembly

Sponsor Sen. Eric Burlison (R)

Summary This act prevents all state departments and agencies from enforcing any rule or regulation promulgated by the United States Environmental Protection Agency until such rule or regulation has been approved by the General Assembly. This act is similar to HB 222 (2017) and HB 2582 (2016).

Last Action 01/08/2020 S - Read First Time

SB721 - Modifies requirements for gtd energy cost savings contracts

Sponsor Sen. Lincoln Hough (R)

Summary Act modifies provisions on guaranteed energy cost savings contracts. Currently, a gov't unit is required to award a contract to a qualified provider if, among other things, it finds that the amount it would spend on the energy cost savings measures recommended in the proposal would not exceed the amount of energy or operational savings, or both, within a 15 year period from the date installation is complete, if the recommendations in the proposal are followed. This act extends the time frame to a 20 year period. The act requires that any guaranteed energy cost savings contract shall include a scope of work describing the specific energy cost savings measures that are to be addressed by the proposal as well as information regarding any energy or operational audit performed by the agency in connection with the energy cost savings measure to be addressed by the proposal, and if no energy audit information is provided, then a requirement that the proposer will provide such energy or operational cost audit. The act requires, rather than permits, a guaranteed energy savings contract to provide for payments over a period of time, not to exceed twenty years, or the expected life of any equipment or systems. This act is substantially similar to SB 126 (2019).

Last Action 01/08/2020 S - Read First Time

SB723 - Repeals the sunset date for discounted electric rates for qualifying customers of electrical corporations

Sponsor Sen. Justin Brown (R)

Summary Repeals sunset date for discounted electric rates for qualifying customers of electrical corps

Last Action 01/08/2020 S - Read First Time

SB725 - Modifies the appointment qualifications for members of boards of public works in certain cities

Sponsor Sen. Justin Brown (R) **Last Action** 01/08/2020 S - Read First Time

Summary This act allows residents of a county that receive services from a board of public works in certain cities to be appointed to serve on such board.

SB728 - Modifies provisions regarding arbitration agreements between employers and employees

Sponsor Sen. Tony Luetkemeyer (R) **Last Action** 01/08/2020 S - Read First Time

Summary In arbitration agreements between an employer & an employee, the arbitrator shall make all initial decisions as to arbitrability, which includes deciding whether the parties have agreed to arbitration, whether the arbitration agreement is valid and enforceable, and whether specific claims are arbitrable. Furthermore, the act establishes certain criteria for when the arbitrator shall determine that the arbitration agreement is valid. On motion by a party showing that the arbitration agreement does not expressly delegate the issue of arbitrability to the court, the court shall stay the action and order the parties to proceed to arbitration. These provisions shall not apply to arbitration agreements contained in a collective bargaining agreement nor shall these provisions be construed as the exclusive means for entering into a valid and enforceable arbitration agreement. Additionally, any clause in an arbitration agreement between an employer and an at-will employee that requires arbitration proceedings to be confidential and nondisclosable shall not be enforceable as to claims of sexual harassment, sexual assault, or claims of discrimination based on a protected status. This act is similar to SS/SB 154 (2019), HB 503 (2019), SB 578 (2018), SB 831 (2018), provisions in SCS/SB 1102 (2018), HB 1402 (2018), HB 1512 (2018), HB 2552 (2018), the perfected version of SB 45 (2017), HCS/HB 156 (2017), HB 976 (2017), SCS/SB 746 (2016), HCS/HB 1718 (2016), SB 412 (2015), and HB 928 (2015).

SB739 - Prohibits public bodies from entering into certain contracts

Sponsor Sen. Bob Onder (R) **Last Action** 01/08/2020 S - Read First Time

Summary This act prohibits any public entity from entering into certain contracts with a company unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of the State of Israel or territories under its control. Any contract which fails to comply with the provisions of this act shall be void as against public policy. This act does not apply to contracts with a total potential value of less than \$100,000 or to contractors with fewer than 10 employees. This act is substantially similar to SB 308 (2019), HB 1006 (2019), SCS/SB 849 (2018), and the perfected HB 2179 (2018).

SB757 - Provides a sales tax exemption for the production of electricity

Sponsor Sen. Bob Onder (R) **Last Action** 01/08/2020 S - Read First Time

Summary This act creates a state sales tax exemption for utilities, equipment, and materials used to generate or transmit electricity. This act is identical to SB 467 (2019), HB 64 (2017), SB 784 (2016), SB 480 (2015), and HB 693 (2015), and is similar to HB 1511 (2018), HB 2255 (2014), and to a provision in CCS/HCS/SB 584 (2014).

SB768 - Political subd in LAGERS to elect contrib amount of 2% or 6%

Sponsor Sen. Bob Onder (R) **Last Action** 01/08/2020 S - Read First Time

Summary Currently, member contributions for LAGERS are 4% of compensation. This act allows each political subdivision to elect a member contribution amount of 2% or 6% of compensation.

SB785 - Modifies provisions on classification of certain property

Sponsor Sen. Andrew Koenig (R) **Last Action** 01/08/2020 S - Read First Time

Summary Reclassifies stationary property used for transp or storage of liquid & gaseous products, including, but not limited to, petroleum products, NG, propane or LP gas equip, water, & sewage, from real property to tangible personal property. (§137.010) This act also modifies the definition of "original cost" for purposes of depreciable tangible personal property to exclude capitalized overhead expenses. Beginning 1/1/20, provisions of current law on depreciable tangible personal property shall apply to all stationary property used for transp or storage of liquid & gaseous products, including, but not limited to, petroleum products, NG, propane or LP gas equipment, water, & sewage that was or will be placed in service at any time. (§137.122)

SB791- Modifies provisions relating to the issuance of local bonds

Sponsor Sen. Bill Eigel (R) **Last Action** 01/08/2020 S - Read First Time

Summary This act requires a political subdivision to mail a notice to impacted taxpayer at least 30 days prior to vote authorizing extension of one or more bonds. Such notice shall include a statement indicating amount by which taxpayer's property tax liability shall be decreased & amount by which debt service levy or other tax levy enacted for purpose of retiring such bonds will be reduced if such bonds are not extended & new bonds are not issued. This act provides that proposals by a political subdivision for the extension of one or more bonds that is submitted to voters for approval shall not become effective unless it receives a qualified majority in favor & at least 50% of qualified voters cast a ballot in election. (§67.120) During calendar year prior to retirement of bonds or debt obligations issued by a political subdivision, this act requires assessors to include on each affected taxpayer's property tax bill a statement indicating amount by which taxpayer's property tax liability shall be decreased & amount debt service levy or other levy enacted for purpose of retiring such bonds will be reduced if such bonds are not extended and new bonds are not issued. (Section 137.532)

SB817 - Modifies provisions relating to rural electric cooperatives

Sponsor Sen. Sandy Crawford (R) **Last Action** 01/08/2020 S - Read First Time

Summary Modifies provisions on rural electric coops. SALE OF MUNICIPAL ELECTRIC UTILITY: Allows 3rd class or 4th class cities to sell or lease its muni electric utility to a rural electric coop, & for such coop to provide retail electric service within city corporate boundaries. (§88.770 & §91.550) ANNEXATION: It shall constitute a restraint of trade under MO Antitrust Law for a municipality to require, as a condition of annexation or provision of other municipal services, that owners of fee interests of record in area being annexed obtain electric service from electric provider currently providing electric service within municipality's corporate boundaries. Concurrent with giving notice by publication of proposed annexation pursuant to provisions of law on voluntary annexation & involuntary annexation, municipality shall notify all providers of electric service with existing facilities within 5 miles of boundaries of area proposed to be annexed. When an owner of a fee interest of record in area elects to receive permanent service from a rural electric coop for any structure to be constructed either before or after the annexation becomes effective, the rural electric coop may provide such service. (§386.800) ELECTRIC SERVICE TO NEW STRUCTURES: In event that a rural electric coop provides service to a structure located within a muni in excess of 1500 pop., & such structure is demolished & replaced by a new structure, the rural electric cooperative may provide permanent service to the new structure upon the request of the owner of the new structure. (§394.315)

SB825 - Prohibits customers of electric utilities from subsidizing electric vehicle charging stations

Sponsor Sen. Doug Libla (R)

Summary

SB 825 - Under this act, no electrical corporation, municipally owned electric utility, or rural electric cooperative shall charge customers or use customer funds to subsidize or pay for, either directly or indirectly, any portion of any electric vehicle charging station, including but not limited to the electricity, transmission lines, real property, infrastructure, construction, or operating costs associated with such electric vehicle charging station.

Last Action 01/08/2020 S - Read First Time

SB828 - States that certain records of municipally owned utilities may be closed under the Sunshine Law

Sponsor Sen. Lincoln Hough (R)

Summary

SB 828 - 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. This act is similar to SCS/SB 453 (2019) and HCS/HB 1098 (2019).

Last Action 01/08/2020 S - Read First Time

SB832 - Modifies provisions relating to construction costs for certain new electric generation facilities

Sponsor

Sen. Mike Cunningham (R)

Summary

SB 832 - Current provisions of law prohibiting any charge made or demanded by an electrical corporation for service, or in connection therewith, which is based on the costs of construction work in progress, as such term is defined in the act, shall not apply to a clean baseload generating plant or a renewable source generating facility, as such terms are defined in the act. The act also creates the Missouri Nuclear Clean Power Act to enable the construction of clean baseload electric generating plants within the state or facilities that utilize renewable sources to produce energy. The Missouri Nuclear Clean Power Act shall not apply to clean baseload electric generating plants or renewable source generating facilities that are in commercial operation before August 28, 2020. The Public Service Commission may authorize an electrical corporation to make or demand charges for service based in whole or in part on additional amortizations to maintain the electrical corporation's financial ratios that will, in the Commission's judgment, better enable the electrical corporation to cost-effectively construct a clean baseload generating plant or a renewable source generating facility. This act is substantially similar to HB 1784 (2020).

Last Action

01/08/2020 S - Introduced and Read First Time

SB834 - Establishes a tax credit for certain alternative fuel refueling properties

Sponsor Sen. Justin Brown (R)

Summary

SB 834 - For all tax years beginning on or after January 1, 2021, this act authorizes a tax credit for costs incurred for purchasing or installing qualified clean-burning motor vehicle fuel property, as defined in the act, placed in service after December 31, 2020. For equipment installed to modify a motor vehicle which is propelled by gasoline or diesel fuel so that the vehicle may be propelled by a hydrogen fuel cell, compressed natural gas, liquefied natural gas, or liquefied petroleum gas, and for motor vehicles originally equipped so that the vehicle may be propelled by a hydrogen fuel cell, compressed natural gas, liquefied natural gas, or liquefied petroleum gas, the tax credit shall equal 45% of such costs. For property directly related to the delivery of compressed natural gas, liquefied natural gas or liquefied petroleum gas, or hydrogen, and for property that is a public access recharging system for motor vehicles propelled in whole or in part by electricity, the tax credit shall be a per-location credit of 75% of such costs. For property which is directly related to the compression and delivery of natural gas from a private home or residence, for noncommercial purposes, into the fuel tank of a motor vehicle propelled by compressed natural gas, the tax credit shall be a per-location credit of the lesser of 50% of such costs or \$2,500. Tax credits issued under this act shall not be refundable, but may be carried forward to any of the five subsequent tax years. This act will sunset on August 28, 2026, unless reauthorized by the General Assembly.

Last Action 01/08/2020 S - Introduced and Read First Time

SB852 - Allows certain corporations to organize under The General and Business Corporation Law of Missouri to supply telephone and telecommunications services in rural areas

Sponsor Sen. Dan Hegeman (R)

Summary

SB 852 - Under this act, any cooperative, nonprofit, member corporations may be organized under The General and Business Corporation Law of Missouri for the purpose of supplying telephone and telecommunications service in rural areas.

Last Action 01/09/2020 S - Introduced and Read First Time

SB865 - Modifies provisions relating to the broadband internet grant program for unserved and underserved areas of the state

Sponsor

Sen. Justin Brown (R)

Summary

SB 865 - Under this act, a grant recipient of funds from the Missouri Broadband Grant Program shall return such funds if the grant recipient fails to establish retail broadband internet speeds of at least 25Mb per second download and 3Mb per second upload.

Last Action

01/13/2020 S - Introduced and Read First Time

SB874 - Allows two or more municipalities to form a broadband infrast.improvement district for the delivery of broadband internet service to the residents of such municipalities

Sponsor Sen. David Sater (R)

Summary

SB 874 - This act allows two or more municipalities to form a broadband infrast.improvement district for the delivery of broadband internet service to the residents of such municipalities. A district created under the act shall have to power to contract with a broadband internet service provider to provide broadband internet service to the residents of the district. A district may finance the provision or expansion of broadband internet service through grants, loans, bonds, or user fees, but shall not have the power to levy, assess, apportion, or collect any tax upon property within the district nor upon any of its members. The act also sets forth the composition and operation of the district governing board.

Last Action 01/14/2020 S - Introduced and Read First Time

SB878 - Creates provisions relating to fines or penalties issued by the Department of Natural Resources

Sponsor Sen. Eric Burlison (R)

Summary

SB 878 - Under the act, in instances where the Department of Natural Resources has authority to issue fines or penalties and determines that a fine or penalty should be levied, the Department is required to provide information as set forth in the act to the alleged violator in order for the alleged violator to understand the basis for the fine or penalty.

Last Action 01/14/2020 S - Introduced and Read First Time

SB885 - Establishes guidelines for testing potable water for lead in certain elementary school buildings

Sponsor

Sen. Gina Walsh (D)

Summary

SB 885 - This act permits, subject to appropriations, each school district to test a sample of a source of potable water in a public school building in that district serving students under first grade and constructed before 1996 for lead contamination as specified in the act. The water samples may be submitted to a Department of Health and Senior Services-approved laboratory and the results of such testing may be submitted to the Department. If any of the samples tested exceed 5 parts per billion, the school district shall notify the parents or guardians of enrolled students. If the samples tested are less than or equal to 5 parts per billion, the district may notify parents individually or on the school's website. This act is similar to SB 245 (2019) and SB 979 (2018).

Last Action

01/15/2020 S - Introduced and Read First Time

SB901 - Modifies provisions relating to public employee retirement systems

Sponsor Sen. Wayne Wallingford (R)

Summary

SB 901 - This act modifies provisions relating to public employee retirement systems. This act is similar to HB 1999 (2020).

Last Action 01/16/2020 S - Introduced and Read First Time

SB903 - Creates the Missouri Electricity Bill Reduction Assistance Act

Sponsor Sen. Paul Wieland (R)

Summary SB 903 - This act creates the Missouri Electricity Bill Reduction Assistance (MO-EBRA) Act. This act allows electrical corporations to apply to the Public Service Commission for a financing order authorizing the issuance of MO-EBRA bonds, and the collection of MO-EBRA charges on customer bills that is separate from the electrical corporation's base rates. Such financing order application shall include an estimated schedule for the retirement of any facility for which the costs are financed by MO-EBRA bonds, a proposed methodology for allocating MO-EBRA charges among customer classes, a description of MO-EBRA charges, an estimate of customer savings, and alternative financing scenarios. The Public Service Commission may issue a financing order if the Commission finds that such order meets certain conditions set forth in this act. Simultaneously with the imposition of MO-EBRA charges, a financing order shall require the electrical corporation to reduce its rates through a reduction in base rates or a negative rider on customer bills in an amount equal to the revenue requirement associated with the electrical corporation's assets being financed by MO-EBRA bonds. Financing orders shall remain in effect until the MO-EBRA bonds and associated financing costs have been paid in full, notwithstanding any bankruptcy, reorganization, or insolvency of an electrical corporation. The Public Service Commission may also commence a proceeding and issue a subsequent financing order that provides for the refinancing, retiring, or refunding of MO-EBRA bonds issued under the original financing order if the subsequent financing order meets all of the same criteria as the original financing order and does not impair the covenants and terms of the MO-EBRA bonds to be refinanced, retired, or refunded. In issuing a financing order, the Public Service Commission shall not consider the MO-EBRA bonds to be debt of the electrical corporation, consider MO-EBRA charges to be revenue of the electrical corporation, consider MO-EBRA costs or financing costs to be the regulated costs or assets of the electrical corporation, or determine any prudent action taken by an electrical corporation that is consistent with the financing order to be unjust or unreasonable. These prohibitions shall not affect the authority of the Commission or apply or modify any billing mechanism designed to recover MO-EBRA charges, prevent the Commission from investigating compliance with the financing order, or prevent the Commission from imposing regulatory sanctions against an electrical corporation for failing to comply with the terms of a financing order. Further, the Commission shall not refuse to allow the recovery of costs associated with the retirement of electric generating facilities solely because such costs have been financed through a mechanism other than MO-EBRA bonds. This act authorizes the Public Service Commission to have powers and duties in addition to those already specified under law. Within 120 days after the issuance of MO-EBRA bonds, an electrical corporation shall file with the Public Service Commission information regarding the actual financing costs of the MO-EBRA bonds. The Commission shall review such costs for prudence. All Commission expenses incurred for advisors, counsel, experts, and staff under this act shall be included as part of the financing costs and included in MO-EBRA charges. If an electrical corporation's application for a financing order is denied or withdrawn, or for any reason MO-EBRA bonds are not issued, the Commission's costs shall be paid by the electrical corporation and deferred for recovery in future rates. Further, a financing order shall be considered a final order of the Public Service Commission. Any party aggrieved by the issuance of such order may petition for suspension and review of the order only in the court of appeals with jurisdiction coextensive with the Commission's location. Under the act, the electric bills of electrical corporation customers shall explicitly reflect that a portion of the charges on the bill represent MO-EBRA charges, and shall be included as a separate line-item entitled "energy bill reduction assistance charge". Further, in an annual filing, the electrical corporation

shall explain to customers the rate impact that financing of retired electric generating facilities, transition assistance to Missouri communities and workers, and capital investment in renewable facilities and services has had on customer rates. In such annual filing, the electrical corporation shall also demonstrate that MO-EBRA revenues have been applied solely to the repayment of MO-EBRA bonds and other financing costs. Under this act, MO-EBRA property consists of all rights and interests of an electrical corporation to impose, bill, collect, and receive MO-EBRA charges. Such property shall constitute an existing present property interest even though the imposition of MO-EBRA charges depends on the electrical corporation collecting such charges. MO-EBRA property shall exist until all MO-EBRA bonds are paid in full and financing costs have been recovered. MO-EBRA property may be transferred, sold, conveyed, or assigned to certain successors or assignees under this act. If an electrical corporation defaults on any remittance of charges arising from MO-EBRA property, a court shall order the sequestration and payment of the revenues arising from the MO-EBRA property to the financing parties. A successor to an electrical corporation shall perform and satisfy all obligations of, and have the same duties and rights under a financing order as, the electrical corporation to which the financing order applies. This act allows banks, trust companies, savings and loan associations, insurance companies, executors, administrators, guardians, trustees, and other fiduciaries, including political subdivisions, to invest in MO-EBRA bonds; however, MO-EBRA bonds shall not be considered the debt of the state, any county, municipality, or political subdivision. The state, or any political subdivision, shall not take any action that impairs the value of MO-EBRA property or reduce or alter MO-EBRA charges until all MO-EBRA bonds and financing costs are paid in full. There shall be no local or state taxes imposed on interest income earned by holders of MO-EBRA bonds. Further, an assignee or financing party that is not regulated by the Public Service Commission shall not become subject to Commission regulation as a result of engaging in any transaction under this act. If any provision of this act conflicts with any other existing provision of law, this act shall govern. Further, if MO-EBRA bonds are issued, and any provision of this act is invalidated, any lawful action taken under this act shall remain in full force and effect. Nothing in this act shall preclude an electrical corporation, for which the Public Service Commission has issued a financing order, from applying to the Commission for a subsequent financing order amending an existing order, or approving the issuance of MO-EBRA bonds to refund all or a portion of outstanding MO-EBRA bonds. This act also specifies requirements for any security interest in MO-EBRA property. A sale, assignment, or transfer of MO-EBRA property is an absolute transfer, and may be created only when certain actions occur, as set forth in this act. Upon the filing of a financing statement with the Commission, a transfer of MO-EBRA property interest is perfected against all third persons. Such absolute transfer shall not be affected by the commingling of MO-EBRA revenue with other money, the retention by the seller of a partial or residual interest in the MO-EBRA property, any indemnification rights made or provided by the seller, an obligation of the seller to collect MO-EBRA revenues, the treatment of the sale for tax or other purposes, any subsequent financing order, or application of an adjustment mechanism established under this act. This act allows electrical corporations, with Public Service Commission approval, to invest MO-EBRA bond proceeds to benefit ratepayer interests, as specified in this act. In considering any application for approval for the use of MO-EBRA bond proceeds, the Commission shall use its regular process for consideration of applications. This act is identical to HB 1703 (2020) and similar to SB 289 (2019), HB 935 (2019), SB 968 (2018), and HB 2419 (2018).

Last Action 01/16/2020 S - Introduced and Read First Time

SJR34 - Requires the General Assembly to pass legislation to establish an open, competitive retail electric energy market

Sponsor Sen. Doug Libla (R)

Summary SJR 34 - This constitutional amendment, if approved by the voters, requires the General Assembly to pass legislation to establish an open, competitive retail electric energy market, to ensure that protections are established that entitle customers to safe, reliable, and competitively priced electricity, including, but not limited to, provisions that reduce costs to customers, protect against service disconnections and unfair practices, and prohibit the grant of monopolies and exclusive franchises for the generation of electricity. This amendment is identical to SCS/SJR 25 (2019).

Last Action 01/16/2020 H - Scheduled for Committee Hearing 01/22/2020 12:00 PM - Senate-Commerce, Consumer Protection, Energy and the Environment, Senate Lounge

SJR53 - Prohibits implementation of any program providing a public benefit without an appropriation

Sponsor

Sen. Bill Eigel (R)

Summary

SJR 53 - This constitutional amendment, if approved by the voters, prohibits state departments and agencies from implementing any program which confers a state public benefit without an appropriation for such program. This amendment defines "state public benefit" as any grant, contract, loan, or tax credit provided by an agency of state government; or any retirement, welfare, health, disability, housing, or food assistance benefit under which payments, assistance, credits, or reduced rates or fees are provided. This constitutional amendment is identical to SJR 6 (2019) and SJR 33 (2018).

Last Action

01/08/2020 S - Read First Time

Bills Tracked: 85

House Measures Filed: 1031

Senate Measures Filed: 427