

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 113

AN ACT

To repeal sections 32.056, 190.092, 190.335, 195.140, 210.1014, 217.195, 221.111, 311.660, 311.710, 311.720, 313.004, 313.255, 337.068, 556.061, 558.019, 567.050, 572.010, 572.100, 610.021, and 650.035, RSMo, section 49.266 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, section 49.266 as enacted by house bill no. 28, ninety-seventh general assembly, first regular session, section 211.071 as enacted by senate bill no. 793 merged with senate bill no. 800, ninety-ninth general assembly, second regular session, and section 211.071 as enacted by house bill no. 215 merged with senate bill no. 36, ninety-seventh general assembly, first regular session, and section 190.462 as truly agreed to and finally passed by senate substitute for senate committee substitute for senate bill no. 291, one hundredth general assembly, first regular session, and to enact in lieu thereof thirty-nine new sections relating to public safety, with penalty provisions and an emergency clause for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 32.056, 190.092, 190.335, 195.140,
2 210.1014, 217.195, 221.111, 311.660, 311.710, 311.720, 313.004,
3 313.255, 337.068, 556.061, 558.019, 567.050, 572.010, 572.100,
4 610.021, and 650.035, RSMo, section 49.266 as enacted by senate
5 bill no. 672, ninety-seventh general assembly, second regular
6 session, section 49.266 as enacted by house bill no. 28, ninety-
7 seventh general assembly, first regular session, section 211.071

1 as enacted by senate bill no. 793 merged with senate bill no.
2 800, ninety-ninth general assembly, second regular session, and
3 section 211.071 as enacted by house bill no. 215 merged with
4 senate bill no. 36, ninety-seventh general assembly, first
5 regular session, and section 190.462 as truly agreed to and
6 finally passed by senate substitute for senate committee
7 substitute for senate bill no. 291, one hundredth general
8 assembly, first regular session, are repealed and thirty-nine new
9 sections enacted in lieu thereof, to be known as sections 21.790,
10 21.875, 32.056, 49.266, 143.1028, 190.092, 190.335, 190.462,
11 195.140, 210.1014, 211.071, 211.071, 217.195, 217.850, 221.111,
12 311.660, 311.710, 311.720, 313.004, 313.255, 337.068, 441.920,
13 556.061, 558.019, 567.050, 569.086, 570.027, 572.010, 572.100,
14 577.800, 610.021, 632.460, 640.141, 640.142, 640.144, 640.145,
15 640.146, 640.147, and 650.035, to read as follows:

16 21.790. 1. There is hereby established the "Task Force on
17 Substance Abuse Prevention and Treatment". The task force shall
18 be composed of six members from the house of representatives, six
19 members from the senate, and four members appointed by the
20 governor. The senate members of the task force shall be
21 appointed by the president pro tempore of the senate and the
22 house members by the speaker of the house of representatives.
23 There shall be at least two members from the minority party of
24 the senate and at least two members from the minority party of
25 the house of representatives. The members appointed by the
26 governor shall include one member from the health care industry,
27 one member who is a first responder or law enforcement officer,
28 one member who is a member of the judiciary or a prosecuting

1 attorney, and one member representing a substance abuse
2 prevention advocacy group.

3 2. The task force shall select a chairperson and a vice-
4 chairperson, one of whom shall be a member of the senate and one
5 a member of the house of representatives. A majority of the
6 members shall constitute a quorum. The task force shall meet at
7 least once during each legislative session and at all other times
8 as the chairperson may designate.

9 3. The task force shall:

10 (1) Conduct hearings on current and estimated future drug
11 and substance use and abuse within the state;

12 (2) Explore solutions to substance abuse issues; and

13 (3) Draft or modify legislation as necessary to effectuate
14 the goals of finding and funding education and treatment
15 solutions to curb drug and substance use and abuse.

16 4. The task force may make reasonable requests for staff
17 assistance from the research and appropriations staffs of the
18 senate and house of representatives and the joint committee on
19 legislative research. In the performance of its duties, the task
20 force may request assistance or information from all branches of
21 government and state departments, agencies, boards, commissions,
22 and offices.

23 5. The task force shall report annually to the general
24 assembly and the governor. The report shall include
25 recommendations for legislation pertaining to substance abuse
26 prevention and treatment.

27 21.875. 1. There is hereby established a joint task force
28 within the Missouri state juvenile justice advisory board to be

1 known as the "Joint Task Force on Juvenile Court Jurisdiction and
2 Implementation" and to be composed of:

3 (1) Two members of the senate and two members of the house
4 of representatives. Of the four members to be appointed to the
5 joint task force, the two senate members shall be appointed by
6 the president pro tempore and the minority leader of the senate
7 and the two house members shall be appointed by the speaker and
8 the minority floor leader of the house of representatives;

9 (2) A chief juvenile officer from a single county judicial
10 circuit appointed by the Missouri Juvenile Justice Association;

11 (3) A chief juvenile officer from a multicounty judicial
12 circuit appointed by the Missouri Juvenile Justice Association;

13 (4) A superintendent of a Missouri juvenile detention
14 center appointed by the Missouri Juvenile Justice Association;

15 (5) The Missouri office of state courts administrator, or
16 his or her designee;

17 (6) The director of the division of youth services within
18 the department of social services;

19 (7) The commissioner of education, or his or her designee,
20 within the department of elementary and secondary education;

21 (8) The president, or his or her designee, of the Missouri
22 Police Chiefs' Association;

23 (9) The executive director, or his or her designee, of the
24 Missouri Sheriffs' Association;

25 (10) The director, or his or her designee, of the Missouri
26 state public defender;

27 (11) The executive director, or his or her designee, of the
28 Missouri school board association;

1 (12) A juvenile or family court judge appointed by the
2 Missouri supreme court;

3 (13) The executive director, or his or her designee, of the
4 Metropolitan Congregations United;

5 (14) The executive director, or his or her designee, of the
6 Missouri Association of Counties;

7 (15) The executive director, or his or her designee, of the
8 Missouri Juvenile Justice Association;

9 (16) A member of the Juvenile Justice Advisory Group,
10 appointed by the director of the department of public safety; and

11 (17) The director of the department of public safety, or
12 his or her designee.

13 2. The joint task force shall review current juvenile court
14 jurisdiction as it pertains to status and delinquency offenses
15 and develop a plan for full implementation of raising the age of
16 juvenile court jurisdiction to seventeen years of age. The
17 implementation plan shall include:

18 (1) An analysis of the impact raising the age of juvenile
19 court jurisdiction will have on state and county budgets as well
20 as identify resource issues and cost mitigation strategies;

21 (2) An appropriate fiscal note that is based on the
22 analysis under subdivision (1) of this subsection;

23 (3) An allocation of funds deposited into the juvenile
24 justice preservation fund established under section 211.435, as
25 well as recommendations on how the funds may be used;

26 (4) An analysis of projected cases relating to subdivision
27 (2) of subsection 1 of section 211.031, and an examination of
28 best practices and alternatives for status offenders seventeen

1 years of age;

2 (5) An examination of alternative strategies, such as civil
3 citations or other diversion processes; and

4 (6) Addressing additional statutory implications of raising
5 the age of juvenile court jurisdiction to include the following:

6 (a) Compulsory school attendance;

7 (b) Age of commitment to the division of youth services;

8 (c) Certification;

9 (d) Dual jurisdiction; and

10 (e) Refining definitions.

11 3. The joint task force shall meet within thirty days after
12 its creation and select a chair and vice chair. A majority of
13 the joint task force shall constitute a quorum, but the
14 concurrence of a majority of the members shall be required for
15 the determination of any matter within the joint task force's
16 duties.

17 4. The joint task force shall meet at least quarterly and
18 at locations other than Jefferson City if the joint task force
19 deems it necessary.

20 5. The joint task force shall be staffed by legislative
21 personnel as is deemed necessary to assist the joint task force
22 in the performance of its duties.

23 6. The members of the joint task force shall serve without
24 compensation but may be entitled to reimbursement, subject to
25 appropriation, for actual and necessary expenses incurred in the
26 performance of their official duties.

27 7. It shall be the duty of the joint task force to compile
28 a full report of its activities for submission to the general

1 assembly by January 15, 2020. Copies of the report containing
2 such recommendations shall be sent to the appropriate directors
3 of state or local government agencies or departments included in
4 the report.

5 32.056. Except for uses permitted under 18 U.S.C. Section
6 2721(b)(1), the department of revenue shall not release the home
7 address of or any information that identifies any vehicle owned
8 or leased by any person who is a county, state or federal parole
9 officer[,]; a federal pretrial officer[,]; a peace officer
10 pursuant to section 590.010[,]; a person employed by the
11 department of corrections; any jailer or corrections officer of
12 the state or any political subdivision of the state; a person
13 vested by Article V, Section 1 of the Missouri Constitution with
14 the judicial power of the state[,]; a member of the federal
15 judiciary[,]; or a member of such person's immediate family
16 contained in the department's motor vehicle or driver
17 registration records, based on a specific request for such
18 information from any person. Any such person may notify the
19 department of his or her status and the department shall protect
20 the confidentiality of the home address and vehicle records on
21 such a person and his or her immediate family as required by this
22 section. This section shall not prohibit the department from
23 releasing information on a motor registration list pursuant to
24 section 32.055 or from releasing information on any officer who
25 holds a class A, B or C commercial driver's license pursuant to
26 the Motor Carrier Safety Improvement Act of 1999, as amended, 49
27 U.S.C. 31309.

28 49.266. 1. The county commission in all [noncharter]

1 counties of the first, second, third, or fourth classification
2 may by order or ordinance promulgate reasonable regulations
3 concerning the use of county property, the hours, conditions,
4 methods and manner of such use and the regulation of pedestrian
5 and vehicular traffic and parking thereon.

6 2. Violation of any regulation so adopted under subsection
7 1 of this section is an infraction.

8 3. Upon a determination by the state fire marshal that a
9 burn ban order is appropriate for a county because:

10 (1) An actual or impending occurrence of a natural disaster
11 of major proportions within the county jeopardizes the safety and
12 welfare of the inhabitants of such county; and

13 (2) The U.S. Drought Monitor has designated the county as
14 an area of severe, extreme, or exceptional drought, the county
15 commission may adopt an order or ordinance issuing a burn ban,
16 which may carry a penalty of up to a class A misdemeanor. State
17 agencies responsible for fire management or suppression
18 activities and persons conducting agricultural burning using best
19 management practices shall not be subject to the provisions of
20 this subsection. The ability of an individual, organization, or
21 corporation to sell fireworks shall not be affected by the
22 issuance of a burn ban. The county burn ban may prohibit the
23 explosion or ignition of any missile or skyrocket as the terms
24 "missile" and "skyrocket" are defined by the 2012 edition of the
25 American Fireworks Standards Laboratory, but shall not ban the
26 explosion or ignition of any other consumer fireworks as the term
27 "consumer fireworks" is defined under section 320.106.

28 4. The regulations so adopted shall be codified, printed

1 and made available for public use and adequate signs concerning
2 smoking, traffic and parking regulations shall be posted.

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6 regulations concerning the use of county property, the
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8 the regulation of pedestrian and vehicular traffic and
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11 subsection 1 of this section is an infraction.

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16 natural disaster of major proportions within the county
17 jeopardizes the safety and welfare of the inhabitants
18 of such county; and

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20 county as an area of severe, extreme, or exceptional
21 drought, the county commission may adopt an order or
22 ordinance issuing a burn ban, which may carry a penalty
23 of up to a class A misdemeanor. State agencies
24 responsible for fire management or suppression
25 activities and persons conducting agricultural burning
26 using best management practices shall not be subject to
27 the provisions of this subsection. The ability of an
28 individual, organization, or corporation to sell
29 fireworks shall not be affected by the issuance of a
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41
42 143.1028. 1. For all tax years beginning on or after
43 January 1, 2019, and ending before January 1, 2024, each
44 individual or corporation entitled to a tax refund in an amount
45 sufficient to make a designation under this section may designate
46 that one dollar or any amount in excess of one dollar on a single

1 return, or two dollars or any amount in excess of two dollars on
2 a combined return, of the refund due be credited to the Kansas
3 City Regional Law Enforcement Memorial Foundation Fund,
4 hereinafter referred to as the fund. The contribution
5 designation authorized by this section shall be clearly and
6 unambiguously printed on the first page of each income tax return
7 form provided by this state. If any individual or corporation
8 that is not entitled to a tax refund in an amount sufficient to
9 make a designation under this section wishes to make a
10 contribution to the foundation, such individual or corporation
11 may, by separate check, draft, or other negotiable instrument,
12 send in with the payment of taxes, or may send in separately,
13 that amount the individual wishes to contribute. Such amounts
14 shall be clearly designated for the fund.

15 2. There is hereby created in the state treasury the
16 "Kansas City Regional Law Enforcement Memorial Foundation Fund",
17 which shall consist of moneys collected under this section. The
18 state treasurer shall be custodian of the fund. In accordance
19 with sections 30.170 and 30.180, the state treasurer may approve
20 disbursements. The fund shall be a dedicated fund and, upon
21 appropriation, moneys in this fund shall be used solely for the
22 administration of this section. The state treasurer shall invest
23 moneys in the fund in the same manner as other funds are
24 invested. Any interest and moneys earned on such investments
25 shall be credited to the fund. The director of the department of
26 revenue shall establish a procedure by which the moneys deposited
27 in the fund shall be distributed at least monthly to the Kansas
28 City Regional Law Enforcement Memorial Foundation.

1 3. The director of revenue shall deposit at least monthly
2 all contributions designated by individuals and corporations
3 under this section, less an amount sufficient to cover the costs
4 of collection and handling by the department of revenue, to the
5 state treasurer for deposit to the fund. A contribution
6 designated under this section shall only be deposited in the fund
7 after all other claims against the refund from which such
8 contribution is to be made have been satisfied.

9 4. By December 31, 2024, the director of revenue shall make
10 a final determination of moneys collected, shall distribute any
11 remaining funds to the Kansas City Regional Law Enforcement
12 Memorial Foundation, and shall close the fund.

13 190.092. 1. This section shall be known and may be cited
14 as the "Public Access to Automated External Defibrillator Act".

15 2. [A person or entity who acquires an automated external
16 defibrillator shall ensure that:

17 (1) Expected defibrillator users receive training by the
18 American Red Cross or American Heart Association in
19 cardiopulmonary resuscitation and the use of automated external
20 defibrillators, or an equivalent nationally recognized course in
21 defibrillator use and cardiopulmonary resuscitation;

22 (2) The defibrillator is maintained and tested according to
23 the manufacturer's operational guidelines;

24 (3) Any person who renders emergency care or treatment on a
25 person in cardiac arrest by using an automated external
26 defibrillator activates the emergency medical services system as
27 soon as possible; and

28 (4) Any person or entity that owns an automated external

1 defibrillator that is for use outside of a health care facility
2 shall have a physician review and approve the clinical protocol
3 for the use of the defibrillator, review and advise regarding the
4 training and skill maintenance of the intended users of the
5 defibrillator and assure proper review of all situations when the
6 defibrillator is used to render emergency care.

7 3. Any person or entity who acquires an automated external
8 defibrillator shall notify the emergency communications district
9 or the ambulance dispatch center of the primary provider of
10 emergency medical services where the automated external
11 defibrillator is to be located.

12 4.] In order to ensure public safety, a person or entity
13 that acquires an automated external defibrillator shall do all of
14 the following:

15 (1) Comply with all regulations governing the placement of
16 an automated external defibrillator;

17 (2) Notify an agent of the local emergency medical services
18 agency of the existence, location, and type of automated external
19 defibrillator acquired;

20 (3) Ensure that the automated external defibrillator is
21 maintained and tested according to the operation and maintenance
22 guidelines set forth by the manufacturer;

23 (4) Ensure that the automated external defibrillator is
24 tested at least biannually and after each use; and

25 (5) Ensure that an inspection is made of all automated
26 external defibrillators on the premises at least every ninety
27 days for potential issues related to operability of the device,
28 including a blinking light or other obvious defect that may

1 suggest tampering or that another problem has arisen with the
2 functionality of the automated external defibrillator.

3 3. Any person who gratuitously and in good faith renders
4 emergency care by use of or provision of an automated external
5 defibrillator shall not be held liable for any civil damages or
6 subject to any criminal penalty as a result of such care or
7 treatment, unless the person acts in a willful and wanton or
8 reckless manner in providing the care, advice, or assistance.
9 The person or entity who provides [appropriate] training to the
10 person using an automated external defibrillator, the person or
11 entity responsible for the site where the automated external
12 defibrillator is located, and the person or entity that owns the
13 automated external defibrillator[, the person or entity that
14 provided clinical protocol for automated external defibrillator
15 sites or programs, and the licensed physician who reviews and
16 approves the clinical protocol] shall likewise not be held liable
17 for civil damages or subject to any criminal penalty resulting
18 from the use of an automated external defibrillator. [Nothing in
19 this section shall affect any claims brought pursuant to chapter
20 537 or 538.]

21 [5.] 4. All basic life support ambulances and stretcher
22 vans operated in the state of Missouri shall be equipped with an
23 automated external defibrillator and be staffed by at least one
24 individual trained in the use of an automated external
25 defibrillator.

26 [6.] 5. The provisions of this section shall apply in all
27 counties within the state and any city not within a county.

28 190.335. 1. In lieu of the tax levy authorized under

1 section 190.305 for emergency telephone services, the county
2 commission of any county may impose a county sales tax for the
3 provision of central dispatching of fire protection, including
4 law enforcement agencies, emergency ambulance service or any
5 other emergency services, including emergency telephone services,
6 which shall be collectively referred to herein as "emergency
7 services", and which may also include the purchase and
8 maintenance of communications and emergency equipment, including
9 the operational costs associated therein, in accordance with the
10 provisions of this section.

11 2. Such county commission may, by a majority vote of its
12 members, submit to the voters of the county, at a public
13 election, a proposal to authorize the county commission to impose
14 a tax under the provisions of this section. If the residents of
15 the county present a petition signed by a number of residents
16 equal to ten percent of those in the county who voted in the most
17 recent gubernatorial election, then the commission shall submit
18 such a proposal to the voters of the county.

19 3. The ballot of submission shall be in substantially the
20 following form:

21 Shall the county of _____ (insert name of county) impose a
22 county sales tax of _____ (insert rate of percent) percent for
23 the purpose of providing central dispatching of fire protection,
24 emergency ambulance service, including emergency telephone
25 services, and other emergency services?

26 YES NO

27
28 If a majority of the votes cast on the proposal by the qualified

1 voters voting thereon are in favor of the proposal, then the
2 ordinance shall be in effect as provided herein. If a majority
3 of the votes cast by the qualified voters voting are opposed to
4 the proposal, then the county commission shall have no power to
5 impose the tax authorized by this section unless and until the
6 county commission shall again have submitted another proposal to
7 authorize the county commission to impose the tax under the
8 provisions of this section, and such proposal is approved by a
9 majority of the qualified voters voting thereon.

10 4. The sales tax may be imposed at a rate not to exceed one
11 percent on the receipts from the sale at retail of all tangible
12 personal property or taxable services at retail within any county
13 adopting such tax, if such property and services are subject to
14 taxation by the state of Missouri under the provisions of
15 sections 144.010 to 144.525. The sales tax shall not be
16 collected prior to thirty-six months before operation of the
17 central dispatching of emergency services.

18 5. Except as modified in this section, all provisions of
19 sections 32.085 and 32.087 shall apply to the tax imposed under
20 this section.

21 6. Any tax imposed pursuant to section 190.305 shall
22 terminate at the end of the tax year in which the tax imposed
23 pursuant to this section for emergency services is certified by
24 the board to be fully operational. Any revenues collected from
25 the tax authorized under section 190.305 shall be credited for
26 the purposes for which they were intended.

27 7. At least once each calendar year, the board shall
28 establish a tax rate, not to exceed the amount authorized, that

1 together with any surplus revenues carried forward will produce
2 sufficient revenues to fund the expenditures authorized by this
3 act. Amounts collected in excess of that necessary within a
4 given year shall be carried forward to subsequent years. The
5 board shall make its determination of such tax rate each year no
6 later than September first and shall fix the new rate which shall
7 be collected as provided in this act. Immediately upon making
8 its determination and fixing the rate, the board shall publish in
9 its minutes the new rate, and it shall notify every retailer by
10 mail of the new rate.

11 8. Immediately upon the affirmative vote of voters of such
12 a county on the ballot proposal to establish a county sales tax
13 pursuant to the provisions of this section, the county commission
14 shall appoint the initial members of a board to administer the
15 funds and oversee the provision of emergency services in the
16 county. Beginning with the general election in 1994, all board
17 members shall be elected according to this section and other
18 applicable laws of this state. At the time of the appointment of
19 the initial members of the board, the commission shall relinquish
20 and no longer exercise the duties prescribed in this chapter with
21 regard to the provision of emergency services and such duties
22 shall be exercised by the board.

23 9. The initial board shall consist of seven members
24 appointed without regard to political affiliation, who shall be
25 selected from, and who shall represent, the fire protection
26 districts, ambulance districts, sheriff's department,
27 municipalities, any other emergency services and the general
28 public. This initial board shall serve until its successor board

1 is duly elected and installed in office. The commission shall
2 ensure geographic representation of the county by appointing no
3 more than four members from each district of the county
4 commission.

5 10. Beginning in 1994, three members shall be elected from
6 each district of the county commission and one member shall be
7 elected at large, such member to be the chairman of the board.
8 Of those first elected, four members from districts of the county
9 commission shall be elected for terms of two years and two
10 members from districts of the county commission and the member at
11 large shall be elected for terms of four years. In 1996, and
12 thereafter, all terms of office shall be four years; provided
13 that, if a board established under this section consolidates with
14 a board established under this section, section 190.327, or
15 section 190.328, under the provisions of section 190.470, the
16 term of office for the existing board members shall end on the
17 thirtieth day following the appointment of the initial board of
18 directors for the consolidated district. Notwithstanding any
19 other provision of law, if there is no candidate for an open
20 position on the board, then no election shall be held for that
21 position and it shall be considered vacant, to be filled pursuant
22 to the provisions of section 190.339, and, if there is only one
23 candidate for each open position, no election shall be held and
24 the candidate or candidates shall assume office at the same time
25 and in the same manner as if elected.

26 11. Notwithstanding the provisions of subsections 8 to 10
27 of this section to the contrary, in any county of the first
28 classification with more than two hundred forty thousand three

1 hundred but fewer than two hundred forty thousand four hundred
2 inhabitants or in any county of the third classification with a
3 township form of government and with more than twenty-eight
4 thousand but fewer than thirty-one thousand inhabitants or in any
5 county of the third classification without a township form of
6 government and with more than thirty-seven thousand but fewer
7 than forty-one thousand inhabitants and with a city of the fourth
8 classification with more than four thousand five hundred but
9 fewer than five thousand inhabitants as the county seat, any
10 emergency telephone service 911 board appointed by the county
11 under section 190.309 which is in existence on the date the
12 voters approve a sales tax under this section shall continue to
13 exist and shall have the powers set forth under section 190.339.
14 Such boards which existed prior to August 25, 2010, shall not be
15 considered a body corporate and a political subdivision of the
16 state for any purpose, unless and until an order is entered upon
17 an unanimous vote of the commissioners of the county in which
18 such board is established reclassifying such board as a corporate
19 body and political subdivision of the state. The order shall
20 approve the transfer of the assets and liabilities related to the
21 operation of the emergency telephone service 911 system to the
22 new entity created by the reclassification of the board.

23 12. (1) Notwithstanding the provisions of subsections 8 to
24 10 of this section to the contrary, in any county of the second
25 classification with more than fifty-four thousand two hundred but
26 fewer than fifty-four thousand three hundred inhabitants or any
27 county of the first classification with more than fifty thousand
28 but fewer than seventy thousand inhabitants that has approved a

1 sales tax under this section, the county commission shall appoint
2 the members of the board to administer the funds and oversee the
3 provision of emergency services in the county.

4 (2) The board shall consist of seven members appointed
5 without regard to political affiliation. Except as provided in
6 subdivision (4) of this subsection, each member shall be one of
7 the following:

8 (a) The head of any of the county's fire protection
9 districts, or a designee;

10 (b) The head of any of the county's ambulance districts, or
11 a designee;

12 (c) The county sheriff, or a designee;

13 (d) The head of any of the police departments in the
14 county, or a designee; and

15 (e) The head of any of the county's emergency management
16 organizations, or a designee.

17 (3) Upon the appointment of the board under this
18 subsection, the board shall have the power provided in section
19 190.339 and shall exercise all powers and duties exercised by the
20 county commission under this chapter, and the commission shall
21 relinquish all powers and duties relating to the provision of
22 emergency services under this chapter to the board.

23 (4) In any county of the first classification with more
24 than fifty thousand but fewer than seventy thousand inhabitants,
25 each of the entities listed in subdivision (2) of this subsection
26 shall be represented on the board by at least one member.

27 (5) In any county with more than fifty thousand but fewer
28 than seventy thousand inhabitants and with a county seat with

1 more than two thousand one hundred but fewer than two thousand
2 four hundred inhabitants, the entities listed in subdivision (2)
3 of this subsection shall be represented by one member, and two
4 members shall be residents of the county not affiliated with any
5 of the entities listed in subdivision (2) of this subsection and
6 shall be known as public members.

7 13. Any county that has authorized a tax levy under this
8 section prior to January 1, 2012, and such levy is reduced
9 automatically [in future years] after approval of such levy,
10 shall not submit to the voters of the county for approval any
11 proposal authorized under this section that is greater than the
12 amount at the time of reduction.

13 [190.462. 1. As used in this section, the
14 following terms mean:

15 (1) "All retail sales subject to sales tax",
16 tangible personal property and services subject to the
17 tax imposed by sections 190.292 or 190.335;

18 (2) "General retailer", a person making a sale at
19 retail as defined in section 144.010;

20 (3) "Taxpayer", a person who pays the tax imposed
21 under sections 190.292 or 190.335.

22 2. (1) If a court of competent jurisdiction
23 issues a declaratory ruling prior to the effective date
24 of this section that the taxes imposed under sections
25 190.292 or 190.335 are pre-empted by the provisions of
26 subsection 5 of section 190.460 on all retail sales
27 subject to sales tax in a taxing jurisdiction that did
28 not opt out of the collection of the prepaid wireless
29 emergency telephone service charge:

30 (a) A seller or general retailer who collected
31 and remitted the tax imposed under sections 190.292 or
32 190.335 on all retail sales subject to sales tax in a
33 taxing jurisdiction that did not opt out of such tax
34 under the provisions of subsection 6 of section
35 190.460, shall not be required to refund such taxes to
36 taxpayers;

37 (b) All requests for refunds by taxpayers shall
38 be made directly to the taxing jurisdiction. The
39 department of revenue shall develop procedures and
40 forms for taxpayers requesting refunds from taxing
41 jurisdictions;

1 (c) This subsection applies to taxes collected
2 between January 1, 2019, and the first day of the
3 calendar month following a declaratory ruling by a
4 court of competent jurisdiction that the taxes imposed
5 under sections 190.292 or 190.335 are pre-empted by the
6 provisions of subsection 5 of section 190.460 on all
7 retail sales subject to sales tax in taxing
8 jurisdictions that did not opt out of the collection of
9 the prepaid wireless emergency telephone service
10 charge.

11 (2) If this section goes into effect prior to a
12 court of competent jurisdiction issuing a declaratory
13 ruling, then the provisions of paragraphs (a) and (b)
14 of subdivision (1) of this subsection shall apply from
15 January 1, 2019, until the effective date of this
16 section.

17 3. (1) If a court of competent jurisdiction
18 issues a declaratory ruling prior to the effective date
19 of this section that the taxes imposed under sections
20 190.292 or 190.335 are pre-empted by the provisions of
21 subsection 5 of section 190.460 only on sales of
22 prepaid wireless telecommunications services in a
23 taxing jurisdiction that did not opt out of the
24 collection of the prepaid wireless emergency telephone
25 service charge:

26 (a) A seller or other retailer who did not
27 collect the tax imposed under sections 190.292 or
28 190.335 on the retail sale of wireless
29 telecommunications service and wireless devices
30 associated therewith shall not be liable for any
31 assessment or incur any other liability on such
32 uncollected taxes;

33 (b) This subsection applies to assessments for
34 the period beginning January 1, 2019, and ending on the
35 first day of the calendar month following a declaratory
36 ruling by a court of competent jurisdiction that the
37 taxes imposed by under sections 190.292 or 190.335 are
38 pre-empted by the provisions of subsection 5 of section
39 190.460 only on sales of prepaid wireless
40 telecommunications services in a taxing jurisdiction
41 that did not opt out of the collection of the prepaid
42 wireless emergency telephone service charge.

43 (2) If this section takes effect prior to a court
44 of competent jurisdiction issuing a declaratory ruling,
45 then the provisions of paragraphs (a) and (b) of
46 subdivision (1) of this subsection shall apply from
47 January 1, 2019, until the effective date of this
48 section.

49 4. This section shall expire on January 1, 2023.]

50
51 190.462. 1. As used in this section, the following terms

1 mean:

2 (1) "All retail sales subject to sales tax", tangible
3 personal property and services subject to the tax imposed by
4 sections 190.292 or 190.335;

5 (2) "General retailer", a person making a sale at retail as
6 defined in section 144.010;

7 (3) "Taxpayer", a person who pays the tax imposed under
8 sections 190.292 or 190.335.

9 2. (1) If a court of competent jurisdiction issues a
10 declaratory ruling prior to the effective date of this section
11 that the taxes imposed under sections 190.292 or 190.335 are pre-
12 empted by the provisions of subsection 5 of section 190.460 on
13 all retail sales subject to sales tax in a taxing jurisdiction
14 that did not opt out of the collection of the prepaid wireless
15 emergency telephone service charge:

16 (a) A seller or general retailer who collected and remitted
17 the tax imposed under sections 190.292 or 190.335 on all retail
18 sales subject to sales tax in a taxing jurisdiction that did not
19 opt out of such tax under the provisions of subsection 6 of
20 section 190.460, shall not be required to refund such taxes to
21 taxpayers;

22 (b) This subsection applies to taxes collected between
23 January 1, 2019, and the first day of the calendar month
24 following a declaratory ruling by a court of competent
25 jurisdiction that the taxes imposed under sections 190.292 or
26 190.335 are pre-empted by the provisions of subsection 5 of
27 section 190.460 on all retail sales subject to sales tax in
28 taxing jurisdictions that did not opt out of the collection of

1 the prepaid wireless emergency telephone service charge.

2 (2) If this section goes into effect prior to a court of
3 competent jurisdiction issuing a declaratory ruling, then the
4 provisions of paragraphs (a) and (b) of subdivision (1) of this
5 subsection shall apply from January 1, 2019, until the effective
6 date of this section.

7 3. (1) If a court of competent jurisdiction issues a
8 declaratory ruling prior to the effective date of this section
9 that the taxes imposed under sections 190.292 or 190.335 are pre-
10 empted by the provisions of subsection 5 of section 190.460 only
11 on sales of prepaid wireless telecommunications services in a
12 taxing jurisdiction that did not opt out of the collection of the
13 prepaid wireless emergency telephone service charge:

14 (a) A seller or other retailer who did not collect the tax
15 imposed under sections 190.292 or 190.335 on the retail sale of
16 wireless telecommunications service and wireless devices
17 associated therewith shall not be liable for any assessment or
18 incur any other liability on such uncollected taxes;

19 (b) This subsection applies to assessments for the period
20 beginning January 1, 2019, and ending on the first day of the
21 calendar month following a declaratory ruling by a court of
22 competent jurisdiction that the taxes imposed by under sections
23 190.292 or 190.335 are pre-empted by the provisions of subsection
24 5 of section 190.460 only on sales of prepaid wireless
25 telecommunications services in a taxing jurisdiction that did not
26 opt out of the collection of the prepaid wireless emergency
27 telephone service charge.

28 (2) If this section takes effect prior to a court of

1 competent jurisdiction issuing a declaratory ruling, then the
2 provisions of paragraphs (a) and (b) of subdivision (1) of this
3 subsection shall apply from January 1, 2019, until the effective
4 date of this section.

5 4. This section shall expire on January 1, 2023.

6 195.140. 1. All controlled substances, imitation
7 controlled substances or drug paraphernalia for the
8 administration, use or manufacture of controlled substances or
9 imitation controlled substances and which have come into the
10 custody of a peace officer or officer or agent of the department
11 of health and senior services as provided by this chapter or
12 chapter 579, the lawful possession of which is not established or
13 the title to which cannot be ascertained after a hearing as
14 prescribed in Rule 34 of Rules of Criminal Procedure for the
15 courts of Missouri or some other appropriate hearing, shall be
16 forfeited, and disposed of as follows:

17 (1) Except as in this section otherwise provided, the court
18 or associate circuit judge having jurisdiction shall order such
19 controlled substances, imitation controlled substances, or drug
20 paraphernalia forfeited and destroyed. A record of the place
21 where said controlled substances, imitation controlled
22 substances, or drug paraphernalia were seized, of the kinds and
23 quantities of controlled substances, imitation controlled
24 substances, or drug paraphernalia so destroyed, and of the time,
25 place and manner of destructions, shall be kept, and a return
26 under oath, reporting the destruction of the controlled
27 substances, imitation controlled substances, or drug
28 paraphernalia shall be made to the court or associate circuit

1 judge;

2 (2) The department of health and senior services shall keep
3 a complete record of all controlled substances, imitation
4 controlled substances, or drug paraphernalia received and
5 disposed of, together with the dates of such receipt and
6 disposal, showing the exact kinds, quantities, and forms of such
7 controlled substances, imitation controlled substances, or drug
8 paraphernalia; the persons from whom received and to whom
9 delivered; and by whose authority they were received, delivered
10 or destroyed; which record shall be open to inspection by all
11 federal or state officers charged with the enforcement of federal
12 and state narcotic or controlled substances laws.

13 2. (1) Everything of value furnished, or intended to be
14 furnished, in exchange for a controlled substance, imitation
15 controlled substance or drug paraphernalia in violation of this
16 chapter or chapter 579, all proceeds traceable to such an
17 exchange, and all moneys, negotiable instruments, or securities
18 used, or intended to be used, to facilitate any violation of this
19 chapter or chapter 579, shall be forfeited, except that no
20 property shall be forfeited under this subsection to the extent
21 of the interest of an owner by reason of any act or omission
22 established by him to have been committed without his or her
23 knowledge or consent.

24 (2) Any moneys, coin, or currency found in close proximity
25 to forfeitable controlled substances, imitation controlled
26 substances, or drug paraphernalia, or forfeitable records of the
27 importation, manufacture, or distribution of controlled
28 substances, imitation controlled substances or drug paraphernalia

1 are presumed to be forfeitable under this subsection. The burden
2 of proof shall be upon claimants of the property to rebut this
3 presumption.

4 (3) All forfeiture proceedings shall be conducted pursuant
5 to the provisions of sections 513.600 to 513.653.

6 3. Notwithstanding any other provision of law to the
7 contrary, all controlled substances which have come into the
8 custody of a peace officer or officer or agent of the department
9 of health and senior services under section 195.265 may be
10 disposed of through incineration in either a hazardous waste
11 combuster, a large or small municipal waster combuster, or other
12 controlled substance incinerators owned by a governmental agency
13 to the extent permissible under federal law.

14 210.1014. 1. There is hereby created the "Amber Alert
15 System Oversight Committee", whose primary duty shall be to
16 develop criteria and procedures for the Amber alert system and
17 shall be housed within the department of public safety. The
18 committee shall regularly review the function of the Amber alert
19 system and revise its criteria and procedures in cooperation with
20 the department of public safety to provide for efficient and
21 effective public notification and meet at least annually to
22 discuss potential improvements to the Amber alert system. As
23 soon as practicable, the committee shall adopt criteria and
24 procedures to expand the Amber alert system to provide urgent
25 public alerts related to homeland security, criminal acts, health
26 emergencies, and other imminent dangers to the public health and
27 welfare.

28 2. The Amber alert system oversight committee shall consist

1 of ten members of which seven members shall be appointed by the
2 governor with the advice and consent of the senate. Such members
3 shall represent the following entities: two representatives of
4 the Missouri Sheriffs' Association; two representatives of the
5 Missouri Police Chiefs Association; one representative of small
6 market radio broadcasters; one representative of large market
7 radio broadcasters; one representative of television
8 broadcasters. The director of the department of public safety
9 shall also be a member of the committee and shall serve as chair
10 of the committee. Additional members shall include one
11 representative of the highway patrol and one representative of
12 the department of health and senior services. Notwithstanding
13 the provisions of this subsection, any Amber alert system
14 oversight committee member, other than the director of the
15 department of public safety and law enforcement committee
16 members, may alternatively be a representative of the outdoor
17 advertising industry, a representative of the Missouri
18 broadcasters association, or a representative of the public at
19 large; except that no more than one committee member shall be a
20 representative of the outdoor advertising industry, no more than
21 one committee member shall be a representative of the Missouri
22 broadcasters association, and no more than one committee member
23 shall be a representative of the public at large.

24 3. Members of the oversight committee shall serve a term of
25 four years, except that members first appointed to the committee
26 shall have staggered terms of two, three, and four years and
27 shall serve until their successor is duly appointed and
28 qualified.

1 4. Members of the oversight committee shall serve without
2 compensation, except that members shall be reimbursed for their
3 actual and necessary expenses required for the discharge of their
4 duties.

5 5. The Amber alert system oversight committee shall
6 promulgate rules for the implementation of the Amber alert
7 system. Any rule or portion of a rule, as that term is defined
8 in section 536.010, that is created under the authority delegated
9 in this section shall become effective only if it complies with
10 and is subject to all of the provisions of chapter 536 and, if
11 applicable, section 536.028. This section and chapter 536 are
12 nonseverable and if any of the powers vested with the general
13 assembly pursuant to chapter 536 to review, to delay the
14 effective date or to disapprove and annul a rule are subsequently
15 held unconstitutional, then the grant of rulemaking authority and
16 any rule proposed or adopted after August 28, 2003, shall be
17 invalid and void.

18 6. Amber alerts issued in this state may include an
19 embedded Uniform Resource Locator (URL) that references a
20 resource on the internet that provides additional information or
21 technological capabilities.

22 7. (1) The provisions of this subsection shall be known
23 and may be cited as the "Honing Alerts Issued by Law Enforcement
24 for Youth Safety Act," or "HAILEY'S Law".

25 (2) The Amber alert system shall be integrated into the
26 Missouri uniform law enforcement system (MULES) and the Regional
27 Justice Information Service (REJIS) to expedite the reporting of
28 child abductions.

1 8. The Amber alert system oversight committee shall submit
2 a report to the general assembly on or before January 1, 2020,
3 and annually thereafter, regarding the activities and rules
4 promulgated throughout the preceding year. The report shall
5 include the following:

6 (1) The changes in criteria and procedures for the Amber
7 alert system;

8 (2) The Amber alert system oversight committee's review of
9 the function of the Amber alert system;

10 (3) The meeting notices and minutes;

11 (4) A list of members;

12 (5) Reimbursements; and

13 (6) Any new rules promulgated.

14 211.071. 1. If a petition alleges that a child between the
15 ages of twelve and seventeen has committed an offense which would
16 be considered a felony if committed by an adult, the court may,
17 upon its own motion or upon motion by the juvenile officer, the
18 child or the child's custodian, order a hearing and may, in its
19 discretion, dismiss the petition and such child may be
20 transferred to the court of general jurisdiction and prosecuted
21 under the general law; except that if a petition alleges that any
22 child has committed an offense which would be considered first
23 degree murder under section 565.020, second degree murder under
24 section 565.021, first degree assault under section 565.050,
25 forcible rape under section 566.030 as it existed prior to August
26 28, 2013, rape in the first degree under section 566.030,
27 forcible sodomy under section 566.060 as it existed prior to
28 August 28, 2013, sodomy in the first degree under section

1 566.060, first degree robbery under section 570.023, [or]
2 distribution of drugs under section 579.055, or vehicle hijacking
3 under section 570.027 or has committed two or more prior
4 unrelated offenses which would be felonies if committed by an
5 adult, the court shall order a hearing, and may in its
6 discretion, dismiss the petition and transfer the child to a
7 court of general jurisdiction for prosecution under the general
8 law.

9 2. Upon apprehension and arrest, jurisdiction over the
10 criminal offense allegedly committed by any person between
11 seventeen and twenty-one years of age over whom the juvenile
12 court has retained continuing jurisdiction shall automatically
13 terminate and that offense shall be dealt with in the court of
14 general jurisdiction as provided in section 211.041.

15 3. Knowing and willful age misrepresentation by a juvenile
16 subject shall not affect any action or proceeding which occurs
17 based upon the misrepresentation. Any evidence obtained during
18 the period of time in which a child misrepresents his or her age
19 may be used against the child and will be subject only to rules
20 of evidence applicable in adult proceedings.

21 4. Written notification of a transfer hearing shall be
22 given to the juvenile and his or her custodian in the same manner
23 as provided in sections 211.101 and 211.111. Notice of the
24 hearing may be waived by the custodian. Notice shall contain a
25 statement that the purpose of the hearing is to determine whether
26 the child is a proper subject to be dealt with under the
27 provisions of this chapter, and that if the court finds that the
28 child is not a proper subject to be dealt with under the

1 provisions of this chapter, the petition will be dismissed to
2 allow for prosecution of the child under the general law.

3 5. The juvenile officer may consult with the office of
4 prosecuting attorney concerning any offense for which the child
5 could be certified as an adult under this section. The
6 prosecuting or circuit attorney shall have access to police
7 reports, reports of the juvenile or deputy juvenile officer,
8 statements of witnesses and all other records or reports relating
9 to the offense alleged to have been committed by the child. The
10 prosecuting or circuit attorney shall have access to the
11 disposition records of the child when the child has been
12 adjudicated pursuant to subdivision (3) of subsection 1 of
13 section 211.031. The prosecuting attorney shall not divulge any
14 information regarding the child and the offense until the
15 juvenile court at a judicial hearing has determined that the
16 child is not a proper subject to be dealt with under the
17 provisions of this chapter.

18 6. A written report shall be prepared in accordance with
19 this chapter developing fully all available information relevant
20 to the criteria which shall be considered by the court in
21 determining whether the child is a proper subject to be dealt
22 with under the provisions of this chapter and whether there are
23 reasonable prospects of rehabilitation within the juvenile
24 justice system. These criteria shall include but not be limited
25 to:

26 (1) The seriousness of the offense alleged and whether the
27 protection of the community requires transfer to the court of
28 general jurisdiction;

1 (2) Whether the offense alleged involved viciousness, force
2 and violence;

3 (3) Whether the offense alleged was against persons or
4 property with greater weight being given to the offense against
5 persons, especially if personal injury resulted;

6 (4) Whether the offense alleged is a part of a repetitive
7 pattern of offenses which indicates that the child may be beyond
8 rehabilitation under the juvenile code;

9 (5) The record and history of the child, including
10 experience with the juvenile justice system, other courts,
11 supervision, commitments to juvenile institutions and other
12 placements;

13 (6) The sophistication and maturity of the child as
14 determined by consideration of his home and environmental
15 situation, emotional condition and pattern of living;

16 (7) The age of the child;

17 (8) The program and facilities available to the juvenile
18 court in considering disposition;

19 (9) Whether or not the child can benefit from the treatment
20 or rehabilitative programs available to the juvenile court; and

21 (10) Racial disparity in certification.

22 7. If the court dismisses the petition to permit the child
23 to be prosecuted under the general law, the court shall enter a
24 dismissal order containing:

25 (1) Findings showing that the court had jurisdiction of the
26 cause and of the parties;

27 (2) Findings showing that the child was represented by
28 counsel;

1 (3) Findings showing that the hearing was held in the
2 presence of the child and his counsel; and

3 (4) Findings showing the reasons underlying the court's
4 decision to transfer jurisdiction.

5 8. A copy of the petition and order of the dismissal shall
6 be sent to the prosecuting attorney.

7 9. When a petition has been dismissed thereby permitting a
8 child to be prosecuted under the general law and the prosecution
9 of the child results in a conviction, the jurisdiction of the
10 juvenile court over that child is forever terminated, except as
11 provided in subsection 10 of this section, for an act that would
12 be a violation of a state law or municipal ordinance.

13 10. If a petition has been dismissed thereby permitting a
14 child to be prosecuted under the general law and the child is
15 found not guilty by a court of general jurisdiction, the juvenile
16 court shall have jurisdiction over any later offense committed by
17 that child which would be considered a misdemeanor or felony if
18 committed by an adult, subject to the certification provisions of
19 this section.

20 11. If the court does not dismiss the petition to permit
21 the child to be prosecuted under the general law, it shall set a
22 date for the hearing upon the petition as provided in section
23 211.171.

24 12. The provisions of this section shall become effective
25 on January 1, 2021.

26 211.071. 1. If a petition alleges that a child between the
27 ages of twelve and eighteen has committed an offense which would
28 be considered a felony if committed by an adult, the court may,

1 upon its own motion or upon motion by the juvenile officer, the
2 child or the child's custodian, order a hearing and may, in its
3 discretion, dismiss the petition and such child may be
4 transferred to the court of general jurisdiction and prosecuted
5 under the general law; except that if a petition alleges that any
6 child has committed an offense which would be considered first
7 degree murder under section 565.020, second degree murder under
8 section 565.021, first degree assault under section 565.050,
9 forcible rape under section 566.030 as it existed prior to August
10 28, 2013, rape in the first degree under section 566.030,
11 forcible sodomy under section 566.060 as it existed prior to
12 August 28, 2013, sodomy in the first degree under section
13 566.060, first degree robbery under section 569.020 as it existed
14 prior to January 1, 2017, or robbery in the first degree under
15 section 570.023, distribution of drugs under section 195.211 as
16 it existed prior to January 1, 2017, [or] the manufacturing of a
17 controlled substance under section 579.055, or vehicle hijacking
18 under section 570.027, or has committed two or more prior
19 unrelated offenses which would be felonies if committed by an
20 adult, the court shall order a hearing, and may in its
21 discretion, dismiss the petition and transfer the child to a
22 court of general jurisdiction for prosecution under the general
23 law.

24 2. Upon apprehension and arrest, jurisdiction over the
25 criminal offense allegedly committed by any person between
26 eighteen and twenty-one years of age over whom the juvenile court
27 has retained continuing jurisdiction shall automatically
28 terminate and that offense shall be dealt with in the court of

1 general jurisdiction as provided in section 211.041.

2 3. Knowing and willful age misrepresentation by a juvenile
3 subject shall not affect any action or proceeding which occurs
4 based upon the misrepresentation. Any evidence obtained during
5 the period of time in which a child misrepresents his or her age
6 may be used against the child and will be subject only to rules
7 of evidence applicable in adult proceedings.

8 4. Written notification of a transfer hearing shall be
9 given to the juvenile and his or her custodian in the same manner
10 as provided in sections 211.101 and 211.111. Notice of the
11 hearing may be waived by the custodian. Notice shall contain a
12 statement that the purpose of the hearing is to determine whether
13 the child is a proper subject to be dealt with under the
14 provisions of this chapter, and that if the court finds that the
15 child is not a proper subject to be dealt with under the
16 provisions of this chapter, the petition will be dismissed to
17 allow for prosecution of the child under the general law.

18 5. The juvenile officer may consult with the office of
19 prosecuting attorney concerning any offense for which the child
20 could be certified as an adult under this section. The
21 prosecuting or circuit attorney shall have access to police
22 reports, reports of the juvenile or deputy juvenile officer,
23 statements of witnesses and all other records or reports relating
24 to the offense alleged to have been committed by the child. The
25 prosecuting or circuit attorney shall have access to the
26 disposition records of the child when the child has been
27 adjudicated pursuant to subdivision (3) of subsection 1 of
28 section 211.031. The prosecuting attorney shall not divulge any

1 information regarding the child and the offense until the
2 juvenile court at a judicial hearing has determined that the
3 child is not a proper subject to be dealt with under the
4 provisions of this chapter.

5 6. A written report shall be prepared in accordance with
6 this chapter developing fully all available information relevant
7 to the criteria which shall be considered by the court in
8 determining whether the child is a proper subject to be dealt
9 with under the provisions of this chapter and whether there are
10 reasonable prospects of rehabilitation within the juvenile
11 justice system. These criteria shall include but not be limited
12 to:

13 (1) The seriousness of the offense alleged and whether the
14 protection of the community requires transfer to the court of
15 general jurisdiction;

16 (2) Whether the offense alleged involved viciousness, force
17 and violence;

18 (3) Whether the offense alleged was against persons or
19 property with greater weight being given to the offense against
20 persons, especially if personal injury resulted;

21 (4) Whether the offense alleged is a part of a repetitive
22 pattern of offenses which indicates that the child may be beyond
23 rehabilitation under the juvenile code;

24 (5) The record and history of the child, including
25 experience with the juvenile justice system, other courts,
26 supervision, commitments to juvenile institutions and other
27 placements;

28 (6) The sophistication and maturity of the child as

1 determined by consideration of his or her home and environmental
2 situation, emotional condition and pattern of living;

3 (7) The age of the child;

4 (8) The program and facilities available to the juvenile
5 court in considering disposition;

6 (9) Whether or not the child can benefit from the treatment
7 or rehabilitative programs available to the juvenile court; and

8 (10) Racial disparity in certification.

9 7. If the court dismisses the petition to permit the child
10 to be prosecuted under the general law, the court shall enter a
11 dismissal order containing:

12 (1) Findings showing that the court had jurisdiction of the
13 cause and of the parties;

14 (2) Findings showing that the child was represented by
15 counsel;

16 (3) Findings showing that the hearing was held in the
17 presence of the child and his or her counsel; and

18 (4) Findings showing the reasons underlying the court's
19 decision to transfer jurisdiction.

20 8. A copy of the petition and order of the dismissal shall
21 be sent to the prosecuting attorney.

22 9. When a petition has been dismissed thereby permitting a
23 child to be prosecuted under the general law and the prosecution
24 of the child results in a conviction, the jurisdiction of the
25 juvenile court over that child is forever terminated, except as
26 provided in subsection 10 of this section, for an act that would
27 be a violation of a state law or municipal ordinance.

28 10. If a petition has been dismissed thereby permitting a

1 child to be prosecuted under the general law and the child is
2 found not guilty by a court of general jurisdiction, the juvenile
3 court shall have jurisdiction over any later offense committed by
4 that child which would be considered a misdemeanor or felony if
5 committed by an adult, subject to the certification provisions of
6 this section.

7 11. If the court does not dismiss the petition to permit
8 the child to be prosecuted under the general law, it shall set a
9 date for the hearing upon the petition as provided in section
10 211.171.

11 12. The provisions of this section shall expire on January
12 1, 2021.

13 217.195. 1. With the approval of [his division director]
14 the director of the department of corrections, the chief
15 administrative officer of any correctional center operated by the
16 division may establish and operate a canteen or commissary for
17 the use and benefit of the offenders.

18 2. [Each correctional center shall keep revenues received
19 from the canteen or commissary established and operated by the
20 correctional center in a separate account. The acquisition cost
21 of goods sold and other expenses shall be paid from this
22 account.] The "Inmate Canteen Fund" is hereby established in the
23 state treasury and shall consist of funds received from the
24 operation of the inmate canteens. A minimum amount of money
25 necessary to meet cash flow needs and current operating expenses
26 may be kept in this [account] fund. The [remaining funds from
27 sales of each commissary or canteen shall be deposited monthly in
28 a special fund to be known as the "Inmate Canteen Fund" which is

1 hereby created and shall be expended by the appropriate division,
2 for the benefit of] proceeds generated from the operation of the
3 inmate canteens shall be expended solely for any of the
4 following, or combination thereof: the offenders in the
5 improvement of recreational, religious, [or] educational
6 services, or reentry services. All interest earned by the fund
7 shall be credited to the fund and shall be used solely for the
8 purposes described in this section. The provisions of section
9 33.080 to the contrary notwithstanding, [the] any money remaining
10 in the inmate canteen fund at the end of the biennium shall be
11 retained for the purposes specified in this section and shall not
12 revert to the credit of or be transferred to general revenue.
13 [The department shall keep accurate records of the source of
14 money deposited in the inmate canteen fund and shall allocate
15 appropriations from the fund to the appropriate correctional
16 center.]

17 217.850. 1. A person commits the offense of unlawful use
18 of unmanned aircraft over a correctional center if he or she
19 purposely:

20 (1) Operates an unmanned aircraft within a vertical
21 distance over three hundred feet over the correctional center's
22 secure perimeter fence; or

23 (2) Allows an unmanned aircraft to make contact with a
24 correctional center, including any person or object on the
25 premises of or within the facility.

26 2. For purposes of this section, "correctional center"
27 shall include:

28 (1) Any correctional center as defined in section 217.010;

1 (2) Any private jail as defined in section 221.095; and

2 (3) Any county or municipal jail.

3 3. The provisions of this section shall not prohibit the
4 operation of an unmanned aircraft by:

5 (1) An employee of the correctional center at the direction
6 of the chief administrative officer of the facility;

7 (2) A person who has written consent from the chief
8 administrative officer of the facility;

9 (3) An employee of a law enforcement agency, fire
10 department, or emergency medical service in the exercise of
11 official duties;

12 (4) A government official or employee in the exercise of
13 official duties;

14 (5) A public utility or a rural electric cooperative if:

15 (a) The unmanned aircraft is used for the purpose of
16 inspecting, repairing, or maintaining utility transmission or
17 distribution lines, other utility equipment, or infrastructure;

18 (b) The utility notifies the correctional center before
19 flying the unmanned aircraft, except during an emergency; and

20 (c) The person operating the unmanned aircraft does not
21 physically enter the prohibited space without an escort provided
22 by the correctional center;

23 (6) An employee of a railroad in the exercise of official
24 duties on any land owned or operated by a railroad corporation
25 regulated by the Federal Railroad Administration; or

26 (7) A Person operating an unmanned aircraft pursuant to and
27 in compliance with any waiver issued by the Federal Aviation
28 Authority in accordance with 14 CFR 107.

1 4. The offense of unlawful use of unmanned aircraft over a
2 correctional center shall be punishable as an infraction unless
3 the person uses an unmanned aircraft for the purpose of:

4 (1) Delivering a gun, knife, weapon, or other article that
5 may be used in such manner to endanger the life of an offender or
6 correctional center employee, in which case the offense is a
7 class B felony;

8 (2) Facilitating an escape from confinement under section
9 575.210, in which case the offense is a class C felony; or

10 (3) Delivering a controlled substance, as that term is
11 defined by chapter 195, in which case the offense is a class D
12 felony.

13 5. Each correctional center shall post a sign warning of
14 the provisions of this section. The sign shall be at least
15 eleven inches by fourteen inches and posted in a conspicuous
16 place.

17 221.111. 1. A person commits the offense of possession of
18 unlawful items in a prison or jail if such person knowingly
19 delivers, attempts to deliver, possesses, deposits, or conceals
20 in or about the premises of any correctional center as the term
21 "correctional center" is defined under section 217.010, or any
22 city, county, or private jail:

23 (1) Any controlled substance as that term is defined by
24 law, except upon the written prescription of a licensed
25 physician, dentist, or veterinarian;

26 (2) Any other alkaloid of any kind or any intoxicating
27 liquor as the term intoxicating liquor is defined in section
28 311.020;

1 (3) Any article or item of personal property which a
2 prisoner is prohibited by law, by rule made pursuant to section
3 221.060, or by regulation of the department of corrections from
4 receiving or possessing, except as herein provided;

5 (4) Any gun, knife, weapon, or other article or item of
6 personal property that may be used in such manner as to endanger
7 the safety or security of the institution or as to endanger the
8 life or limb of any prisoner or employee thereof; or

9 (5) Any two-way telecommunications device or the component
10 parts thereof.

11 2. The violation of subdivision (1) of subsection 1 of this
12 section shall be a class D felony; the violation of subdivision
13 (2) or (5) of subsection 1 of this section shall be a class E
14 felony; the violation of subdivision (3) of subsection 1 of this
15 section shall be a class A misdemeanor; and the violation of
16 subdivision (4) of subsection 1 of this section shall be a class
17 B felony.

18 3. The chief operating officer of a county or city jail or
19 other correctional facility or the administrator of a private
20 jail may deny visitation privileges to or refer to the county
21 prosecuting attorney for prosecution any person who knowingly
22 delivers, attempts to deliver, possesses, deposits, or conceals
23 in or about the premises of such jail or facility any personal
24 item which is prohibited by rule or regulation of such jail or
25 facility. Such rules or regulations, including a list of
26 personal items allowed in the jail or facility, shall be
27 prominently posted for viewing both inside and outside such jail
28 or facility in an area accessible to any visitor, and shall be

1 made available to any person requesting such rule or regulation.
2 Violation of this subsection shall be an infraction if not
3 covered by other statutes.

4 4. Any person who has been found guilty of a violation of
5 subdivision (2) of subsection 1 of this section involving any
6 alkaloid shall be entitled to expungement of the record of the
7 violation. The procedure to expunge the record shall be pursuant
8 to section 610.123. The record of any person shall not be
9 expunged if such person has been found guilty of knowingly
10 delivering, attempting to deliver, possessing, depositing, or
11 concealing any alkaloid of any controlled substance in or about
12 the premises of any correctional center, or city or county jail,
13 or private prison or jail.

14 5. Subdivision (5) of subsection 1 of this section shall
15 not apply to any person who is not an inmate possessing a two-way
16 telecommunications device or the component parts thereof in a
17 correctional center or city, county, or private jail if such
18 person lawfully acts without intent to conceal and without intent
19 to deliver to another person or deposit for the use of another
20 person; however, if such person refuses to comply with orders to
21 surrender such device or its component parts, he or she shall be
22 guilty of a class A misdemeanor.

23 311.660. The supervisor of liquor control shall have the
24 authority to suspend or revoke for cause all such licenses; and
25 to make the following regulations, without limiting the
26 generality of provisions empowering the supervisor of liquor
27 control as in this chapter set forth as to the following matters,
28 acts and things:

1 (1) Fix and determine the nature, form and capacity of all
2 packages used for containing intoxicating liquor of any kind, to
3 be kept or sold under this law;

4 (2) Prescribe an official seal and label and determine the
5 manner in which such seal or label shall be attached to every
6 package of intoxicating liquor so sold under this law; this
7 includes prescribing different official seals or different labels
8 for the different classes, varieties or brands of intoxicating
9 liquor;

10 (3) Prescribe all forms, applications and licenses and such
11 other forms as are necessary to carry out the provisions of this
12 chapter, except that when a licensee substantially complies with
13 all requirements for the renewal of a license by the date on
14 which the application for renewal is due, such licensee shall be
15 permitted at least an additional ten days from the date notice is
16 sent that the application is deficient, in which to complete the
17 application;

18 (4) Prescribe the terms and conditions of the licenses
19 issued and granted under this law;

20 (5) Prescribe the nature of the proof to be furnished and
21 conditions to be observed in the issuance of duplicate licenses,
22 in lieu of those lost or destroyed;

23 (6) Establish rules and regulations for the conduct of the
24 business carried on by each specific licensee under the license,
25 and such rules and regulations if not obeyed by every licensee
26 shall be grounds for the revocation or suspension of the license;

27 (7) The right to examine books, records and papers of each
28 licensee and to hear and determine complaints against any

1 licensee;

2 (8) To issue subpoenas and all necessary processes and
3 require the production of papers, to administer oaths and to take
4 testimony;

5 (9) Prescribe all forms of labels to be affixed to all
6 packages containing intoxicating liquor of any kind; [and]

7 (10) To refer to the Missouri gaming commission any
8 suspected illegal gambling activity punishable under chapter 572
9 being conducted on the premises of a location licensed under this
10 chapter, which shall be investigated under subsection 13 of
11 section 313.004; and

12 (11) To make such other rules and regulations as are
13 necessary and feasible for carrying out the provisions of this
14 chapter, as are not inconsistent with this law.

15 311.710. 1. In addition to the penalties and proceedings
16 for suspension or revocation of licenses provided for in this
17 chapter, and without limiting them, proceedings for the
18 suspension or revocation of any license authorizing the sale of
19 intoxicating liquor at retail may be brought in the circuit court
20 of any county in this state, or in the city of St. Louis, in
21 which the licensed premises are located and such proceedings may
22 be brought by the sheriff or any peace officer of that county or
23 by any eight or more persons who are taxpaying citizens of the
24 county or city for any of the following offenses:

25 (1) Selling, giving or otherwise supplying intoxicating
26 liquor to a habitual drunkard or to any person who is under or
27 apparently under the influence of intoxicating liquor;

28 (2) Knowingly permitting any prostitute, degenerate, or

1 dissolute person to frequent the licensed premises;

2 (3) Permitting on the licensed premises any disorderly
3 conduct, breach of the peace, or any lewd, immoral or improper
4 entertainment, conduct or practices;

5 (4) Selling, offering for sale, possessing or knowingly
6 permitting the consumption on the licensed premises of any kind
7 of intoxicating liquors, the sale, possession or consumption of
8 which is not authorized under his license;

9 (5) Selling, giving, or otherwise supplying intoxicating
10 liquor to any person under the age of twenty-one years;

11 (6) Selling, giving or otherwise supplying intoxicating
12 liquors between the hours of 12:00 midnight Saturday night and
13 12:00 midnight Sunday night;

14 (7) Permitting on the licensed premises any form of
15 gambling device punishable under chapter 572.

16 2. Provided, that said taxpaying citizen shall submit in
17 writing, under oath, by registered United States mail to the
18 supervisor of liquor control a joint complaint, stating the name
19 of the licensee, the name under which the licensee's business is
20 conducted and the address of the licensed premises, setting out
21 in general the character and nature of the offense or offenses
22 charged, together with the names and addresses of the witnesses
23 by whom proof thereof is expected to be made; and provided, that
24 after a period of thirty days after the mailing of such complaint
25 to the supervisor of liquor control the person therein complained
26 of shall not have been cited by the supervisor to appear and show
27 cause why his license should not be suspended or revoked then
28 they shall file with the circuit clerk of the county or city in

1 which the premises are located a copy of the complaint on file
2 with the supervisor of liquor control.

3 3. If, pursuant to the receipt of such complaint by the
4 supervisor of liquor control, the licensee appears and shows
5 cause why his license should not be suspended or revoked at a
6 hearing held for that purpose by the supervisor and either the
7 complainants or the licensee consider themselves aggrieved with
8 the order of the supervisor then, after a request in writing by
9 either the complainants or the licensee, the supervisor shall
10 certify to the circuit clerk of the county or city in which the
11 licensed premises are located a copy of the original complaint
12 filed with him, together with a copy of the transcript of the
13 evidence adduced at the hearing held by him. Such certification
14 by the supervisor shall not act as a supersedeas of any order
15 made by him.

16 4. Upon receipt of such complaint, whether from the
17 complainant directly or from the supervisor of liquor control,
18 the court shall set a date for an early hearing thereon and it
19 shall be the duty of the circuit clerk to cause to be delivered
20 by registered United States mail to the prosecuting attorney of
21 the county or to the circuit attorney of the city of St. Louis
22 and to the licensee copies of the complaint and he shall, at the
23 same time, give notice of the time and place of the hearing.
24 Such notice shall be delivered to the prosecuting attorney or to
25 the circuit attorney and to the licensee at least fifteen days
26 prior to the date of the hearing.

27 5. The complaint shall be heard by the court without a jury
28 and if there has been a prior hearing thereon by the supervisor

1 of liquor control then the case shall be heard de novo and both
2 the complainants and the licensee may produce new and additional
3 evidence material to the issues.

4 6. If the court shall find upon the hearing that the
5 offense or offenses charged in the complaint have been
6 established by the evidence, the court shall order the suspension
7 or revocation of the license but, in so doing, shall take into
8 consideration whatever order, if any, may have been made in the
9 premises by the supervisor of liquor control. If the court finds
10 that to revoke the license would be unduly severe, then the court
11 may suspend the license for such period of time as the court
12 deems proper.

13 7. The judgment of the court in no event shall be
14 superseded or stayed during pendency of any appeal therefrom.

15 8. It shall be the duty of the prosecuting attorney or
16 circuit attorney to prosecute diligently and without delay any
17 such complaints coming to him by virtue of this section.

18 9. The jurisdiction herein conferred upon the circuit
19 courts to hear and determine complaints for the suspension or
20 revocation of licenses in the manner provided in this section
21 shall not be exclusive and any authority conferred upon the
22 supervisor of liquor control to revoke or suspend licenses shall
23 remain in full force and effect, and the suspension or revocation
24 of a license as provided in this section shall be in addition to
25 and not in lieu of any other revocation or suspension provided by
26 this chapter.

27 10. Costs accruing because of such hearings in the circuit
28 court shall be taxed in the same manner as criminal costs.

1 311.720. 1. Conviction in any court of any violation of
2 this chapter, or any felony violation of chapter 195, in the
3 course of business, shall have the effect of automatically
4 revoking the license of the person convicted, and such revocation
5 shall continue operative until said case is finally disposed of,
6 and if the defendant is finally acquitted, he may apply for and
7 receive a license hereunder, upon paying the regular license
8 charge therefor, in the same manner as though he had never had a
9 license hereunder; provided, however, that the provisions of this
10 section shall not apply to violations of section 311.070, and
11 violations of said section shall be punished only as therein
12 provided.

13 2. Conviction in any court for illegal gambling activity
14 involving an illegal gambling device as defined in section
15 572.010 shall result in the automatic and permanent revocation of
16 a license issued under this chapter.

17 313.004. 1. There is hereby created the "Missouri Gaming
18 Commission" consisting of five members appointed by the governor,
19 with the advice and consent of the senate. Each member of the
20 Missouri gaming commission shall be a resident of this state. No
21 member shall have pled guilty to or shall have been convicted of
22 a felony or gambling-related offense. Not more than three
23 members shall be affiliated with the same political party. No
24 member of the commission shall be an elected official. The
25 overall membership of the commission shall reflect experience in
26 law enforcement, civil and criminal investigation and financial
27 principles.

28 2. The initial members of the commission shall be appointed

1 within thirty days of April 29, 1993. Of the members first
2 appointed, one shall be appointed for a one-year term, two shall
3 be appointed for a two-year term and two shall be appointed for a
4 three-year term. Thereafter, all members appointed shall serve
5 for a three-year term. No person shall serve as a member more
6 than six years. The governor shall designate one of the members
7 as the chair. The governor may remove any member of the
8 commission from office for malfeasance or neglect of duty in
9 office. The governor may also replace any member of the
10 commission, with the advice and consent of the senate, when any
11 responsibility concerning the state lottery, pari-mutuel wagering
12 or any other form of gaming is placed under the jurisdiction of
13 the commission.

14 3. The commission shall meet at least quarterly in
15 accordance with its rules. In addition, special meetings may be
16 called by the chair or any two members of the commission upon
17 twenty-four-hour written notice to each member. No action of the
18 commission shall be binding unless taken at a meeting at which at
19 least three of the five members are present and shall vote in
20 favor thereof.

21 4. The commission shall perform all duties and have all the
22 powers and responsibilities conferred and imposed upon it
23 relating to excursion gambling boats and, after June 30, 1994,
24 the lawful operation of the game of bingo under this chapter.
25 Within the commission, there shall be established a division of
26 gambling and after June 30, 1994, the division of bingo. Subject
27 to appropriations, the commission may hire an executive director
28 and any employees as it may deem necessary to carry out the

1 commission's duties. The commission shall have authority to
2 require investigations of any employee or applicant for
3 employment as deemed necessary and use such information or any
4 other information in the determination of employment. The
5 commission shall promulgate rules and regulations establishing a
6 code of ethics for its employees which shall include, but not be
7 limited to, restrictions on which employees shall be prohibited
8 from participating in or wagering on any game or gaming operation
9 subject to the jurisdiction of the commission. The commission
10 shall determine if any other employees of the commission or any
11 licensee of the commission shall participate or wager in any
12 operation under the jurisdiction of the commission.

13 5. On April 29, 1993, all the authority, powers, duties,
14 functions, records, personnel, property, matters pending and all
15 other pertinent vestiges of the state tourism commission relating
16 to the regulation of excursion gambling boats and, after June 30,
17 1994, of the department of revenue relating to the regulation of
18 the game of bingo shall be transferred to the Missouri gaming
19 commission.

20 6. The commission shall be assigned to the department of
21 public safety as a type III division, but the director of the
22 department of public safety has no supervision, authority or
23 control over the actions or decisions of the commission.

24 7. Members of the Missouri gaming commission shall receive
25 as compensation, the amount of one hundred dollars for every day
26 in which the commission holds a meeting, when such meeting is
27 subject to the recording of minutes as provided in chapter 610,
28 and shall be reimbursed for reasonable expenses incurred in the

1 performance of their duties. The chair shall receive as
2 additional compensation one hundred dollars for each month such
3 person serves on the commission in that capacity.

4 8. No member or employee of the commission shall be
5 appointed or continue to be a member or employee who is licensed
6 by the commission as an excursion gambling boat operator or
7 supplier and no member or employee of the commission shall be
8 appointed or continue to be a member or employee who is related
9 to any person within the second degree of consanguinity or
10 affinity who is licensed by the commission as an excursion
11 gambling boat operator or supplier. The commission shall
12 determine by rule and regulation appropriate restrictions on the
13 relationship of members and employees of the commission to
14 persons holding or applying for occupational licenses from the
15 commission or to employees of any licensee of the commission. No
16 peace officer, as defined by section 590.010, who is designated
17 to have direct regulator authority related to excursion gambling
18 boats shall be employed by any excursion gambling boat or
19 supplier licensed by the commission while employed as a peace
20 officer. No member or employee of the commission or any employee
21 of the state attorney general's office or the state highway
22 patrol who has direct authority over the regulation or
23 investigation of any applicant or licensee of the commission or
24 any peace officer of any city or county which has approved
25 excursion boat gambling shall accept any gift or gratuity from an
26 applicant or licensee while serving as a member or while under
27 such employment. Any person knowingly in violation of the
28 provisions of this subsection is guilty of a class A misdemeanor.

1 Any such member, officer or employee who personally or whose
2 prohibited relative knowingly violates the provisions of this
3 subsection, in addition to the foregoing penalty, shall, upon
4 conviction, immediately and thereupon forfeit his office or
5 employment.

6 9. The commission may enter into agreements with the
7 Federal Bureau of Investigation, the Federal Internal Revenue
8 Service, the state attorney general or any state, federal or
9 local agency the commission deems necessary to carry out the
10 duties of the commission, including investigations relating to
11 and the enforcement of the provisions of chapter 572 relating to
12 illegal gambling. No state agency shall count employees used in
13 any agreements entered into with the commission against any
14 personnel cap authorized by any statute. Any consideration paid
15 by the commission for the purpose of entering into, or to carry
16 out, any agreement shall be considered an administrative expense
17 of the commission. When such agreements are entered into for
18 responsibilities relating to excursion gambling boats, the
19 commission shall require excursion gambling boat licensees to pay
20 for such services under rules and regulations of the commission.
21 The commission may provide by rules and regulations for the
22 offset of any prize or winnings won by any person making a wager
23 subject to the jurisdiction of the commission, when practical,
24 when such person has an outstanding debt owed the state of
25 Missouri.

26 10. No person who has served as a member or employee of the
27 commission, as a member of the general assembly, as an elected or
28 appointed official of the state or of any city or county of this

1 state in which the licensing of excursion gambling boats has been
2 approved in either the city or county or both or any employee of
3 the state highway patrol designated by the superintendent of the
4 highway patrol or any employee of the state attorney general's
5 office designated by the state attorney general to have direct
6 regulatory authority related to excursion gambling boats shall,
7 while in such office or during such employment and during the
8 first two years after termination of his office or position,
9 obtain direct ownership interest in or be employed by any
10 excursion gambling boat licensed by the commission or which has
11 applied for a license to the commission or enter into a
12 contractual relationship related to direct gaming activity. A
13 "direct ownership interest" shall be defined as any financial
14 interest, equitable interest, beneficial interest, or ownership
15 control held by the public official or employee, or such person's
16 family member related within the second degree of consanguinity
17 or affinity, in any excursion gambling boat operation or any
18 parent or subsidiary company which owns or operates an excursion
19 gambling boat or as a supplier to any excursion gambling boat
20 which has applied for or been granted a license by the
21 commission, provided that a direct ownership interest shall not
22 include any equity interest purchased at fair market value or
23 equity interest received as consideration for goods and services
24 provided at fair market value of less than one percent of the
25 total outstanding shares of stock of any publicly traded
26 corporation or certificates of partnership of any limited
27 partnership which is listed on a regulated stock exchange or
28 automated quotation system. Any person who knowingly violates

1 the provisions of this subsection is guilty of a class E felony.
2 Any such member, officer or employee who personally and knowingly
3 violates the provisions of this subsection, in addition to the
4 foregoing penalty, shall, upon conviction, immediately and
5 thereupon forfeit his office or employment. For purposes of this
6 subsection, "appointed official" shall mean any official of this
7 state or of any city or county authorized under subsection 10 of
8 section 313.812 appointed to a position which has discretionary
9 powers over the operations of any licensee or applicant for
10 licensure by the commission. This shall only apply if the
11 appointed official has a direct ownership interest in an
12 excursion gambling boat licensed by the commission or which has
13 applied for a license to the commission to be docked within the
14 jurisdiction of his or her appointment. No elected or appointed
15 official, his or her spouse or dependent child shall, while in
16 such office or within two years after termination of his or her
17 office or position, be employed by an applicant for an excursion
18 gambling boat license or an excursion gambling boat licensed by
19 the commission. Any other person related to an elected or
20 appointed official within the second degree of consanguinity or
21 affinity employed by an applicant for an excursion gambling boat
22 license or excursion gambling boat licensed by the commission
23 shall disclose this relationship to the commission. Such
24 disclosure shall be in writing and shall include who is employing
25 such individual, that person's relationship to the elected or
26 appointed official, and a job description for which the person is
27 being employed. The commission may require additional
28 information as it may determine necessary.

1 11. The commission may enter into contracts with any
2 private entity the commission deems necessary to carry out the
3 duties of the commission, other than criminal law enforcement,
4 provision of legal counsel before the courts and other agencies
5 of this state, and the enforcement of liquor laws. The
6 commission may require provisions for special auditing
7 requirements, investigations and restrictions on the employees of
8 any private entity with which a contract is entered into by the
9 commission.

10 12. Notwithstanding the provisions of chapter 610 to the
11 contrary, all criminal justice records shall be available to any
12 agency or commission responsible for licensing or investigating
13 applicants or licensees applying to any gaming commission of this
14 state.

15 13. (1) The commission shall establish a telephone contact
16 number, which shall be prominently displayed on the commission's
17 website, to receive reports of suspected illegal gambling
18 activities. Upon the receipt of such report, the commission
19 shall initiate an investigation of such suspected illegal
20 activity. The commission shall notify the subject of such
21 investigation within thirty days of receiving a report under this
22 subsection.

23 (2) (a) If the commission finds sufficient evidence of a
24 violation punishable under chapter 572, the commission shall
25 refer such violations to the prosecuting attorney.

26 (b) Upon the request of a prosecuting attorney, the
27 attorney general shall aid a prosecuting attorney in prosecuting
28 violations referred by the commission.

1 (3) Any person or establishment licensed under chapter 313
2 that is convicted of or pleads guilty to a violation punishable
3 under chapter 572, and any affiliated company of such person or
4 establishment, shall be permanently prohibited from being
5 licensed to participate in any way in a program implementing
6 video lottery gaming terminals should such a program be
7 implemented in this state.

8 313.255. 1. The director shall issue, suspend, revoke, and
9 renew licenses for lottery game retailers pursuant to rules and
10 regulations adopted by the commission. Such rules shall specify
11 that at least ten percent of all licenses awarded to lottery game
12 retailers in constitutional charter cities not within a county
13 and constitutional charter cities with a population of at least
14 four hundred fifty thousand not located wholly within a county of
15 the first class with a charter form of government shall be
16 awarded to minority-owned and -controlled business enterprises.
17 Licensing rules and regulations shall include requirements
18 relating to the financial responsibility of the licensee, the
19 accessibility of the licensee's place of business or activity to
20 the public, the sufficiency of existing licenses to serve the
21 public interest, the volume of expected sales, the security and
22 efficient operation of the lottery, and other matters necessary
23 to protect the public interest and trust in the lottery and to
24 further the sales of lottery tickets or shares. Lottery game
25 retailers shall be selected without regard to political
26 affiliation.

27 2. The commission may sell lottery tickets at its office
28 and at special events.

1 3. The commission shall require every retailer to post a
2 bond, a bonding fee or a letter of credit in such amount as may
3 be required by the commission, and upon licensure shall
4 prominently display his license, or a copy thereof, as provided
5 in the rules and regulations of the commission.

6 4. All licenses for lottery game retailers shall specify
7 the place such sales shall take place.

8 5. A lottery game retailer license shall not be assignable
9 or transferable.

10 6. A license shall be revoked upon a finding that the
11 licensee:

12 (1) Has knowingly provided false or misleading information
13 to the commission or its employees;

14 (2) Has been convicted of any felony; or

15 (3) Has endangered the security of the lottery.

16 7. A license may be suspended, revoked, or not renewed for
17 any of the following causes:

18 (1) A change of business location;

19 (2) An insufficient sales volume;

20 (3) A delinquency in remitting money owed to the lottery;

21 or

22 (4) Any violation of any rule or regulation adopted
23 pursuant to this section by the commission.

24 8. A lottery game retailer license shall be permanently
25 revoked upon a finding that the licensee has been convicted of or
26 pleaded guilty to illegal gambling activity involving an illegal
27 gambling device punishable under chapter 572.

28 337.068. 1. If the board finds merit to a complaint by an

1 individual incarcerated or under the care and control of the
2 department of corrections or who has been ordered to be taken
3 into custody, detained, or held under sections 632.480 to 632.513
4 or who has been ordered to be evaluated under chapter 552 and
5 takes further investigative action, no documentation may appear
6 on file or disciplinary action may be taken in regards to the
7 licensee's license unless the provisions of subsection 2 of
8 section 337.035 have been violated. Any case file documentation
9 that does not result in the board filing an action pursuant to
10 subsection 2 of section 337.035 shall be destroyed within three
11 months after the final case disposition by the board. No
12 notification to any other licensing board in another state or any
13 national registry regarding any investigative action shall be
14 made unless the provisions of subsection 2 of section 337.035
15 have been violated.

16 2. Upon written request of the psychologist subject to a
17 complaint, prior to August 28, 1999, by an individual
18 incarcerated or under the care and control of the department of
19 corrections or prior to August 28, 2008, by an individual who has
20 been ordered to be taken into custody, detained, or held under
21 sections 632.480 to 632.513, or prior to August 28, 2019, by an
22 individual who has been ordered to be evaluated under chapter 552
23 that did not result in the board filing an action pursuant to
24 subsection 2 of section 337.035, the board and the division of
25 professional registration, shall in a timely fashion:

- 26 (1) Destroy all documentation regarding the complaint;
27 (2) Notify any other licensing board in another state or
28 any national registry regarding the board's actions if they have

1 been previously notified of the complaint; and

2 (3) Send a letter to the licensee that clearly states that
3 the board found the complaint to be unsubstantiated, that the
4 board has taken the requested action, and notify the licensee of
5 the provisions of subsection 3 of this section.

6 3. Any person who has been the subject of an
7 unsubstantiated complaint as provided in subsection 1 or 2 of
8 this section shall not be required to disclose the existence of
9 such complaint in subsequent applications or representations
10 relating to their psychology professions.

11 441.920. 1. For purposes of this section, the following
12 terms mean:

13 (1) "Domestic violence", as such term is defined in section
14 455.010;

15 (2) "Sexual assault", as such term is defined in section
16 455.010;

17 (3) "Stalking", as such term is defined in section 455.010.

18 2. No applicant, tenant, or lessee shall be denied tenancy,
19 be evicted from the premises, or found to be in violation of a
20 lease agreement on the basis of or as a direct result of the fact
21 that the applicant, tenant, or lessee is, has been, or is in
22 imminent danger of becoming a victim of domestic violence, sexual
23 assault, or stalking if the applicant, tenant, or lessee
24 otherwise qualifies for tenancy or occupancy in the premises.

25 The provisions of this subsection shall not apply if:

26 (1) The applicant, tenant, or lessee allowed the person
27 named in any documentation listed in subsection 4 of this section
28 into the premises; or

1 (2) The landlord or property owner reasonably believes that
2 a person named in any documentation listed in subsection 4 of
3 this section poses a threat to the safety of the other occupants
4 or the property.

5 3. In any action brought by a landlord against a tenant
6 under this chapter, chapter 534, or chapter 535, a tenant shall
7 have an affirmative defense and not be liable for rent for the
8 period after which the tenant vacates the premises owned by the
9 landlord if, by a preponderance of the evidence, the court finds
10 that the tenant was a victim or was in imminent danger of
11 becoming a victim of domestic violence, sexual assault, or
12 stalking and the tenant notified the landlord and has provided
13 any requested documentation under subsection 4 of this section.

14 4. An applicant, tenant, or lessee shall qualify for the
15 protections under this section if he or she provides a statement
16 of such domestic violence, sexual assault, or stalking to his or
17 her landlord or the property owner. If the landlord or property
18 owner requests, the applicant, tenant, or lessee shall provide
19 documentation of the domestic violence, sexual assault, or
20 stalking, which may be in any of the following forms:

21 (1) A notarized document signed by an employee of a victim
22 service provider, or a health care professional or mental health
23 professional from whom the victim has sought assistance relating
24 to domestic violence, sexual assault, stalking, or the effects of
25 abuse stating that, under penalty of perjury, the individual
26 believes in the occurrence of the incident of domestic violence,
27 sexual assault, or stalking that is the ground for protection,
28 and that the incident meets the applicable definition of domestic

1 violence, sexual assault, or stalking. Such document shall be
2 signed by the victim; or

3 (2) A record of a federal, state, or local law enforcement
4 agency, including a police report, a court, or an administrative
5 agency pertaining to the alleged incident of domestic violence,
6 sexual assault, or stalking.

7 5. The submission of false information by an applicant,
8 tenant, or lessee under this section may be a basis for a denial
9 of tenancy, eviction, or a violation of a lease agreement.

10 6. Any landlord or property owner may impose a reasonable
11 termination fee on a tenant or lessee who desires to terminate a
12 lease before the expiration date of such lease under the
13 provisions of this section.

14 7. The provisions of this section shall only apply to
15 residential properties.

16 556.061. In this code, unless the context requires a
17 different definition, the following terms shall mean:

18 (1) "Access", to instruct, communicate with, store data in,
19 retrieve or extract data from, or otherwise make any use of any
20 resources of, a computer, computer system, or computer network;

21 (2) "Affirmative defense":

22 (a) The defense referred to is not submitted to the trier
23 of fact unless supported by evidence; and

24 (b) If the defense is submitted to the trier of fact the
25 defendant has the burden of persuasion that the defense is more
26 probably true than not;

27 (3) "Burden of injecting the issue":

28 (a) The issue referred to is not submitted to the trier of

1 fact unless supported by evidence; and

2 (b) If the issue is submitted to the trier of fact any
3 reasonable doubt on the issue requires a finding for the
4 defendant on that issue;

5 (4) "Commercial film and photographic print processor", any
6 person who develops exposed photographic film into negatives,
7 slides or prints, or who makes prints from negatives or slides,
8 for compensation. The term commercial film and photographic
9 print processor shall include all employees of such persons but
10 shall not include a person who develops film or makes prints for
11 a public agency;

12 (5) "Computer", the box that houses the central processing
13 unit (CPU), along with any internal storage devices, such as
14 internal hard drives, and internal communication devices, such as
15 internal modems capable of sending or receiving electronic mail
16 or fax cards, along with any other hardware stored or housed
17 internally. Thus, computer refers to hardware, software and data
18 contained in the main unit. Printers, external modems attached
19 by cable to the main unit, monitors, and other external
20 attachments will be referred to collectively as peripherals and
21 discussed individually when appropriate. When the computer and
22 all peripherals are referred to as a package, the term "computer
23 system" is used. Information refers to all the information on a
24 computer system including both software applications and data;

25 (6) "Computer equipment", computers, terminals, data
26 storage devices, and all other computer hardware associated with
27 a computer system or network;

28 (7) "Computer hardware", all equipment which can collect,

1 analyze, create, display, convert, store, conceal or transmit
2 electronic, magnetic, optical or similar computer impulses or
3 data. Hardware includes, but is not limited to, any data
4 processing devices, such as central processing units, memory
5 typewriters and self-contained laptop or notebook computers;
6 internal and peripheral storage devices, transistor-like binary
7 devices and other memory storage devices, such as floppy disks,
8 removable disks, compact disks, digital video disks, magnetic
9 tape, hard drive, optical disks and digital memory; local area
10 networks, such as two or more computers connected together to a
11 central computer server via cable or modem; peripheral input or
12 output devices, such as keyboards, printers, scanners, plotters,
13 video display monitors and optical readers; and related
14 communication devices, such as modems, cables and connections,
15 recording equipment, RAM or ROM units, acoustic couplers,
16 automatic dialers, speed dialers, programmable telephone dialing
17 or signaling devices and electronic tone-generating devices; as
18 well as any devices, mechanisms or parts that can be used to
19 restrict access to computer hardware, such as physical keys and
20 locks;

21 (8) "Computer network", two or more interconnected
22 computers or computer systems;

23 (9) "Computer program", a set of instructions, statements,
24 or related data that directs or is intended to direct a computer
25 to perform certain functions;

26 (10) "Computer software", digital information which can be
27 interpreted by a computer and any of its related components to
28 direct the way they work. Software is stored in electronic,

1 magnetic, optical or other digital form. The term commonly
2 includes programs to run operating systems and applications, such
3 as word processing, graphic, or spreadsheet programs, utilities,
4 compilers, interpreters and communications programs;

5 (11) "Computer-related documentation", written, recorded,
6 printed or electronically stored material which explains or
7 illustrates how to configure or use computer hardware, software
8 or other related items;

9 (12) "Computer system", a set of related, connected or
10 unconnected, computer equipment, data, or software;

11 (13) "Confinement":

12 (a) A person is in confinement when such person is held in
13 a place of confinement pursuant to arrest or order of a court,
14 and remains in confinement until:

15 a. A court orders the person's release; or

16 b. The person is released on bail, bond, or recognizance,
17 personal or otherwise; or

18 c. A public servant having the legal power and duty to
19 confine the person authorizes his release without guard and
20 without condition that he return to confinement;

21 (b) A person is not in confinement if:

22 a. The person is on probation or parole, temporary or
23 otherwise; or

24 b. The person is under sentence to serve a term of
25 confinement which is not continuous, or is serving a sentence
26 under a work-release program, and in either such case is not
27 being held in a place of confinement or is not being held under
28 guard by a person having the legal power and duty to transport

1 the person to or from a place of confinement;

2 (14) "Consent": consent or lack of consent may be
3 expressed or implied. Assent does not constitute consent if:

4 (a) It is given by a person who lacks the mental capacity
5 to authorize the conduct charged to constitute the offense and
6 such mental incapacity is manifest or known to the actor; or

7 (b) It is given by a person who by reason of youth, mental
8 disease or defect, intoxication, a drug-induced state, or any
9 other reason is manifestly unable or known by the actor to be
10 unable to make a reasonable judgment as to the nature or
11 harmfulness of the conduct charged to constitute the offense; or

12 (c) It is induced by force, duress or deception;

13 (15) "Controlled substance", a drug, substance, or
14 immediate precursor in schedules I through V as defined in
15 chapter 195;

16 (16) "Criminal negligence", failure to be aware of a
17 substantial and unjustifiable risk that circumstances exist or a
18 result will follow, and such failure constitutes a gross
19 deviation from the standard of care which a reasonable person
20 would exercise in the situation;

21 (17) "Custody", a person is in custody when he or she has
22 been arrested but has not been delivered to a place of
23 confinement;

24 (18) "Damage", when used in relation to a computer system
25 or network, means any alteration, deletion, or destruction of any
26 part of the computer system or network;

27 (19) "Dangerous felony", the felonies of arson in the first
28 degree, assault in the first degree, attempted rape in the first

1 degree if physical injury results, attempted forcible rape if
2 physical injury results, attempted sodomy in the first degree if
3 physical injury results, attempted forcible sodomy if physical
4 injury results, rape in the first degree, forcible rape, sodomy
5 in the first degree, forcible sodomy, assault in the second
6 degree if the victim of such assault is a special victim as
7 defined in subdivision (14) of section 565.002, kidnapping in the
8 first degree, kidnapping, murder in the second degree, assault of
9 a law enforcement officer in the first degree, domestic assault
10 in the first degree, elder abuse in the first degree, robbery in
11 the first degree, vehicle hijacking punished as a class A felony,
12 statutory rape in the first degree when the victim is a child
13 less than twelve years of age at the time of the commission of
14 the act giving rise to the offense, statutory sodomy in the first
15 degree when the victim is a child less than twelve years of age
16 at the time of the commission of the act giving rise to the
17 offense, child molestation in the first or second degree, abuse
18 of a child if the child dies as a result of injuries sustained
19 from conduct chargeable under section 568.060, child kidnapping,
20 parental kidnapping committed by detaining or concealing the
21 whereabouts of the child for not less than one hundred twenty
22 days under section 565.153, and an "intoxication-related traffic
23 offense" or "intoxication-related boating offense" if the person
24 is found to be a "habitual offender" or "habitual boating
25 offender" as such terms are defined in section 577.001;

26 (20) "Dangerous instrument", any instrument, article or
27 substance, which, under the circumstances in which it is used, is
28 readily capable of causing death or other serious physical

1 injury;

2 (21) "Data", a representation of information, facts,
3 knowledge, concepts, or instructions prepared in a formalized or
4 other manner and intended for use in a computer or computer
5 network. Data may be in any form including, but not limited to,
6 printouts, microfiche, magnetic storage media, punched cards and
7 as may be stored in the memory of a computer;

8 (22) "Deadly weapon", any firearm, loaded or unloaded, or
9 any weapon from which a shot, readily capable of producing death
10 or serious physical injury, may be discharged, or a switchblade
11 knife, dagger, billy club, blackjack or metal knuckles;

12 (23) "Digital camera", a camera that records images in a
13 format which enables the images to be downloaded into a computer;

14 (24) "Disability", a mental, physical, or developmental
15 impairment that substantially limits one or more major life
16 activities or the ability to provide adequately for one's care or
17 protection, whether the impairment is congenital or acquired by
18 accident, injury or disease, where such impairment is verified by
19 medical findings;

20 (25) "Elderly person", a person sixty years of age or
21 older;

22 (26) "Felony", an offense so designated or an offense for
23 which persons found guilty thereof may be sentenced to death or
24 imprisonment for a term of more than one year;

25 (27) "Forcible compulsion" either:

26 (a) Physical force that overcomes reasonable resistance; or

27 (b) A threat, express or implied, that places a person in
28 reasonable fear of death, serious physical injury or kidnapping

1 of such person or another person;

2 (28) "Incapacitated", a temporary or permanent physical or
3 mental condition in which a person is unconscious, unable to
4 appraise the nature of his or her conduct, or unable to
5 communicate unwillingness to an act;

6 (29) "Infraction", a violation defined by this code or by
7 any other statute of this state if it is so designated or if no
8 sentence other than a fine, or fine and forfeiture or other civil
9 penalty, is authorized upon conviction;

10 (30) "Inhabitable structure", a vehicle, vessel or
11 structure:

12 (a) Where any person lives or carries on business or other
13 calling; or

14 (b) Where people assemble for purposes of business,
15 government, education, religion, entertainment, or public
16 transportation; or

17 (c) Which is used for overnight accommodation of persons.

18

19 Any such vehicle, vessel, or structure is inhabitable regardless
20 of whether a person is actually present. If a building or
21 structure is divided into separately occupied units, any unit not
22 occupied by the actor is an inhabitable structure of another;

23 (31) "Knowingly", when used with respect to:

24 (a) Conduct or attendant circumstances, means a person is
25 aware of the nature of his or her conduct or that those
26 circumstances exist; or

27 (b) A result of conduct, means a person is aware that his
28 or her conduct is practically certain to cause that result;

1 (32) "Law enforcement officer", any public servant having
2 both the power and duty to make arrests for violations of the
3 laws of this state, and federal law enforcement officers
4 authorized to carry firearms and to make arrests for violations
5 of the laws of the United States;

6 (33) "Misdemeanor", an offense so designated or an offense
7 for which persons found guilty thereof may be sentenced to
8 imprisonment for a term of which the maximum is one year or less;

9 (34) "Of another", property that any entity, including but
10 not limited to any natural person, corporation, limited liability
11 company, partnership, association, governmental subdivision or
12 instrumentality, other than the actor, has a possessory or
13 proprietary interest therein, except that property shall not be
14 deemed property of another who has only a security interest
15 therein, even if legal title is in the creditor pursuant to a
16 conditional sales contract or other security arrangement;

17 (35) "Offense", any felony or misdemeanor;

18 (36) "Physical injury", slight impairment of any function
19 of the body or temporary loss of use of any part of the body;

20 (37) "Place of confinement", any building or facility and
21 the grounds thereof wherein a court is legally authorized to
22 order that a person charged with or convicted of a crime be held;

23 (38) "Possess" or "possessed", having actual or
24 constructive possession of an object with knowledge of its
25 presence. A person has actual possession if such person has the
26 object on his or her person or within easy reach and convenient
27 control. A person has constructive possession if such person has
28 the power and the intention at a given time to exercise dominion

1 or control over the object either directly or through another
2 person or persons. Possession may also be sole or joint. If one
3 person alone has possession of an object, possession is sole. If
4 two or more persons share possession of an object, possession is
5 joint;

6 (39) "Property", anything of value, whether real or
7 personal, tangible or intangible, in possession or in action;

8 (40) "Public servant", any person employed in any way by a
9 government of this state who is compensated by the government by
10 reason of such person's employment, any person appointed to a
11 position with any government of this state, or any person elected
12 to a position with any government of this state. It includes,
13 but is not limited to, legislators, jurors, members of the
14 judiciary and law enforcement officers. It does not include
15 witnesses;

16 (41) "Purposely", when used with respect to a person's
17 conduct or to a result thereof, means when it is his or her
18 conscious object to engage in that conduct or to cause that
19 result;

20 (42) "Recklessly", consciously disregarding a substantial
21 and unjustifiable risk that circumstances exist or that a result
22 will follow, and such disregard constitutes a gross deviation
23 from the standard of care which a reasonable person would
24 exercise in the situation;

25 (43) "Serious emotional injury", an injury that creates a
26 substantial risk of temporary or permanent medical or
27 psychological damage, manifested by impairment of a behavioral,
28 cognitive or physical condition. Serious emotional injury shall

1 be established by testimony of qualified experts upon the
2 reasonable expectation of probable harm to a reasonable degree of
3 medical or psychological certainty;

4 (44) "Serious physical injury", physical injury that
5 creates a substantial risk of death or that causes serious
6 disfigurement or protracted loss or impairment of the function of
7 any part of the body;

8 (45) "Services", when used in relation to a computer system
9 or network, means use of a computer, computer system, or computer
10 network and includes, but is not limited to, computer time, data
11 processing, and storage or retrieval functions;

12 (46) "Sexual orientation", male or female heterosexuality,
13 homosexuality or bisexuality by inclination, practice, identity
14 or expression, or having a self-image or identity not
15 traditionally associated with one's gender;

16 (47) "Vehicle", a self-propelled mechanical device designed
17 to carry a person or persons, excluding vessels or aircraft;

18 (48) "Vessel", any boat or craft propelled by a motor or by
19 machinery, whether or not such motor or machinery is a principal
20 source of propulsion used or capable of being used as a means of
21 transportation on water, or any boat or craft more than twelve
22 feet in length which is powered by sail alone or by a combination
23 of sail and machinery, and used or capable of being used as a
24 means of transportation on water, but not any boat or craft
25 having, as the only means of propulsion, a paddle or oars;

26 (49) "Voluntary act":

27 (a) A bodily movement performed while conscious as a result
28 of effort or determination. Possession is a voluntary act if the

1 possessor knowingly procures or receives the thing possessed, or
2 having acquired control of it was aware of his or her control for
3 a sufficient time to have enabled him or her to dispose of it or
4 terminate his or her control; or

5 (b) An omission to perform an act of which the actor is
6 physically capable. A person is not guilty of an offense based
7 solely upon an omission to perform an act unless the law defining
8 the offense expressly so provides, or a duty to perform the
9 omitted act is otherwise imposed by law;

10 (50) "Vulnerable person", any person in the custody, care,
11 or control of the department of mental health who is receiving
12 services from an operated, funded, licensed, or certified
13 program.

14 558.019. 1. This section shall not be construed to affect
15 the powers of the governor under Article IV, Section 7, of the
16 Missouri Constitution. This statute shall not affect those
17 provisions of section 565.020, section 566.125, or section
18 571.015, which set minimum terms of sentences, or the provisions
19 of section 559.115, relating to probation.

20 2. The provisions of subsections 2 to 5 of this section
21 shall only be applicable to [all classes of felonies except those
22 set forth in chapter 579, or in chapter 195 prior to January 1,
23 2017, and those otherwise excluded in subsection 1 of this
24 section] the offenses contained in sections 565.021, 565.023,
25 565.024, 565.027, 565.050, 565.052, 565.054, 565.072, 565.073,
26 565.074, 565.090, 565.110, 565.115, 565.120, 565.153, 565.156,
27 565.225, 565.300, 566.030, 566.031, 566.032, 566.034, 566.060,
28 566.061, 566.062, 566.064, 566.067, 566.068, 566.069, 566.071,

1 566.083, 566.086, 566.100, 566.101, 566.103, 566.111, 566.115,
2 566.145, 566.151, 566.153, 566.203, 566.206, 566.209, 566.210,
3 566.211, 566.215, 568.030, 568.045, 568.060, 568.065, 568.175,
4 569.040, 569.160, 570.023, 570.025, 570.027, 570.030 when
5 punished as a class A, B, or C felony, 570.145 when punished as a
6 class A or B felony, 570.223 when punished as a class B or C
7 felony, 571.020, 571.030, 571.070, 573.023, 573.025, 573.035,
8 573.037, 573.200, 573.205, 574.070, 574.080, 574.115, 575.030,
9 575.150, 575.153, 575.155, 575.157, 575.200 when punished as a
10 class A felony, 575.210, 575.230 when punished as a class B
11 felony, 575.240 when punished as a class B felony, 576.070,
12 576.080, 577.010, 577.013, 577.078, 577.703, 577.706, 579.065,
13 and 579.068 when punished as a class A or B felony. For the
14 purposes of this section, "prison commitment" means and is the
15 receipt by the department of corrections of an offender after
16 sentencing. For purposes of this section, prior prison
17 commitments to the department of corrections shall not include an
18 offender's first incarceration prior to release on probation
19 under section 217.362 or 559.115. Other provisions of the law to
20 the contrary notwithstanding, any offender who has been found
21 guilty of a felony other than a dangerous felony as defined in
22 section 556.061 and is committed to the department of corrections
23 shall be required to serve the following minimum prison terms:

24 (1) If the offender has one previous prison commitment to
25 the department of corrections for a felony offense, the minimum
26 prison term which the offender must serve shall be forty percent
27 of his or her sentence or until the offender attains seventy
28 years of age, and has served at least thirty percent of the

1 sentence imposed, whichever occurs first;

2 (2) If the offender has two previous prison commitments to
3 the department of corrections for felonies unrelated to the
4 present offense, the minimum prison term which the offender must
5 serve shall be fifty percent of his or her sentence or until the
6 offender attains seventy years of age, and has served at least
7 forty percent of the sentence imposed, whichever occurs first;

8 (3) If the offender has three or more previous prison
9 commitments to the department of corrections for felonies
10 unrelated to the present offense, the minimum prison term which
11 the offender must serve shall be eighty percent of his or her
12 sentence or until the offender attains seventy years of age, and
13 has served at least forty percent of the sentence imposed,
14 whichever occurs first.

15 3. Other provisions of the law to the contrary
16 notwithstanding, any offender who has been found guilty of a
17 dangerous felony as defined in section 556.061 and is committed
18 to the department of corrections shall be required to serve a
19 minimum prison term of eighty-five percent of the sentence
20 imposed by the court or until the offender attains seventy years
21 of age, and has served at least forty percent of the sentence
22 imposed, whichever occurs first.

23 4. For the purpose of determining the minimum prison term
24 to be served, the following calculations shall apply:

25 (1) A sentence of life shall be calculated to be thirty
26 years;

27 (2) Any sentence either alone or in the aggregate with
28 other consecutive sentences for offenses committed at or near the

1 same time which is over seventy-five years shall be calculated to
2 be seventy-five years.

3 5. For purposes of this section, the term "minimum prison
4 term" shall mean time required to be served by the offender
5 before he or she is eligible for parole, conditional release or
6 other early release by the department of corrections.

7 6. An offender who was convicted of, or pled guilty to, a
8 felony offense other than those offenses listed in subsection 2
9 of this section prior to August 28, 2019, shall no longer be
10 subject to the minimum prison term provisions under subsection 2
11 of this section, and shall be eligible for parole, conditional
12 release, or other early release by the department of corrections
13 according to the rules and regulations of the department.

14 7. (1) A sentencing advisory commission is hereby created
15 to consist of eleven members. One member shall be appointed by
16 the speaker of the house. One member shall be appointed by the
17 president pro tem of the senate. One member shall be the
18 director of the department of corrections. Six members shall be
19 appointed by and serve at the pleasure of the governor from among
20 the following: the public defender commission; private citizens;
21 a private member of the Missouri Bar; the board of probation and
22 parole; and a prosecutor. Two members shall be appointed by the
23 supreme court, one from a metropolitan area and one from a rural
24 area. All members shall be appointed to a four-year term. All
25 members of the sentencing commission appointed prior to August
26 28, 1994, shall continue to serve on the sentencing advisory
27 commission at the pleasure of the governor.

28 (2) The commission shall study sentencing practices in the

1 circuit courts throughout the state for the purpose of
2 determining whether and to what extent disparities exist among
3 the various circuit courts with respect to the length of
4 sentences imposed and the use of probation for offenders
5 convicted of the same or similar offenses and with similar
6 criminal histories. The commission shall also study and examine
7 whether and to what extent sentencing disparity among economic
8 and social classes exists in relation to the sentence of death
9 and if so, the reasons therefor, if sentences are comparable to
10 other states, if the length of the sentence is appropriate, and
11 the rate of rehabilitation based on sentence. It shall compile
12 statistics, examine cases, draw conclusions, and perform other
13 duties relevant to the research and investigation of disparities
14 in death penalty sentencing among economic and social classes.

15 (3) The commission shall study alternative sentences,
16 prison work programs, work release, home-based incarceration,
17 probation and parole options, and any other programs and report
18 the feasibility of these options in Missouri.

19 (4) The governor shall select a chairperson who shall call
20 meetings of the commission as required or permitted pursuant to
21 the purpose of the sentencing commission.

22 (5) The members of the commission shall not receive
23 compensation for their duties on the commission, but shall be
24 reimbursed for actual and necessary expenses incurred in the
25 performance of these duties and for which they are not reimbursed
26 by reason of their other paid positions.

27 (6) The circuit and associate circuit courts of this state,
28 the office of the state courts administrator, the department of

1 public safety, and the department of corrections shall cooperate
2 with the commission by providing information or access to
3 information needed by the commission. The office of the state
4 courts administrator will provide needed staffing resources.

5 [7.] 8. Courts shall retain discretion to lower or exceed
6 the sentence recommended by the commission as otherwise allowable
7 by law, and to order restorative justice methods, when
8 applicable.

9 [8.] 9. If the imposition or execution of a sentence is
10 suspended, the court may order any or all of the following
11 restorative justice methods, or any other method that the court
12 finds just or appropriate:

13 (1) Restitution to any victim or a statutorily created fund
14 for costs incurred as a result of the offender's actions;

15 (2) Offender treatment programs;

16 (3) Mandatory community service;

17 (4) Work release programs in local facilities; and

18 (5) Community-based residential and nonresidential
19 programs.

20 [9. The provisions of this section shall apply only to
21 offenses occurring on or after August 28, 2003.]

22 10. Pursuant to subdivision (1) of subsection [8] 9 of this
23 section, the court may order the assessment and payment of a
24 designated amount of restitution to a county law enforcement
25 restitution fund established by the county commission pursuant to
26 section 50.565. Such contribution shall not exceed three hundred
27 dollars for any charged offense. Any restitution moneys
28 deposited into the county law enforcement restitution fund

1 pursuant to this section shall only be expended pursuant to the
2 provisions of section 50.565.

3 11. A judge may order payment to a restitution fund only if
4 such fund had been created by ordinance or resolution of a county
5 of the state of Missouri prior to sentencing. A judge shall not
6 have any direct supervisory authority or administrative control
7 over any fund to which the judge is ordering a person to make
8 payment.

9 12. A person who fails to make a payment to a county law
10 enforcement restitution fund may not have his or her probation
11 revoked solely for failing to make such payment unless the judge,
12 after evidentiary hearing, makes a finding supported by a
13 preponderance of the evidence that the person either willfully
14 refused to make the payment or that the person willfully,
15 intentionally, and purposefully failed to make sufficient bona
16 fide efforts to acquire the resources to pay.

17 13. Nothing in this section shall be construed to allow the
18 sentencing advisory commission to issue recommended sentences in
19 specific cases pending in the courts of this state.

20 567.050. 1. A person commits the offense of promoting
21 prostitution in the first degree if he or she knowingly:

22 (1) Promotes prostitution by compelling a person to enter
23 into, engage in, or remain in prostitution; [or]

24 (2) Promotes prostitution of a person less than sixteen
25 years of age; or

26 (3) Owns, manages, or operates an interactive computer
27 service, or conspires or attempts to do so, with the intent to
28 promote or facilitate the prostitution of another. As used in

1 this subdivision, the term "interactive computer service" shall
2 mean: any information service, system, or access software
3 provider that provides or enables computer access by multiple
4 users to a computer server, including specifically a service or
5 system that provides access to the internet and such systems
6 operated or services offered by libraries or educational
7 institutions.

8 2. The term "compelling" includes:

9 (1) The use of forcible compulsion;

10 (2) The use of a drug or intoxicating substance to render a
11 person incapable of controlling his conduct or appreciating its
12 nature;

13 (3) Withholding or threatening to withhold dangerous drugs
14 or a narcotic from a drug dependent person.

15 3. (1) The offense of promoting prostitution in the first
16 degree under subdivision (1) or (3) of subsection 1 of this
17 section is a class B felony.

18 (2) The offense of promoting prostitution in the first
19 degree under subdivision (3) of subsection 1 of this section is a
20 class A felony if a person acts in reckless disregard of the fact
21 that such conduct contributed to the offense of trafficking for
22 the purposes of sexual exploitation under section 566.209.

23 (3) The offense of promoting prostitution in the first
24 degree under subdivision (2) of subsection 1 of this section is a
25 felony punishable by a term of imprisonment not less than ten
26 years and not to exceed fifteen years.

27 4. A person injured by the acts committed in violation of
28 subdivision (3) of subsection 1 of this section or subdivision

1 (2) of subsection 3 of this section shall have a civil cause of
2 action to recover damages and reasonable attorneys' fees for such
3 injury.

4 5. In addition to the court's authority to order a
5 defendant to make restitution for the damage or loss caused by
6 his or her offense as provided in section 559.105, the court
7 shall enter a judgment of restitution against the defendant
8 convicted of violating subdivision (3) of subsection 1 of this
9 section and subdivision (2) of subsection 3 of this section.

10 569.086. 1. As used in this section, "critical
11 infrastructure facility" means any of the following facilities
12 that are under construction or operational: a petroleum or
13 alumina refinery; critical electric infrastructure, as defined in
14 18 CFR Section 118.113(c) (3) including, but not limited to, an
15 electrical power generating facility, substation, switching
16 station, electrical control center, or electric power lines and
17 associated equipment infrastructure; a chemical, polymer, or
18 rubber manufacturing facility; a water intake structure, water
19 storage facility, water treatment facility, wastewater treatment
20 plant, wastewater pumping facility, or pump station; a natural
21 gas compressor station; a liquid natural gas terminal or storage
22 facility; a telecommunications central switching office; wireless
23 telecommunications infrastructure, including cell towers,
24 telephone poles and lines, including fiber optic lines; a port,
25 railroad switching yard, railroad tracks, trucking terminal, or
26 other freight transportation facility; a gas processing plant,
27 including a plant used in the processing, treatment, or
28 fractionation of natural gas or natural gas liquids; a

1 transmission facility used by a federally licensed radio or
2 television station; a steelmaking facility that uses an electric
3 arc furnace to make steel; a facility identified and regulated by
4 the United States Department of Homeland Security Chemical
5 Facility Anti-Terrorism Standards (CFATS) program; a dam that is
6 regulated by the state or federal government; a natural gas
7 distribution utility facility including, but not limited to,
8 natural gas distribution and transmission mains and services,
9 pipeline interconnections, a city gate or town border station,
10 metering station, aboveground piping, a regulator station, and a
11 natural gas storage facility; a crude oil or refined products
12 storage and distribution facility including, but not limited to,
13 valve sites, pipeline interconnection, pump station, metering
14 station, below or aboveground pipeline or piping and truck
15 loading or offloading facility, a grain mill or processing
16 facility; a generation, transmission, or distribution system of
17 broadband internet access; or any aboveground portion of an oil,
18 gas, hazardous liquid or chemical pipeline, tank, railroad
19 facility, or other storage facility that is enclosed by a fence,
20 other physical barrier, or is clearly marked with signs
21 prohibiting trespassing, that are obviously designed to exclude
22 intruders.

23 2. A person commits the offense of trespass on a critical
24 infrastructure facility if he or she purposely trespasses or
25 enters property containing a critical infrastructure facility
26 without the permission of the owner of the property or lawful
27 occupant thereof. The offense of trespass on a critical
28 infrastructure facility is a class B misdemeanor. If it is

1 determined that the intent of the trespasser is to damage,
2 destroy, or tamper with equipment, or impede or inhibit
3 operations of the facility, the person shall be guilty of a class
4 A misdemeanor.

5 3. A person commits the offense of damage of a critical
6 infrastructure if he or she purposely damages, destroys, or
7 tampers with equipment in a critical infrastructure facility.
8 The offense of damage of a critical infrastructure facility is a
9 class D felony.

10 570.027. 1. A person commits the offense of vehicle
11 hijacking when he or she purposely uses or explicitly or
12 implicitly threatens the use of physical force upon another
13 person or persons to seize or attempt to seize possession or
14 control of a vehicle from the immediate possession or control of
15 another person or persons.

16 2. The offense of vehicle hijacking is a class B felony
17 unless it meets one of the criteria listed in subsection 3 of
18 this section.

19 3. The following circumstances shall make the offense of
20 vehicle hijacking punished as a class A felony:

21 (1) The person is armed with a deadly weapon; or

22 (2) The person uses or threatens the immediate use of a
23 dangerous instrument against any person; or

24 (3) The person displays or threatens the use of what
25 appears to be a deadly weapon or dangerous instrument; or

26 (4) The person causes serious physical injury to any person
27 in immediate possession, control, or presence of the vehicle; or

28 (5) Any victim of such vehicle hijacking is a child or a

1 special victim, as defined in section 565.002.

2 4. The term "vehicle" as used in this section shall apply
3 only to motor vehicles for which a license issued by the
4 department of revenue is required to operate.

5 572.010. As used in this chapter the following terms mean:

6 (1) "Advance gambling activity", a person advances gambling
7 activity if, acting other than as a player, he or she engages in
8 conduct that materially aids any form of gambling activity.

9 Conduct of this nature includes but is not limited to conduct
10 directed toward the creation or establishment of the particular
11 game, lottery, contest, scheme, device or activity involved,
12 toward the acquisition or maintenance of premises, paraphernalia,
13 equipment or apparatus therefor, toward the solicitation or
14 inducement of persons to participate therein, toward the actual
15 conduct of the playing phases thereof, toward the arrangement or
16 communication of any of its financial or recording phases, or
17 toward any other phase of its operation. A person advances
18 gambling activity if, having substantial proprietary control or
19 other authoritative control over premises being used with his or
20 her knowledge for purposes of gambling activity, he or she
21 permits that activity to occur or continue or makes no effort to
22 prevent its occurrence or continuation. The supplying, servicing
23 and operation of a licensed excursion gambling boat under
24 sections 313.800 to 313.840 does not constitute advancing
25 gambling activity;

26 (2) "Bookmaking", advancing gambling activity by unlawfully
27 accepting bets from members of the public as a business, rather
28 than in a casual or personal fashion, upon the outcomes of future

1 contingent events;

2 (3) "Contest of chance", any contest, game, gaming scheme
3 or gaming device in which the outcome depends in a material
4 degree upon an element of chance, notwithstanding that the skill
5 of the contestants may also be a factor therein;

6 (4) "Gambling", a person engages in gambling when he or she
7 stakes or risks something of value upon the outcome of a contest
8 of chance or a future contingent event not under his or her
9 control or influence, upon an agreement or understanding that he
10 or she will receive something of value in the event of a certain
11 outcome. Gambling does not include bona fide business
12 transactions valid under the law of contracts, including but not
13 limited to contracts for the purchase or sale at a future date of
14 securities or commodities, and agreements to compensate for loss
15 caused by the happening of chance, including but not limited to
16 contracts of indemnity or guaranty and life, health or accident
17 insurance; nor does gambling include playing an amusement device
18 that confers only an immediate right of replay not exchangeable
19 for something of value. Gambling does not include any licensed
20 activity, or persons participating in such games which are
21 covered by sections 313.800 to 313.840;

22 (5) "Gambling device", any device, machine, paraphernalia
23 or equipment that:

24 (a) Is not approved by the Missouri gaming commission or
25 state lottery commission under the provisions of chapter 313;

26 (b) Contains a random number generator where prize payout
27 percentages are controlled or adjustable;

28 (c) Is used in any scenario where cash prizes are involved

1 or any prize is converted to cash or monetary credit of any kind
2 related to the use of the gambling device; and

3 (d) Is used or usable in the playing phases of any gambling
4 activity, whether that activity consists of gambling between
5 persons or gambling by a person with a machine. However, lottery
6 tickets, policy slips and other items used in the playing phases
7 of lottery and policy schemes are not gambling devices within
8 this definition;

9 (6) "Gambling record", any article, instrument, record,
10 receipt, ticket, certificate, token, slip or notation used or
11 intended to be used in connection with unlawful gambling
12 activity;

13 (7) "Lottery" or "policy", an unlawful gambling scheme in
14 which for a consideration the participants are given an
15 opportunity to win something of value, the award of which is
16 determined by chance;

17 (8) "Player", a person who engages in any form of gambling
18 solely as a contestant or bettor, without receiving or becoming
19 entitled to receive any profit therefrom other than personal
20 gambling winnings, and without otherwise rendering any material
21 assistance to the establishment, conduct or operation of the
22 particular gambling activity. A person who gambles at a social
23 game of chance on equal terms with the other participants therein
24 does not otherwise render material assistance to the
25 establishment, conduct or operation thereof by performing,
26 without fee or remuneration, acts directed toward the arrangement
27 or facilitation of the game, such as inviting persons to play,
28 permitting the use of premises therefor and supplying cards or

1 other equipment used therein. A person who engages in
2 "bookmaking" as defined in subdivision (2) of this section is not
3 a player;

4 (9) "Professional player", a player who engages in gambling
5 for a livelihood or who has derived at least twenty percent of
6 his or her income in any one year within the past five years from
7 acting solely as a player;

8 (10) "Profit from gambling activity", a person profits from
9 gambling activity if, other than as a player, he or she accepts
10 or receives money or other property pursuant to an agreement or
11 understanding with any person whereby he participates or is to
12 participate in the proceeds of gambling activity;

13 (11) "Slot machine", a gambling device that as a result of
14 the insertion of a coin or other object operates, either
15 completely automatically or with the aid of some physical act by
16 the player, in such a manner that, depending upon elements of
17 chance, it may eject something of value. A device so constructed
18 or readily adaptable or convertible to such use is no less a slot
19 machine because it is not in working order or because some
20 mechanical act of manipulation or repair is required to
21 accomplish its adaptation, conversion or workability. Nor is it
22 any less a slot machine because apart from its use or
23 adaptability as such it may also sell or deliver something of
24 value on a basis other than chance;

25 (12) "Something of value", any money or property, any
26 token, object or article exchangeable for money or property, or
27 any form of credit or promise directly or indirectly
28 contemplating transfer of money or property or of any interest

1 therein or involving extension of a service, entertainment or a
2 privilege of playing at a game or scheme without charge;

3 (13) "Unlawful", not specifically authorized by law.

4 572.100. The general assembly by enacting this chapter
5 intends to preempt any other regulation of the area covered by
6 this chapter. No governmental subdivision or agency may enact or
7 enforce a law that regulates or makes any conduct in the area
8 covered by this chapter an offense, or the subject of a criminal
9 or civil penalty or sanction of any kind, except for the
10 revocation, suspension, or denial by the Missouri lottery
11 commission, the Missouri gaming commission, or the division of
12 alcohol and tobacco control of a license issued under chapters
13 311 or 313. The term "gambling", as used in this chapter, does
14 not include licensed activities under sections 313.800 to
15 313.840.

16 577.800. 1. A person commits the offense of unlawful use
17 of unmanned aircraft over an open air facility if he or she
18 purposely operates an unmanned aircraft within a vertical
19 distance of three hundred feet over the open air facility's
20 property line during a period of time beginning one hour before a
21 scheduled event at the open air facility and ending one hour
22 after the conclusion of the scheduled event.

23 2. For purposes of this section, "open air facility" shall
24 mean any sports, theater, music, performing arts, or other
25 entertainment facility with a capacity of five thousand people or
26 more and is not completely enclosed by a roof or other structure.

27 3. The provisions of this section shall not prohibit the
28 operation of an unmanned aircraft by:

1 (1) An employee of an open air facility at the direction of
2 the president or chief executive officer of the open air
3 facility;

4 (2) A person who has written consent from the president or
5 chief executive officer of the open air facility;

6 (3) An employee of a law enforcement agency, fire
7 department, or emergency medical service in the exercise of
8 official duties;

9 (4) A government official or employee in the exercise of
10 official duties;

11 (5) A public utility or a rural electric cooperative if:

12 (a) The unmanned aircraft is used for the purpose of
13 inspecting, repairing, or maintaining utility transmission or
14 distribution lines, other utility equipment, or infrastructure;

15 (b) The utility or cooperative notifies the open air
16 facility before flying the unmanned aircraft, except during an
17 emergency; and

18 (c) The person operating the unmanned aircraft does not
19 physically enter the prohibited space without an escort provided
20 by the open air facility;

21 (6) An employee of a railroad in the exercise of official
22 duties on any land owned or operated by a railroad corporation
23 regulated by the federal railroad administration; or

24 (7) A Person operating an unmanned aircraft pursuant to and
25 in compliance with any waiver issued by the Federal Aviation
26 Authority in accordance with 14 CFR 107.

27 4. The offense of unlawful use of unmanned aircraft over an
28 open air facility shall be punishable as an infraction unless the

1 person uses an unmanned aircraft for the purposes of:

2 (1) Delivering a gun, knife, weapon, or other article that
3 may be used in such manner to endanger the life of an employee or
4 guest at an open air facility, in which case the offense is a
5 class B felony; or

6 (2) Delivering a controlled substance, as that term is
7 defined in chapter 195, in which case the offense is a class D
8 felony.

9 5. Each open air facility shall post a sign warning of the
10 provisions of this section. The sign shall be at least eleven
11 inches by fourteen inches and posted in a conspicuous place.

12 610.021. Except to the extent disclosure is otherwise
13 required by law, a public governmental body is authorized to
14 close meetings, records and votes, to the extent they relate to
15 the following:

16 (1) Legal actions, causes of action or litigation involving
17 a public governmental body and any confidential or privileged
18 communications between a public governmental body or its
19 representatives and its attorneys. However, any minutes, vote or
20 settlement agreement relating to legal actions, causes of action
21 or litigation involving a public governmental body or any agent
22 or entity representing its interests or acting on its behalf or
23 with its authority, including any insurance company acting on
24 behalf of a public government body as its insured, shall be made
25 public upon final disposition of the matter voted upon or upon
26 the signing by the parties of the settlement agreement, unless,
27 prior to final disposition, the settlement agreement is ordered
28 closed by a court after a written finding that the adverse impact

1 to a plaintiff or plaintiffs to the action clearly outweighs the
2 public policy considerations of section 610.011, however, the
3 amount of any moneys paid by, or on behalf of, the public
4 governmental body shall be disclosed; provided, however, in
5 matters involving the exercise of the power of eminent domain,
6 the vote shall be announced or become public immediately
7 following the action on the motion to authorize institution of
8 such a legal action. Legal work product shall be considered a
9 closed record;

10 (2) Leasing, purchase or sale of real estate by a public
11 governmental body where public knowledge of the transaction might
12 adversely affect the legal consideration therefor. However, any
13 minutes, vote or public record approving a contract relating to
14 the leasing, purchase or sale of real estate by a public
15 governmental body shall be made public upon execution of the
16 lease, purchase or sale of the real estate;

17 (3) Hiring, firing, disciplining or promoting of particular
18 employees by a public governmental body when personal information
19 about the employee is discussed or recorded. However, any vote
20 on a final decision, when taken by a public governmental body, to
21 hire, fire, promote or discipline an employee of a public
22 governmental body shall be made available with a record of how
23 each member voted to the public within seventy-two hours of the
24 close of the meeting where such action occurs; provided, however,
25 that any employee so affected shall be entitled to prompt notice
26 of such decision during the seventy-two-hour period before such
27 decision is made available to the public. As used in this
28 subdivision, the term "personal information" means information

1 relating to the performance or merit of individual employees;

2 (4) The state militia or national guard or any part
3 thereof;

4 (5) Nonjudicial mental or physical health proceedings
5 involving identifiable persons, including medical, psychiatric,
6 psychological, or alcoholism or drug dependency diagnosis or
7 treatment;

8 (6) Scholastic probation, expulsion, or graduation of
9 identifiable individuals, including records of individual test or
10 examination scores; however, personally identifiable student
11 records maintained by public educational institutions shall be
12 open for inspection by the parents, guardian or other custodian
13 of students under the age of eighteen years and by the parents,
14 guardian or other custodian and the student if the student is
15 over the age of eighteen years;

16 (7) Testing and examination materials, before the test or
17 examination is given or, if it is to be given again, before so
18 given again;

19 (8) Welfare cases of identifiable individuals;

20 (9) Preparation, including any discussions or work product,
21 on behalf of a public governmental body or its representatives
22 for negotiations with employee groups;

23 (10) Software codes for electronic data processing and
24 documentation thereof;

25 (11) Specifications for competitive bidding, until either
26 the specifications are officially approved by the public
27 governmental body or the specifications are published for bid;

28 (12) Sealed bids and related documents, until the bids are

1 opened; and sealed proposals and related documents or any
2 documents related to a negotiated contract until a contract is
3 executed, or all proposals are rejected;

4 (13) Individually identifiable personnel records,
5 performance ratings or records pertaining to employees or
6 applicants for employment, except that this exemption shall not
7 apply to the names, positions, salaries and lengths of service of
8 officers and employees of public agencies once they are employed
9 as such, and the names of private sources donating or
10 contributing money to the salary of a chancellor or president at
11 all public colleges and universities in the state of Missouri and
12 the amount of money contributed by the source;

13 (14) Records which are protected from disclosure by law;

14 (15) Meetings and public records relating to scientific and
15 technological innovations in which the owner has a proprietary
16 interest;

17 (16) Records relating to municipal hotlines established for
18 the reporting of abuse and wrongdoing;

19 (17) Confidential or privileged communications between a
20 public governmental body and its auditor, including all auditor
21 work product; however, all final audit reports issued by the
22 auditor are to be considered open records pursuant to this
23 chapter;

24 (18) Operational guidelines, policies and specific response
25 plans developed, adopted, or maintained by any public agency
26 responsible for law enforcement, public safety, first response,
27 or public health for use in responding to or preventing any
28 critical incident which is or appears to be terrorist in nature

1 and which has the potential to endanger individual or public
2 safety or health. Financial records related to the procurement
3 of or expenditures relating to operational guidelines, policies
4 or plans purchased with public funds shall be open. When seeking
5 to close information pursuant to this exception, the public
6 governmental body shall affirmatively state in writing that
7 disclosure would impair the public governmental body's ability to
8 protect the security or safety of persons or real property, and
9 shall in the same writing state that the public interest in
10 nondisclosure outweighs the public interest in disclosure of the
11 records;

12 (19) Existing or proposed security systems and structural
13 plans of real property owned or leased by a public governmental
14 body, and information that is voluntarily submitted by a
15 nonpublic entity owning or operating an infrastructure to any
16 public governmental body for use by that body to devise plans for
17 protection of that infrastructure, the public disclosure of which
18 would threaten public safety:

19 (a) Records related to the procurement of or expenditures
20 relating to security systems purchased with public funds shall be
21 open;

22 (b) When seeking to close information pursuant to this
23 exception, the public governmental body shall affirmatively state
24 in writing that disclosure would impair the public governmental
25 body's ability to protect the security or safety of persons or
26 real property, and shall in the same writing state that the
27 public interest in nondisclosure outweighs the public interest in
28 disclosure of the records;

1 (c) Records that are voluntarily submitted by a nonpublic
2 entity shall be reviewed by the receiving agency within ninety
3 days of submission to determine if retention of the document is
4 necessary in furtherance of a state security interest. If
5 retention is not necessary, the documents shall be returned to
6 the nonpublic governmental body or destroyed;

7 (20) The portion of a record that identifies security
8 systems or access codes or authorization codes for security
9 systems of real property;

10 (21) Records that identify the configuration of components
11 or the operation of a computer, computer system, computer
12 network, or telecommunications network, and would allow
13 unauthorized access to or unlawful disruption of a computer,
14 computer system, computer network, or telecommunications network
15 of a public governmental body. This exception shall not be used
16 to limit or deny access to otherwise public records in a file,
17 document, data file or database containing public records.

18 Records related to the procurement of or expenditures relating to
19 such computer, computer system, computer network, or
20 telecommunications network, including the amount of moneys paid
21 by, or on behalf of, a public governmental body for such
22 computer, computer system, computer network, or
23 telecommunications network shall be open;

24 (22) Credit card numbers, personal identification numbers,
25 digital certificates, physical and virtual keys, access codes or
26 authorization codes that are used to protect the security of
27 electronic transactions between a public governmental body and a
28 person or entity doing business with a public governmental body.

1 Nothing in this section shall be deemed to close the record of a
2 person or entity using a credit card held in the name of a public
3 governmental body or any record of a transaction made by a person
4 using a credit card or other method of payment for which
5 reimbursement is made by a public governmental body;

6 (23) Records submitted by an individual, corporation, or
7 other business entity to a public institution of higher education
8 in connection with a proposal to license intellectual property or
9 perform sponsored research and which contains sales projections
10 or other business plan information the disclosure of which may
11 endanger the competitiveness of a business; [and]

12 (24) Records relating to foster home or kinship placements
13 of children in foster care under section 210.498; and

14 (25) Individually identifiable customer usage and billing
15 records for customers of a municipally owned utility, unless the
16 records are requested by the customer or authorized for release
17 by the customer. Notwithstanding the foregoing, a municipally
18 owned utility shall make available to the public the customer's
19 name, billing address, location of service, and dates of service
20 provided for any commercial service account.

21 632.460. 1. A person commits the offense of unlawful use
22 of unmanned aircraft over a mental health hospital if he or she
23 purposely:

24 (1) Operates an unmanned aircraft within a vertical
25 distance of three hundred feet over the mental health hospital's
26 property line; or

27 (2) Uses an unmanned aircraft to deliver to a person
28 confined in a mental health hospital any object described in

1 subdivision (1) or (3) of subsection 6 of this section.

2 2. For the purposes of subsection 1 of this section, a
3 vertical distance extends from a ground level.

4 3. For purposes of this section, "mental health hospital"
5 shall mean a facility operated by the department of mental health
6 to provide inpatient evaluation, treatment, or care to persons
7 suffering from a mental disorder, as defined under section
8 630.005, mental illness, as defined under section 630.005, or
9 mental abnormality, as defined under section 632.480.

10 4. The provisions of this section shall not prohibit the
11 operation of an unmanned aircraft by:

12 (1) An employee of the mental health hospital at the
13 direction of the chief administrative officer of the mental
14 health hospital;

15 (2) A person who has written consent from the chief
16 administrative officer of the mental health hospital;

17 (3) An employee of a law enforcement agency, fire
18 department, or emergency medical service in the exercise of
19 official duties;

20 (4) A government official or employee in the exercise of
21 official duties;

22 (5) A public utility or a rural electric cooperative if:

23 (a) The unmanned aircraft is used for the purpose of
24 inspecting, repairing, or maintaining utility transmission or
25 distribution lines, other utility equipment, or infrastructure;

26 (b) The utility notifies the mental health hospital before
27 flying the unmanned aircraft, except during an emergency; and

28 (c) The person operating the unmanned aircraft does not

1 physically enter the prohibited space without an escort provided
2 by the mental health hospital;

3 (6) An employee of a railroad in the exercise of official
4 duties on any land owned or operated by a railroad corporation
5 regulated by the Federal Railway Administration; or

6 (7) A person operating an unmanned aircraft pursuant to and
7 in compliance with any waiver issued by the Federal Aviation
8 Authority in accordance with 14 C.F.R. 107.

9 5. Each mental health hospital shall post a sign warning of
10 the provisions of this section. The sign shall be at least
11 eleven inches by fourteen inches and posted in a conspicuous
12 place.

13 6. The offense of unlawful use of unmanned aircraft over a
14 mental health hospital shall be punishable as an infraction
15 unless the person uses an unmanned aircraft for the purposes of:

16 (1) Delivering a gun, knife, weapon, or other article that
17 may be used in such manner to endanger the life of a patient or
18 mental health hospital employee, in which case the offense is a
19 class B felony;

20 (2) Facilitating an escape from commitment or detention
21 under section 575.195, in which case the offense is a class C
22 felony; or

23 (3) Delivering a controlled substance, as that term is
24 defined by chapter 195, in which case the offense is a class D
25 felony.

26 640.141. 1. Sections 640.141 to 640.147 shall be known and
27 may be cited as the "Missouri Water Safety and Security Act".

28 2. By January 1, 2021, each public water system, as defined

1 in section 640.102, that serves less than fifty thousand
2 customers in the state shall create a plan or assessment to
3 identify risk and resilience of the system.

4 3. Each plan or assessment shall contain the following:

5 (1) A water main renewal plan; and

6 (2) A water supply and treatment plan designed to inspect,
7 maintain, repair, renew, and upgrade wells, intakes, pumps, and
8 treatment facilities in accordance with all federal and state
9 regulations.

10 4. The public water system shall make a summary of its plan
11 or assessment available upon request. The summary of the plan or
12 assessment shall not include any information that could
13 compromise the physical or cyber security of the system.

14 640.142. 1. Within three years of the effective date of
15 this section, each public water system, as defined in section
16 640.102, that serves less than fifty thousand customers in the
17 state shall create a plan that establishes policies and
18 procedures for identifying and mitigating cyber risk. The plan
19 shall include risk assessments and implementation of appropriate
20 controls to mitigate identified cyber risks.

21 2. Public water systems that do not use an internet-
22 connected control system are exempt from the provisions of this
23 section.

24 640.144. 1. Each public water system, as defined in
25 section 640.102, that serves less than fifty thousand customers
26 in the state shall be required to create an isolation and control
27 valve inspection plan that includes:

28 (1) An inspection plan of all isolation and control valves

1 every ten years;

2 (2) Planned scheduled repair or replacement of broken
3 isolation and control valves; and

4 (3) Identification of each isolation and control valve
5 location using a geographic information system or metes and
6 bounds, with the geographic information system locations to be
7 completed by 2029.

8 2. Each public water system, as defined in section 640.102,
9 that serves less than fifty thousand customers in the state that
10 provides water for fire protection shall be required to create a
11 hydrant inspection plan that includes:

12 (1) Testing of every hydrant in the public water system
13 every two years;

14 (2) A schedule for repair or replacement of broken
15 hydrants;

16 (3) A plan to flush every hydrant and dead-end main;

17 (4) Maintenance of records of inspections, tests, and
18 flushings for six years; and

19 (5) Identification of each hydrant location using a
20 geographic information system or metes and bounds, with the
21 geographic information system locations to be completed by 2029.

22 640.145. Public water systems that do not serve residents
23 or connections on a year-round basis and public water systems
24 that are operated by the department of natural resources are
25 exempt from the provisions of sections 640.141 to 640.147.

26 640.146. Nothing in sections 640.140 to 640.146 shall be
27 construed to establish a private civil cause of action against an
28 individual in violation of sections 640.140 to 640.146.

1 640.147. An annual statement of compliance shall be signed
2 by the operator or engineer of the public water system certifying
3 compliance with the provisions of sections 640.140 to 640.144 and
4 made available upon request by the applicable authority.

5 650.035. 1. There is hereby created the "Missouri Law
6 Enforcement Assistance Program" within the department of public
7 safety.

8 2. The purpose of this program is to provide state
9 financial and technical assistance to create or improve local law
10 enforcement pilot programs that may include:

11 (1) Reimbursement for overtime required to enhance
12 specialized, nonroutine training opportunities;

13 (2) Analytical capacity for targeting enforcement efforts;
14 and

15 (3) Community policing efforts derived from research-based
16 models.

17 3. Distribution of state funds or technical assistance
18 shall be by contractual arrangement between the department and
19 each recipient law enforcement agency. Terms of the contract
20 shall be negotiable each year. The state auditor shall
21 periodically audit all law enforcement agencies receiving state
22 funds.

23 4. Nothing in this section shall prohibit any law
24 enforcement agency from receiving federal or local funds should
25 such funds become available.

26 5. All law enforcement agencies, municipal and county,
27 located in any county [of the first classification with more than
28 one hundred fifty thousand but fewer than two hundred thousand

1 inhabitants, any county of the first classification with more
2 than eighty-three thousand but fewer than ninety-two thousand
3 inhabitants and with a home rule city with more than seventy-six
4 thousand but fewer than ninety-one thousand inhabitants as the
5 county seat, and any county of the third classification without a
6 township form of government and with more than forty-one thousand
7 but fewer than forty-five thousand inhabitants] and any city not
8 within a county shall be eligible to receive funding hereunder,
9 according to standards adopted by the department of public
10 safety, unless otherwise restricted by statute.

11 6. No state funds shall be expended unless appropriated by
12 the general assembly for this purpose.

13 Section B. Because of the need to eliminate illegal
14 gambling activity in this state, the repeal and reenactment of
15 sections 311.660, 311.710, 311.720, 313.004, 313.255, 572.010,
16 and 572.100 of this act is deemed necessary for the immediate
17 preservation of the public health, welfare, peace and safety, and
18 is hereby declared to be an emergency act within the meaning of
19 the constitution, and the repeal and reenactment of sections
20 311.660, 311.710, 311.720, 313.004, 313.255, 572.010, and 572.100
21 of this act shall be in full force and effect upon its passage
22 and approval.