



MAMU Legislative Committee – 1/24/20

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 the contribution or expenditure of public funds, including public resources or specified property, by any officer, board member, director, administrator, employee, or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. 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 these individuals from making public appearances or from issuing press releases concerning any such ballot measure. The bill does allow the use of legislative liaisons by political subdivisions and special districts to communicate information to the General Assembly about their policies and procedures. If a contribution or expenditure of public funds to any person results in the use of any part of such funds to advocate, support, or oppose any ballot measure or candidate for public office, the contribution or expenditure is in violation of these provisions. Any resident of a political subdivision who wishes to challenge a contribution or expenditure of public funds may bring an action in any circuit court of the political subdivision in which any alleged violation occurred. The political subdivision and the officer, board member, director, administrator, employee, or agent who allegedly violated this section shall be named as party defendants. The petition shall set forth the contribution, expenditure, or contribution and expenditure at issue and the facts that gave rise to a violation and shall pray leave to produce such proof. The court shall consider the petition and evidence, hear arguments, and in its decision determine whether a violation of this section 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 bill is the same as HB 363 (2019).

Last Action

01/23/2020 H - Scheduled for Committee Hearing 01/28/2020 8:00 AM - House-Elementary and Secondary Education, HR 5

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

01/23/2020 H - Scheduled for Committee Hearing 01/28/2020 4:00 PM - ** REVISED to ADD BILLS ** - House-Special Committee on Homeland Security, HR 6

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 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) & similar to HCS HB 215, SCS SB 173 (2019), HB 2214, SB 933, & 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

HB1695 - Establishes the Targeted Industrial Manufacturing Enhancement Zones Act

Sponsor

Rep. John Black (R)

Summary

This bill allows any two or more political subdivisions to create targeted industrial manufacturing enhancement (TIME) zones for the purpose of developing or redeveloping areas within the zone to attract the creation of new jobs. Prior to the creation of a TIME zone, each political subdivision must propose an ordinance or resolution that sets forth the names of the political subdivisions which will form the zone, the general nature of the proposed improvements, the estimated cost of such improvements, the boundaries of the proposed TIME zone, and the estimated number of new jobs to be created in the TIME zone. The political subdivisions must hold a public hearing prior to approving the ordinance or resolution creating the TIME zone. This bill allows the zone board governing the TIME zone to retain 25% of withholding taxes on new jobs created within the TIME zone to fund improvements made in the TIME zone. Prior to retaining such withholding taxes, the zone board must enter into an agreement with each taxpayer creating new jobs within the TIME zone. Such agreement must specify the estimated number of new jobs to be created, the estimated average wage of new jobs to be created, the estimated net fiscal impact of the new jobs, and the estimated amount of withholding tax to be retained over the period of the agreement. The term of such agreement shall not exceed 10 years. A zone board may apply to the Department of Economic Development for approval to renew any agreement. In determining whether to approve the renewal of an agreement, the department must consider whether the estimated numbers of new jobs, average wage, and net fiscal impact have been met, the outstanding improvements to be made within the TIME zone and the funding necessary to complete such improvements, and the amount of withholding tax being retained by the zone board through agreements with other taxpayers. The department may approve the renewal of an agreement for a period not to exceed 10 years. The zone board will submit an annual report to the department and to the General Assembly, as described in the bill. No political subdivision will establish a TIME zone with boundaries that overlap the boundaries of an advanced industrial manufacturing (AIM) zone. This bill will sunset six years after the effective date. This bill is the same as SB 594 (2020).

Last Action

01/23/2020 H - Scheduled for Committee Hearing 01/27/2020 6:00 PM - House-Economic Development, HR 5

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

Sponsor Rep. Michael O'Donnell (R) **Last Action** 01/09/2020 H - Read Second Time

Summary Creates MO Electricity Bill Reduction Assistance Act (MO-EBRA). Electrical corps may apply to PSC 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 corp's base rates) to finance costs related to retirement of electric generating facility; & (3) Creation of MO-EBRA property following retirement of electric generating facility. The commission may issue a financing order, if the commission finds that such order meets certain conditions. The pricing of MO-EBRA bonds must lower present costs to customers. Simultaneously with the imposition of MO-EBRA charges, a financing order must require the electrical corp 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 corp's assets being financed by MO-EBRA bonds. Financing orders must remain in effect until MO-EBRA bonds and associated financing costs have been paid in full, notwithstanding any bankruptcy, reorganization, or insolvency of an electrical corp. The commission may also commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding of MO-EBRA bonds issued under original financing order if subsequent financing order meets all of same criteria as the original financing order, and does not modify covenants and terms of MO-EBRA bonds to be refinanced, retired, or refunded. The commission will have authority to apply or modify any billing mechanism designed to recover MO-EBRA charges, investigate compliance with the financing order, or impose regulatory sanctions against an electrical corp for failing to comply with the terms of a financing order. Further, PSC may not refuse to allow the recovery of costs associated with retirement of electric generating facilities solely because such costs have been financed through a mechanism other than MO-EBRA bonds. Within 120 days after issuance of MO-EBRA bonds, an electrical corp must file with PSC information regarding the actual financing costs of MO-EBRA bonds. PSC must review costs for prudence. If an electrical corp's application for a financing order is denied or withdrawn, or for any reason MO-EBRA bonds are not issued, PSC's costs must be paid by electrical corp & deferred for recovery in future rates. Any party aggrieved by issuance of a financing order may petition for suspension and review of order only in the court of appeals with jurisdiction coextensive with PSC's location. The court must hear and determine the action as expeditiously as practicable. In an annual filing, the electrical corp must explain to customers the rate impact that financing of retired electric generating facilities, transition assistance to MO communities and workers, and capital investment in renewable facilities and services has had on customer rates. In the annual filing, the electrical corp must also demonstrate that MO-EBRA revenues have been applied solely to the repayment of MO-EBRA bonds and other financing costs. MO-EBRA property must 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 specified. If an electrical corp defaults on any remittance of charges arising from MO-EBRA property, a court must order sequestration and payment of revenues arising from MO-EBRA property to financing parties. A successor to an electrical corp must perform and satisfy all obligations of, and have same duties and rights under a financing order as electrical corp to which the financing order applies. The state, or any political subdivision, may not take any action that impairs value of MO-EBRA property or reduce or alter MO-EBRA charges until all MO-EBRA bonds and financing costs are paid in full. If any provision of this act conflicts with any other existing provision of law, this act must govern. Further, if MO-EBRA bonds are issued, and any provision of this act is invalidated, any lawful action taken under this act must remain in full force and effect. Nothing in this act must preclude an electrical corp, for which PSC has issued a financing order, from applying to PSC 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. 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. Upon filing of a financing statement with Secretary of State, a transfer of MO-EBRA property interest is perfected against all 3rd persons. Such absolute transfer must not be affected by commingling of MO-EBRA revenue with other money, retention by seller of a partial or residual interest in MO-EBRA property, any indemnification rights made or provided by seller, an obligation of seller to collect MO-EBRA revenues, treatment of sale for tax or other purposes, any subsequent financing order, or application of an adjustment mechanism. Electrical corps may, with PSC approval, invest MOEBRA bond proceeds to benefit ratepayer interests. Bill is similar to HB 935 & SB 289 (2019).

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

01/23/2020 H - Scheduled for Committee Hearing 01/28/2020 4:00 PM - ** REVISED to ADD BILLS ** - House-Special Committee on Homeland Security, HR 6

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 condemnation offers

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 DED 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

01/23/2020 H - Scheduled for Committee Hearing 1/27/2020 6:00 PM - House-Economic Development, HR 5

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

Summary This bill establishes the "Missouri Prompt Pay Act", which provides that a contractor performs according to the provisions of a contract, the owner or owner's rep shall pay contractor within 15 days of receipt of any payment request based upon work completed or service provided under contract. A subcontractor who has performed according to provisions of a subcontract with a contractor or another subcontractor shall be paid within 10 days of receipt by 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, the prevailing party may recover interest and reasonable attorney fees. This bill does not apply to improvements to real property of 12 or fewer residential units, or to contracts entered into prior to 8/28/2020. This bill is the same as HB (2019).

HB1854 - Modifies provisions relating to political subdivisions

Sponsor Rep. Donna Pfautsch (R)

Summary Changes the laws regarding consequences of a political subdivision for failure to file an annual financial statement with State Auditor. If failure to submit annual financial statement was a result of fraud or other illegal conduct by any employee, 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 fine. In addition, the Director of DOR shall have the authority to make a one-time downward adjustment to any fine deemed uncollectable. If, after 8/28/2020 & before 1/31/2021, 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 01/22/2020 H - Scheduled for Comm Hearing 01/28/2020 12PM - House-Local Gvmt, HR 1

HB1859 - Extends sunset provision from broadband internet grant prgrm

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

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

HB1877 - Modifies provisions for eminent domain for utility purposes

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

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 FERC. This bill is similar to HB 1062 (2019).

HB1906 - Modifies provisions over authorization of deduction of monies from paychecks of public employees 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)

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).

Last Action

01/09/2020 H - Read Second Time

HB1933 - Establishes "MO Local Government Expenditure Database"

Sponsor Rep. John Wiemann (R)

Summary This bill establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. For each fiscal year beginning on or after December 31, 2022, the database must include extensive information about a given municipality's or county's expenditures and the vendors to whom payments were made. The data base must be accessible by the public without charge and have multiple ways to search and filter the information. A municipality or county may voluntarily participate in the database, or may be required to participate if a petition process used by its residents is used to require participation as specified in the bill. A link to the database on a municipal or county website is required. The Office of Administration may stipulate a format for information and will provide a template for municipalities and counties to use in sending information. Other duties and responsibilities of the Office of Administration 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

01/22/2020 H - Scheduled for Committee Hearing 01/28/2020 12:00 PM - House-Local Government, HR 1

HB1936 - Establishes provisions allowing for creation of benefit corps

Sponsor Rep. Rocky Miller (R)

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

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).

Last Action

01/09/2020 H - Read Second Time

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

01/22/2020 H - Laid out for consideration

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

Summary Modifies "gas utility plant projects" definition as applies to infrast. Sys. replacement surcharges

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 Specifies that 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 property owner, a utility may continue to serve a structure even if the ownership of the property is transferred. The bill also specifies that a 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) **Last Action** 01/22/2020 H - Laid out for consideration

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 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 (GBE) Project will negatively impact eight counties and 700 property owners. The project would be disruptive to the agriculture industry and roads, and harmful to environment. More specifically, supporters said that GBE 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 GBE 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 MO 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 MO 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 bill Rep Hansen; MO Cattlemen's Assn; MO Farm Bureau; Marilyn O'Bannon; Wiley Hibbard, Ralls Cty; Donald W Shaw; & MO Landowners Alliance. OPPONENTS: Those opposing say that bill is an additional unnecessary regulation further delaying completion of GBE Project. Estimated savings to MO municipal utilities is approximately \$13 million annually, if project would be completed. Savings for local municipalities will help local BPWs maintain stable electric rates resulting in direct savings to current customers, while aiding ability to attract new customers through economic dev. The MoPSC already approved the GBE Project after 6 yr study. Opponents testified that construction of GBE creates over 1,500 construction jobs and will be of no cost to taxpayers. This project will help grow local economies, especially in rural areas of MO. Opponents of bill said that project will help pay for schools, libraries, and other public programs. The enterprise governing the GBE Project said that they have already spent \$1M on land easements and are not seeking ownerships of properties that will be impacted, they are simply interested in purchasing easements. Testifying against were Stephen White; John Richard Tregnago; John Fletcher, Central MO Agriservice LLC; American Federation of Labor & Congress of Industrial Organizations; MO Assn of Municipal Utilities; City of Harrisonville; Rolla Municipal Utilities; and Invenergy LLC. OTHERS: Available for informational purposes were MO PSC and the MO Electric Cooperatives. This bill is similar to SCS HB 1062 (2019).

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

Sponsor

Rep. Greg Sharpe (R)

Summary

Currently, the Association of Missouri Electric Cooperatives authorizes the use of its official lineman image emblem to be used on personalized license plates, except for license plates for an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds gross weight. This bill removes that exception.

Last Action

01/09/2020 H - Read Second Time

HB2050 - Requires that comprehensive state energy plan be reviewed by Division of Energy by 1/1/2022, & biennially, and updated if necessary

Sponsor

Rep. Rocky Miller (R)

Summary

This bill requires the Division of Energy within the Department of Natural Resources to review, by January 1, 2022, the comprehensive state energy plan and update if necessary using funding through the U.S. Department of Energy. The plan shall be reviewed biennially thereafter to ensure certain listed goals and updated as needed. The division shall use a diverse stakeholder input system either directly or by contracting with a qualified organization, and issue a report along with each review, suggesting policy changes. The division must submit the report to the Speaker of the House of Representatives and the President Pro Tem of the Senate. This bill is the same as SB 688(2020).

Last Action

01/09/2020 H - Read Second Time

HB2077 - Requires the Department of Natural Resources to implement regulations that comply with the United Nations Framework Convention on Climate Change Paris Agreement

Sponsor

Rep. Jon Carpenter (D)

Summary

This bill requires the Missouri Air Conservation Commission to establish rules and regulations to comply with the provisions of the United Nations Framework Convention on the Climate Change Paris Agreement. This bill is similar to HB 658 (2019).

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

Summary This bill changes provisions relating to video service providers by specifying that no political subdivision can adopt a linear foot fee to be charged to any entity that holds a franchise or video service authorization. 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. The bill changes the definition of gross revenues to specify that 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 can 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: (1) 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 (2) 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. The bill also repeals the Sunset date for the Uniform Small Wireless Facility Deployment Act. Same as SB 526 (2020).

HB2094 - Creates the Missouri Water and Sewer Infrastructure Act

Sponsor

Rep. Jack Bondon (R) **Last Action** 01/21/2020 H - Public hearing completed

Summary Established "MO Water & Sewer Infrastructure Act", specifies that 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 infrastructure projects. The WSIRA and any future changes must meet specific requirements. The commission 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 yrs of filing of a WSIRA petition unless corp has filed for or is subject of a new general rate proceeding. A corp cannot collect a WSIRA for more than 3 yrs 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. At time corporation files a petition to establish or change a WSIRA, it must submit proposed WSIRA rate schedules & supporting docs, & it must also serve Ofc of Public Counsel with copy of petition, rate schedules, & documentation. Upon filing, PSC must publish notice of filing, & conduct an examination of proposed WSIRA. PSC may hold a hearing on petition and any associated WSIRA rate schedules. If PSC finds that a petition complies with the requirements, the commission must enter an order authorizing the corporation to implement the WSIRA. A corporation may effectuate a change in its WSIRA no more often than twice in every 12-month period. The bill specifies 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 has not provided it on an agreed-upon basis, the commission 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 corporation. At the 12-month period the WSIRA was in effect, the corporation must 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 corporation 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 corporation's base rates, the corporation 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 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 this bill impairs the authority of the commission to review the prudence or eligibility of specific projects in the proposed WSIRA.

HB2102 - Requires internet service providers to block obscene websites & provide subscribers ability to create password access to websites

Sponsor

Rep. Mike Moon (R)

Last Action

01/13/2020 H - Read Second Time

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

Sponsor

Rep. Glen Kolkmeier (R)

Summary

This bill requires any political subdivision or municipality that imposes a local tax, excise, license or fee under Article IV, Section 30(a) of the Missouri Constitution and enacted after January 1, 2021, to use no less than 90% of the collected funds for the construction, reconstruction, lighting, maintenance, and repair of roads and streets and for the payment of principal and interest on indebtedness incurred on account of road and street purposes, and no more than 10% of such funds collected for policing, signing, and cleaning roads and streets. This bill is similar to HB 676 (2019).

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

01/23/2020 H - Scheduled for Committee Hearing 01/28/2020 4:00 PM - ** REVISED to ADD BILLS ** - House-Special Committee on Homeland Security, HR 6

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

Sponsor

Rep. Dave Muntzel (R)

Summary

This bill repeals the sunset date for discounted electric rates for qualifying customers of electrical corporations. This bill is the same as SB 723 (2020).

Last Action

01/14/2020 H - Read Second Time

HB2179 - Prohibits public bodies from entering into certain contracts

Sponsor

Rep. Holly Rehder (R)

Summary

This bill prevents any public entity from entering into a contract with a company that is boycotting Israel. The bill makes exceptions for contacts with a total potential value of less than \$100,000 and contractors with fewer than 10 employees. This section shall be known as the "Anti-Disrimination Against Israel Act." This bill is similar to HB 1006 (2019).

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)

Summary

Currently, the uniform small wireless facility deployment act expires on January, 1, 2021. This bill repeals the expiration date.

Last Action

01/16/2020 H - Read Second Time

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

Sponsor

Rep. Hannah Kelly (R)

Last Action

01/16/2020 H - Read Second Time

Summary

This bill allows for neighborhood and community improvement districts to expend funds for the improvement of telecommunications facilities in the district.

HB2214 - Modifies term public entity as it relates to sovereign immunity

Sponsor Rep. Phil Christofanelli (R)

Last Action 01/21/2020 H - Read Second Time

HB2240 - Prohibits certain charges to customers by public water supply districts and metropolitan water supply districts

Sponsor Rep. Shane Roden (R)

Last Action 01/23/2020 H - Read Second 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

01/22/2020 H - Scheduled for Committee Hearing 01/29/2020 12:00 PM - Senate-Commerce, Consumer Protection, Energy and the Environment, 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 infrastructure rate adjustments for water and sewer corporations

Sponsor

Sen. Bill White (R)

Summary

SB 592 - This act establishes the Missouri Water and Infrastructure 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 infrastructure rate adjustment (WSIRA) that provides for the recovery of pretax revenues associated with eligible infrastructure 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

01/22/2020 S - Hearing Conducted

SB597 - Modifies provisions on power of eminent domain for utilities

Sponsor

Sen. Justin Brown (R)

Last Action

01/15/2020 S - Hearing Conducted

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

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

Sponsor Sen. Cindy O'Laughlin (R) **Last Action** 01/15/2020 S - Hearing Conducted

Summary

SB 604 - 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 MO, or does not collect its costs to provide service under a RTO 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).

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

Last Action

01/22/2020 H - Scheduled for Committee Hearing 01/29/2020 12:00 PM - Senate-Commerce, Consumer Protection, Energy and the Environment, Senate Lounge

SB619 - Requires public water sys & public water supply districts that intend to start or stop fluoridation of water supply on a continuing basis to seek & receive info about impact of fluoridation from local health dept

Sponsor

Sen. Wayne Wallingford (R) **Last Action** 01/16/2020 S - Read Second Time

Summary Requires any public water system or public water supply dist that intends to start or stop fluoridation of its water supply on a continuing basis to seek & receive info about impact of fluoridation from the local health dept. The public water system or public water supply district shall inform DNR and 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).

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

Sponsor Sen. Dan Hegeman (R) **Last Action** 01/16/2020 S - Read Second Time

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.

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

Sponsor Sen. Justin Brown (R)

Summary 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 01/22/2020 S - Referred to Senate Committee on Economic Development

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

01/22/2020 S - Referred to Senate Committee on Judiciary and Civil and Criminal Jurisprudence

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

Sponsor Sen. Mike Cunningham (R)

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

Summary 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).

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

SB 701 - 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 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 Sen. Eric Burlison (R) **Last Action** 01/08/2020 S - Read First Time

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).

SB721 - Modifies requirements for guaranteed energy cost savings contracts

Sponsor

Sen. Lincoln Hough (R) **Last Action** 01/08/2020 S - Read First Time

Summary Modifies provisions relating to guaranteed energy cost savings contracts. Under current law, a governmental 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. Substantially similar to SB 126 (2019).

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

Sponsor

Sen. Justin Brown (R)

Summary

SB 723 - This act repeals the sunset date for discounted electric rates for qualifying customers of electrical corporations.

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)

Summary

SB 725 - 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.

Last Action

01/08/2020 S - Read First Time

SB728 - Modifies provisions regarding arbitration agreements between employers and employees

Sponsor

Sen. Tony Luetkemeyer (R)

Summary

SB 728 - In arbitration agreements between an employer and 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).

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

SB739 - Prohibits public bodies from entering into certain contracts

Sponsor

Sen. Bob Onder (R)

Summary

SB 739 - 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).

Last Action

01/08/2020 S - Read First Time

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

Sponsor

Sen. Bob Onder (R)

Summary

SB 757 - 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).

Last Action

01/08/2020 S - Read First Time

SB768 - Allows each political subdivision in LAGERS to elect a member contribution amount of 2% or 6%

Sponsor

Sen. Bob Onder (R)

Summary

SB 768 - Currently, member contributions for the Missouri Local Government Employees' Retirement System are 4% of compensation. This act allows each political subdivision to elect a member contribution amount of 2% or 6% of compensation.

Last Action

01/08/2020 S - Read First Time

SB785 - Modifies provisions relating to the classification of certain property

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

Summary This act reclassifies stationary property used for transportation or storage of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, propane or LP gas equipment, water, and sewage, from real property to tangible personal property. (Section 137.010) This act also modifies the definition of "original cost" for the purposes of depreciable tangible personal property to exclude capitalized overhead expenses. Beginning January 1, 2020, the provisions of current law relating to depreciable tangible personal property shall apply to all stationary property used for transportation or storage of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, propane or LP gas equipment, water, and sewage that was or will be placed in service at any time. (Section 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 county, municipality, or other political subdivision to mail a notice to each impacted taxpayer at least thirty days prior to any vote authorizing the extension of one or more bonds. Such notice shall include a statement indicating the dollar amount by which the taxpayer's property tax liability shall be decreased and the amount by which the debt service levy or other tax levy enacted for the purpose of retiring such bonds will be reduced if such bonds are not extended and new bonds are not issued. This act also provides that any proposal by a county, municipality, or other political subdivision for the extension of one or more bonds that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 50% of qualified voters cast a ballot in the election. (Section 67.120) During the calendar year prior to the retirement of any bonds or other debt obligations issued by a political subdivision, this act requires assessors to include on each affected taxpayer's property tax bill a statement indicating the dollar amount by which the taxpayer's property tax liability shall be decreased and the amount by which the debt service levy or other tax levy enacted for the 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 This act modifies provisions relating to rural electric cooperatives. **CITIES SELLING MUNICIPAL ELECTRIC UTILITIES:** This act allows a third class or fourth class city to sell or lease its municipal electric utility to a rural electric cooperative, and for such cooperative to provide retail electric service within the corporate boundaries of the city. (Sections 88.770 & 91.550) **ANNEXATION:** It shall constitute a restraint of trade under the Missouri Antitrust Law for a municipality to require, as a condition of annexation or as a condition of the provision of other municipal services in the area to be annexed, that the owner or owners of fee interests of record in the area to be annexed obtain electric service from the electric provider currently providing electric service within the municipality's corporate boundaries. Concurrent with giving notice by publication of the proposed annexation pursuant to provisions of law relating to voluntary annexation and involuntary annexation, the municipality shall also notify in writing all providers of electric service that have existing facilities located in or within 5 miles outside of the boundaries of the area proposed to be annexed. In the event that an owner of a fee interest of record in the area elects to receive permanent service from a rural electric cooperative for any structure to be constructed either before or after the annexation becomes effective, the rural electric cooperative may provide such service. (Section 386.800) **ELECTRIC SERVICE TO NEW STRUCTURES:** In the event that a rural electric cooperative is providing service to a structure located within a city, town, or village in excess of 1500 inhabitants, and such structure is demolished and 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. (Section 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 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) **Last Action** 01/13/2020 S - Introduced & Read First Time

Summary 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.

SB874 - Allows two or more municipalities to form a broadband infrastructure 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 infrastructure 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) **Last Action** 01/15/2020 S - Introduced and Read First Time

Summary 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).

SB901 - Modifies provisions on public employee retirement systems

Sponsor Sen. Wayne Wallingford (R) **Last Action** 01/16/2020 S - Introduced & Read First Time

Summary Modifies to public employee retirement systems. MoDOT & HWY PATROL EMPLOYEES' RETIREMENT SYSTEM (§104.020, 104.035, 104.130, & 104.170) Repeals requirement of one continuous yr of service for restoration of prior service periods for terminated members of MoDOT & Hwy Patrol Employees' Retirement System ("MPERS") entitled to deferred normal annuity who reenter service. Repeals provision on requirement of Board of MPERS to pay retired member's designated beneficiaries or estate a death benefit equal to excess of accumulated member contributions over total amount of retirement benefits received. The election of chair & vice-chair of Board by secret ballot is also repealed. ERROR CORRECTIONS (§104.200, 104.490, & 104.1060) Currently, Bd of MPERS & Bd of MO State Employees' Retirement System ("MOSERS") shall correct errors that resulted in member or beneficiary receiving more or less than entitled if system discovers or is notified of such error within 10 yrs after initial date of error. Provides that no error shall be corrected unless system discovers or is notified within 10 yrs after later of member's annuity starting date or date of error. However, with fraud, error shall be corrected. DIVISION OF BENEFITS IN DISSOLUTION OF MARRIAGE ACTIONS (§104.312 & 104.1051) Provides that unused sick leave credited to a member of MPERS or MOSERS shall be excluded in monthly amount paid to alternate payee or former spouse for a division of benefits order in a dissolution of marriage action. Specifies that annual benefit increases paid after member's annuity starting date shall not be considered to be increase accrued after termination of marriage & shall be counted as monthly amt subject to division. Any lump sum payment elected by member who has not been paid retirement benefits & continues employment for at least 2 yrs beyond normal retirement age shall not be subject to any division of benefits order. DISABILITY BENEFITS FOR GENERAL ASSEMBLY & STATEWIDE OFFICIALS (§104.410 & 104.1084) Members of General Assembly & statewide elected officials who qualify for disability shall continue to accrue service until earliest of attainment of normal retirement eligibility, termination of disability benefits, or end of constitutionally mandated limit on service for the particular chamber or office in which was serving at time of disablement. DETERMINATION OF CONTRIBUTIONS FOR UNFUNDED ACCRUED LIABILITIES (§104.436 & 104.1066) Currently, contributions for unfunded accrued liabilities shall be determined using level percent-of-payroll amortization. Repeals provision & provides only for entry age normal cost valuation method to be used in determining the normal cost calculation. SPECIAL CONSULTANTS OF MO STATE EMPL RETIREMENT SYS (§104.515 & 104.1072) Provides special consultants of Board of Trustees of MPERS or MOSERS who have reached a normal or early retirement age & become a retiree within 65 days, instead of 60 days, shall receive \$5,000 of life insurance coverage. ANNUITIES & LUMP SUM PAYMENTS (§104.625 & 104.1024) A member who has not been paid retirement benefits & continues employment for at least 2 yrs beyond normal retirement age may currently elect to receive lump sum amounts in its entirety or in 3 equal annual installments. Repeals availability of lump sum payments in installments. Additionally, for those members, repeals the calculation of annuities subject to a division of benefits order. WATER PATROL EMPL (§104.810) If an employee of MO State Water Patrol has terminated position & subsequently returns to the same position, employee will be a member of system in which was a member prior to termination. If employee returned to any other position, employee shall be a member of system that currently covers that position. YEAR 2000 PLAN (§104.1003, 1015, 1018, 1024, & 1091) A person who has forfeited creditable service with closed plan or year 2000 plan & becomes an employee on or after 8/28/2020, shall be subject to MO State Employees' Plan 2011. Additionally, provides that any vested former member who terminated employment after attaining normal retirement eligibility shall be considered member of retirement system. Refund of contributions requested by former member currently shall be paid by system after 90 days from later of date of termination or date of request. Repeals provision & provides a former member may request such refund after 90 days from date of termination & refund shall be paid by system within 60 days of request. Former member who receives a refund shall not be eligible to receive disability benefits. Vested former members who terminated employment after attainment of normal retirement eligibility shall be covered by member's normal retirement eligibility. Vested former members who terminate employment prior to attainment of early retirement eligibility shall not be eligible for early retirement under year 2000 plan. Provides that annual COLAs shall not commence until 2nd anniversary of annuity starting date for vested former members who terminated employment prior to attainment of early retirement eligibility. RETIREMENT OF JUDGES (§476.521) Currently, for judges hired after 1/1/2011, contributions are refunded with 4% interest per yr. Beginning 6/30/2021, interest rate is changed so equal to investment rate for 52 wk treasury bills issued by USTreasury. Interest rate shall cease upon death or retirement of judge. Similar to HB 1999 (2020).

SB903 - Creates the Missouri Electricity Bill Reduction Assistance Act

Sponsor Sen. Paul Wieland (R)

Summary 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. 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

SB913 - Removes the expiration of the peer review process for architects, landscape architects, land surveyors, and engineers

Sponsor Sen. Ed Emery (R) **Last Action** 01/22/2020 S - Introduced and Read First Time

Summary Provisions on peer review process for architects, landscape architects, professional land surveyors, & prof engineers are set to expire on 1/1/2023. This act repeals the expiration of those provisions.

SB921 - Allows electrical corps to operate&use broadband infrastructure

Sponsor Sen. Wayne Wallingford (R) **Last Action** 01/22/2020 S - Introduced & Read First Time

Summary Creates the Electrical Corporation Broadband Authorization Act, which allows electrical corps to operate and use broadband infrastructure, as set forth in the act, in order to provide broadband services, as such term is defined. The act modifies the definition of "electric plant" to include broadband infrastructure operated, controlled, owned, used or to be used for or in connection with or to facilitate the provision of electric service, broadband operations, or broadband service. Creates several definitions relating to broadband. As described, an electrical corps investment in such broadband infrastructure shall be included in the electrical corporation's rate base used to set the revenue requirement upon which the electrical corporation's base rates are set. PSC shall not have jurisdiction over the terms, conditions, charges, contracts, leases, licenses, or other agreements of an electrical corporation or of its broadband affiliate, for the corporation's or affiliate's broadband operations or provision of broadband services. Finally, the act allows an electrical corporation to condemn land for the purpose of constructing broadband infrastructure.

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

01/22/2020 S - Committee hearing cancelled - Senate-Transportation, Infrastructure and Public Safety -
01/23/200 - 8:15 am - 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: 89
House Measures Filed: 1088
Senate Measures Filed: 443