

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 12

98TH GENERAL ASSEMBLY

2015

0110H.08T

AN ACT

To repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, 2 and 537.325, RSMo, are repealed and eight new sections enacted in lieu thereof, 3 to be known as sections 262.900, 275.352, 277.040, 281.065, 304.180, 414.300, 4 442.571, and 537.325, to read as follows:

262.900. 1. As used in this section, the following terms mean:

2 (1) "Agricultural products", an agricultural, horticultural, viticultural, or
3 vegetable product, growing of grapes that will be processed into wine, bees, honey,
4 fish or other aquacultural product, planting seed, livestock, a livestock product,
5 a forestry product, poultry or a poultry product, either in its natural or processed
6 state, that has been produced, processed, or otherwise had value added to it in
7 this state;

8 (2) "Blighted area", that portion of the city within which the legislative
9 authority of such city determines that by reason of age, obsolescence, inadequate,
10 or outmoded design or physical deterioration have become economic and social
11 liabilities, and that such conditions are conducive to ill health, transmission of
12 disease, crime or inability to pay reasonable taxes;

13 (3) "Department", the department of agriculture;

14 (4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds
15 including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 documented as obtained from a legal source and not from the wild, goats, or
17 horses, other equines, or rabbits raised in confinement for human consumption;

18 (5) "Grower UAZ", a type of UAZ:

19 (a) That can either grow produce, raise livestock, or produce other
20 value-added agricultural products;

21 (b) That does not exceed fifty laying hens, six hundred fifty broiler
22 chickens, or thirty domesticated animals;

23 (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not
24 limited to ostrich and emu, aquatic products as defined in section 277.024,
25 llamas, alpaca, buffalo, elk documented as obtained from a legal source and not
26 from the wild, goats, or horses, other equines, or rabbits raised in confinement for
27 human consumption;

28 (7) "Locally grown", a product that was grown or raised in the same
29 county or city not within a county in which the UAZ is located or in an adjoining
30 county or city not within a county. For a product raised or sold in a city not
31 within a county, locally grown also includes an adjoining county with a charter
32 form of government with more than nine hundred fifty thousand inhabitants and
33 those adjoining said county;

34 (8) ["Processing UAZ", a type of UAZ:

35 (a) That processes livestock or poultry for human consumption;

36 (b) That meets federal and state processing laws and standards;

37 (c) Is a qualifying small business approved by the department;

38 (9)] "Meat", any edible portion of livestock or poultry carcass or part
39 thereof;

40 [(10)] (9) "Meat product", anything containing meat intended for or
41 capable of use for human consumption, which is derived, in whole or in part, from
42 livestock or poultry;

43 [(11)] (10) "Mobile unit", the same as motor vehicle as defined in
44 section 301.010;

45 (11) "Poultry", any domesticated bird intended for human consumption;

46 (12) "Processing UAZ", a type of UAZ:

47 (a) That processes livestock, poultry, or produce for human
48 consumption;

49 (b) That meets federal and state processing laws and standards;

50 (c) Is a qualifying small business approved by the department;

51 (13) "Qualifying small business", those enterprises which are established

52 within an Urban Agricultural Zone subsequent to its creation, and which meet
53 the definition established for the Small Business Administration and set forth in
54 Section [121.301] **121.201** of Part 121 of Title 13 of the Code of Federal
55 Regulations;

56 [(13)] **(14)** "Value-added agricultural products", any product or products
57 that are the result of:

58 (a) Using an agricultural product grown in this state to produce a meat
59 or dairy product in this state;

60 (b) A change in the physical state or form of the original agricultural
61 product;

62 (c) An agricultural product grown in this state which has had its value
63 enhanced by special production methods such as organically grown products; or

64 (d) A physical segregation of a commodity or agricultural product grown
65 in this state that enhances its value such as identity preserved marketing
66 systems;

67 [(14)] **(15)** "Urban agricultural zone" or "UAZ", a zone within a
68 metropolitan statistical area as defined by the United States Office of Budget and
69 Management that has one or more of the following entities that is a qualifying
70 small business and approved by the department, as follows:

71 (a) Any organization or person who grows produce or other agricultural
72 products;

73 (b) Any organization or person that raises livestock or poultry;

74 (c) Any organization or person who processes livestock or poultry;

75 (d) Any organization that sells at a minimum seventy-five percent locally
76 grown food;

77 [(15)] **(16)** "Vending UAZ", a type of UAZ:

78 (a) That sells produce, meat, or value-added locally grown agricultural
79 goods;

80 (b) That is able to accept food stamps under the provisions of the
81 Supplemental Nutrition Assistance Program as a form of payment; and

82 (c) Is a qualifying small business that is approved by the department for
83 an UAZ vendor license.

84 2. (1) A person or organization shall submit to any incorporated
85 municipality an application to develop an UAZ on a blighted area of land. Such
86 application shall demonstrate or identify on the application:

87 (a) If the person or organization is a grower UAZ, processing UAZ,

88 vending UAZ, or a combination of all three types of UAZs provided in this
89 paragraph, in which case the person or organization shall meet the requirements
90 of each type of UAZ in order to qualify;

91 (b) The number of jobs to be created;

92 (c) The types of products to be produced; and

93 (d) If applying for a vending UAZ, the ability to accept food stamps under
94 the provisions of the Supplemental Nutrition Assistance Program if selling
95 products to consumers.

96 (2) A municipality shall review and modify the application as necessary
97 before either approving or denying the request to establish an UAZ.

98 (3) Approval of the UAZ by such municipality shall be reviewed five and
99 ten years after the development of the UAZ. After twenty-five years, the UAZ
100 shall dissolve.

101 If the municipality finds during its review that the UAZ is not meeting the
102 requirements set out in this section, the municipality may dissolve the UAZ.

103 3. The governing body of any municipality planning to seek designation
104 of an urban agricultural zone shall establish an urban agricultural zone
105 board. The number of members on the board shall be seven. One member of the
106 board shall be appointed by the school district or districts located within the area
107 proposed for designation of an urban agricultural zone. Two members of the
108 board shall be appointed by other affected taxing districts. The remaining four
109 members shall be chosen by the chief elected officer of the municipality. The four
110 members chosen by the chief elected officer of the municipality shall all be
111 residents of the county or city not within a county in which the UAZ is to be
112 located, and at least one of such four members shall have experience in or
113 represent organizations associated with sustainable agriculture, urban farming,
114 community gardening, or any of the activities or products authorized by this
115 section for UAZs.

116 4. The school district member and the two affected taxing district
117 members shall each have initial terms of five years. Of the four members
118 appointed by the chief elected official, two shall have initial terms of four years,
119 and two shall have initial terms of three years. Thereafter, members shall serve
120 terms of five years. Each member shall hold office until a successor has been
121 appointed. All vacancies shall be filled in the same manner as the original
122 appointment. For inefficiency or neglect of duty or misconduct in office, a
123 member of the board may be removed by the applicable appointing authority.

124 5. A majority of the members shall constitute a quorum of such board for
125 the purpose of conducting business and exercising the powers of the board and for
126 all other purposes. Action may be taken by the board upon a vote of a majority
127 of the members present.

128 6. The members of the board annually shall elect a chair from among the
129 members.

130 7. The role of the board shall be to conduct the activities necessary to
131 advise the governing body on the designation of an urban agricultural zone and
132 any other advisory duties as determined by the governing body. The role of the
133 board after the designation of an urban agricultural zone shall be review and
134 assessment of zone activities.

135 8. Prior to the adoption of an ordinance proposing the designation of an
136 urban agricultural zone, the urban agricultural board shall fix a time and place
137 for a public hearing and notify each taxing district located wholly or partially
138 within the boundaries of the proposed urban agricultural zone. The board shall
139 send, by certified mail, a notice of such hearing to all taxing districts and political
140 subdivisions in the area to be affected and shall publish notice of such hearing
141 in a newspaper of general circulation in the area to be affected by the designation
142 at least twenty days prior to the hearing but not more than thirty days prior to
143 the hearing. Such notice shall state the time, location, date, and purpose of the
144 hearing. At the public hearing any interested person or affected taxing district
145 may file with the board written objections to, or comments on, and may be heard
146 orally in respect to, any issues embodied in the notice. The board shall hear and
147 consider all protests, objections, comments, and other evidence presented at the
148 hearing. The hearing may be continued to another date without further notice
149 other than a motion to be entered upon the minutes fixing the time and place of
150 the subsequent hearing.

151 9. Following the conclusion of the public hearing required under
152 subsection 8 of this section, the governing authority of the municipality may
153 adopt an ordinance designating an urban agricultural zone.

154 10. The real property of the UAZ shall not be subject to assessment or
155 payment of ad valorem taxes on real property imposed by the cities affected by
156 this section, or by the state or any political subdivision thereof, for a period of up
157 to twenty-five years as specified by ordinance under subsection 9 of this section,
158 except to such extent and in such amount as may be imposed upon such real
159 property during such period, as was determined by the assessor of the county in

160 which such real property is located, or, if not located within a county, then by the
161 assessor of such city, in an amount not greater than the amount of taxes due and
162 payable thereon during the calendar year preceding the calendar year during
163 which the urban agricultural zone was designated. The amounts of such tax
164 assessments shall not be increased during such period so long as the real
165 property is used in furtherance of the activities provided under the provisions of
166 subdivision [(13)] **(15)** of subsection 1 of this section. At the conclusion of the
167 period of abatement provided by the ordinance, the property shall then be
168 reassessed. If only a portion of real property is used as an UAZ, then only that
169 portion of real property shall be exempt from assessment or payment of ad
170 valorem taxes on such property, as provided by this section.

171 11. If the water services for the UAZ are provided by the municipality, the
172 municipality may authorize a grower UAZ to pay wholesale water rates[. If
173 available,] for the cost of water consumed on the UAZ [and]. **If available, the**
174 **UAZ may** pay fifty percent of the standard cost to hook onto the water source.

175 12. (1) Any local sales tax revenues received from the sale of agricultural
176 products sold in the UAZ, **or any local sales tax revenues received by a**
177 **mobile unit associated with a vending UAZ selling agricultural products**
178 **in the municipality in which the vending UAZ is located**, shall be
179 deposited in the urban agricultural zone fund established in subdivision (2) of
180 this subsection. An amount equal to one percent shall be retained by the director
181 of revenue for deposit in the general revenue fund to offset the costs of collection.

182 (2) There is hereby created in the state treasury the "Urban Agricultural
183 Zone Fund", which shall consist of money collected under subdivision (1) of this
184 subsection. The state treasurer shall be custodian of the fund. In accordance
185 with sections 30.170 and 30.180, the state treasurer may approve
186 disbursements. The fund shall be a dedicated fund and, upon appropriation, shall
187 be used for the purposes authorized by this section. Notwithstanding the
188 provisions of section 33.080 to the contrary, any moneys remaining in the fund
189 at the end of the biennium shall not revert to the credit of the general revenue
190 fund. The state treasurer shall invest moneys in the fund in the same manner
191 as other funds are invested. Any interest and moneys earned on such
192 investments shall be credited to the fund. **Fifty percent of fund moneys shall**
193 **be made available to school districts. The remaining fifty percent of**
194 **fund moneys shall be allocated to municipalities that have urban**
195 **agricultural zones based upon the municipality's percentage of local**

196 **sales tax revenues deposited into the fund. The municipalities shall,**
197 **upon appropriation, provide fund moneys to urban agricultural zones**
198 **within the municipality for improvements.** School districts may apply to
199 the department for money in the fund to be used for the development of
200 curriculum on or the implementation of urban farming practices under the
201 guidance of the University of Missouri extension service and a certified vocational
202 agricultural instructor. The funds are to be distributed on a competitive basis
203 within the school district or districts in which the UAZ is located pursuant to
204 rules to be promulgated by the department, with special consideration given to
205 the relative number of students eligible for free and reduced-price lunches
206 attending the schools within such district or districts.

207 13. Any rule or portion of a rule, as that term is defined in section
208 536.010, that is created under the authority delegated in this section shall
209 become effective only if it complies with and is subject to all of the provisions of
210 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
211 nonseverable and if any of the powers vested with the general assembly pursuant
212 to chapter 536 to review, to delay the effective date, or to disapprove and annul
213 a rule are subsequently held unconstitutional, then the grant of rulemaking
214 authority and any rule proposed or adopted after August 28, 2013, shall be
215 invalid and void.

216 14. The provisions of this section shall not apply to any county with a
217 charter form of government and with more than three hundred thousand but
218 fewer than four hundred fifty thousand inhabitants.

275.352. 1. If a national referendum among beef producers passes and a
2 federal assessment on beef producers is adopted pursuant to federal law, no state
3 fees shall be collected under the provisions of this chapter, in excess of a
4 commensurate amount credited against the obligation to pay any such federal
5 assessment. Upon adoption of the federal assessment, beef shall be exempt from
6 the refund provision of section 275.360.

7 **2. Notwithstanding the provisions of subsection 1 of this section**
8 **to the contrary, a beef commodity council may only collect state fees if**
9 **a referendum is approved on or after August 28, 2015, in the manner**
10 **provided under the provisions of subsections 3 to 12 of this section.**

11 **3. A beef commodity council established pursuant to the**
12 **provisions of this chapter may submit to the director a petition**
13 **approved by a two-thirds vote of the council or signed by twenty-five**

14 percent of Missouri beef producers to impose or modify a Missouri beef
15 checkoff fee upon beef producers. Any petition submitted to establish
16 or modify a Missouri beef checkoff fee, and the referendum to follow,
17 shall specify the amount and manner of collection of the fee to be
18 assessed. In no case shall the Missouri beef checkoff fee exceed the
19 amount of the federal assessment on beef. Upon receipt of such
20 petition the director shall:

- 21 (1) Determine the legal sufficiency of the petition;
- 22 (2) Establish a list of beef producers or make any such existing
23 list current;
- 24 (3) Hold a public hearing or hearings on the proposed program;
- 25 (4) Publish a notice to beef producers advising them:
 - 26 (a) That a petition has been filed with the director;
 - 27 (b) The time and place or places of the public hearing or
28 hearings; and
 - 29 (c) That to be eligible to vote in the referendum the producer
30 shall register. The director shall give notice in publications devoted to
31 agriculture which have a total statewide circulation of not less than
32 two hundred twenty-five thousand, at least one month prior to the
33 hearing. The fees for the publication of notice shall be advanced in
34 cash to the director by the beef commodity council and no publication
35 of notice shall be paid for by state funds;
- 36 (5) Provide forms to enable producers to register, which forms
37 shall include the producer's name, mailing address, and the yearly
38 average quantity of beef cattle sold by him or her in the three years
39 preceding the date of the notice, or in such lesser period as a producer
40 has sold beef cattle;
- 41 (6) Approve the petition, in whole or as revised, or disapprove
42 the petition depending upon the determinations made after public
43 hearing;
- 44 (7) After approval of a petition, hold a referendum among the
45 beef producers to determine whether or not the Missouri beef checkoff
46 fee shall be imposed.

47 4. The director shall determine the sufficiency of the petition
48 within twenty-one days after it is submitted to him or her and shall
49 publish notice of the public hearing and registration requirements
50 giving at least ten days' notice prior to public hearing and thirty days'

51 notice to register prior to the referendum.

52 5. If a majority of the votes cast are in favor of adoption, and if
53 those producers voting in favor of adoption represent a majority of the
54 production of all registered producers casting votes, the petition is
55 adopted.

56 6. If the required percentage by number and by production of
57 those voting is in favor of the adoption of the proposal in the petition,
58 the director shall declare the proposal to be adopted.

59 7. A proposal to change the amount of the fee to be collected or
60 to make other changes may be made by a two-thirds vote of the council
61 or by petition of twenty-five percent of the commodity producers. The
62 proposal shall then be submitted to referendum under which the same
63 percentages by number and production shall be required for approval
64 as were required for establishment of the original merchandising
65 program. However, the council, by two-thirds vote, may lower the
66 amount of the fee to be collected, or may thereafter increase the
67 amount of the fee to not more than the rate originally approved without
68 a referendum vote. Such increase or decrease of fees shall not become
69 effective except at the beginning of the next state fiscal year.

70 8. A proposal to terminate the Missouri beef checkoff fee may be
71 made by a majority of the council or by petition of ten percent of the
72 registered beef producers. The proposed termination shall be
73 submitted to referendum under which a simple majority of those voting
74 shall be required for termination.

75 9. No referendum to change the amount of fee, or to make other
76 major changes may be held within twelve months of a referendum
77 conducted for a similar purpose.

78 10. Fees collected pursuant to this section shall be collected in
79 the same manner as that used to collect the federal assessment on
80 beef. The department shall keep and account for the state and federal
81 assessments separately. State fees collected pursuant to this section
82 shall be subject to the refund provision provided under section 275.360.

83 11. Notwithstanding the provisions of section 275.350 to the
84 contrary, fees imposed under this section shall be collected and
85 remitted to the Missouri Beef Industry Council, which shall deposit
86 such fees in a separate account from all other funds. Funds derived
87 from the fees established under this section shall only be used to

88 research, market, educate, and promote beef products and production.

89 12. The department may adopt such rules, statements of policy,
90 procedures, forms, and guidelines as may be necessary to carry out the
91 provisions of this section. Any rule or portion of a rule, as that term is
92 defined in section 536.010 that is created under the authority delegated
93 in this section shall become effective only if it complies with and is
94 subject to all of the provisions of chapter 536, and, if applicable, section
95 536.028. This section and chapter 536 are nonseverable and if any of
96 the powers vested with the general assembly pursuant to chapter 536,
97 to review, to delay the effective date, or to disapprove and annul a rule
98 are subsequently held unconstitutional, then the grant of rulemaking
99 authority and any rule proposed or adopted after August 28, 2015, shall
100 be invalid and void.

277.040. 1. Any person engaged in establishing or operating a livestock
2 sale or market for the purpose aforesaid shall file with the state veterinarian of
3 the state department of agriculture an application for a license to transact such
4 business under the provisions of this chapter. The application shall state the
5 nature of the business and the city, township and county, and the complete post
6 office address at which the business is to be conducted, together with any
7 additional information that the state veterinarian requires, and a separate license
8 shall be secured for each place where a sale is to be conducted such as is defined
9 and required to be licensed under the provisions of this chapter.

10 2. The state veterinarian shall then issue to the applicant a license upon
11 payment of an annual license fee to be fixed by rule or regulation entitling the
12 applicant to conduct a livestock sale or market for the period of the license year
13 or for any unexpired portion thereof, unless the license is revoked as herein
14 provided.

15 3. All license fees collected under this chapter **shall not yield revenue**
16 **greater than the total cost of administering this chapter during the**
17 **ensuing year. All license fees collected** shall be made payable to the order
18 of the state treasurer and deposited with him to the credit of the "Livestock Sales
19 and Markets Fees Fund" hereby created, subject to appropriation by the general
20 assembly, to inure to the use and benefit of the animal health division of the
21 department of agriculture.

22 4. No business entity, whether a proprietorship, partnership or
23 corporation shall be issued a livestock market license if any such proprietor,

24 partner or, if a corporation, any officer or major shareholder thereof, participated
25 in the violation of any provision of this chapter within the preceding five years,
26 which resulted in the revocation of a livestock market license.

281.065. 1. The director shall not issue a certified commercial applicator's
2 license until the applicant or the employer of the applicant has furnished
3 evidence of financial responsibility with the director consisting either of a surety
4 bond or a liability insurance policy or certification thereof, protecting persons who
5 may suffer legal damages as a result of the operations of the applicant; except
6 that, such surety bond or liability insurance policy need not apply to damages or
7 injury to crops, plants or land being worked upon by the applicant. **Following**
8 **the receipt of the initial license, the certified commercial applicator**
9 **shall not be required to furnish evidence of financial responsibility to**
10 **the department for the purpose of license renewal unless upon**
11 **request. Annual renewals for surety bonds or liability insurance shall**
12 **be maintained at the business location from which the certified**
13 **commercial applicator is licensed. Valid surety bonds or liability**
14 **insurance certificates shall be available for inspection by the director**
15 **or his or her designee at a reasonable time during regular business**
16 **hours or, upon a request in writing, the director shall be furnished a**
17 **copy of the surety bond or liability insurance certificate within ten**
18 **working days of receipt of the request.**

19 2. The amount of the surety bond or liability insurance required by this
20 section shall be not less than [twenty-five] **fifty** thousand dollars [for property
21 damage and bodily injury insurance, each separately and] for each
22 occurrence. Such surety bond or liability insurance shall be maintained at not
23 less than that sum at all times during the licensed period. The director shall be
24 notified **by the surety or insurer** within twenty days prior to any
25 **cancellation or** reduction [at the request of the bond- or policyholder or any
26 cancellation of such] **of the** surety bond or liability insurance [by the surety or
27 insurer, as long as the total and aggregate of the surety and insurer for all claims
28 shall be limited to the face of the bond or liability insurance policy]. If the surety
29 bond or liability insurance policy which provides the financial responsibility for
30 the [applicant] **certified commercial applicator** is provided by the employer
31 of the [applicant] **certified commercial applicator**, the employer of the
32 [applicant] **certified commercial applicator** shall immediately notify the
33 director upon the termination of the employment of the [applicant] **certified**

34 **commercial applicator** or when a condition exists under which the [applicant]
35 **certified commercial applicator** is no longer provided bond or insurance
36 coverage by the employer. The [applicant] **certified commercial applicator**
37 shall then immediately execute a surety bond or an insurance policy to cover the
38 financial responsibility requirements of this section and [shall furnish the
39 director with evidence of financial responsibility as required by this section] **the**
40 **certified commercial applicator or the applicator's employer shall**
41 **maintain the surety bond or liability insurance certificate at the**
42 **business location from which the certified commercial applicator is**
43 **licensed.** The director may accept a liability insurance policy or surety bond in
44 the proper sum which has a deductible clause in an amount not exceeding one
45 thousand dollars; except that, if the bond- or policyholder has not satisfied the
46 requirement of the deductible amount in any prior legal claim, such deductible
47 clause shall not be accepted by the director unless the bond- or policyholder
48 [furnishes the director with] **executes and maintains** a surety bond or liability
49 insurance which shall satisfy the amount of the deductible as to all claims that
50 may arise in his **or her** application of pesticides.

51 3. If the surety [furnished] becomes unsatisfactory, the bond- or
52 policyholder shall[, upon notice,] immediately execute a new bond or insurance
53 **policy and maintain the surety bond or liability insurance certificate at**
54 **the business location from which the certified commercial applicator**
55 **is licensed, and** if he **or she** fails to do so, the director shall cancel his **or her**
56 license, or deny the license of an applicant, and give him **or her** notice of
57 cancellation or denial, and it shall be unlawful thereafter for the applicant to
58 engage in the business of using pesticides until the bond or insurance is brought
59 into compliance with the requirements of subsection 1 of this section. If the bond-
60 or policyholder does not execute a new bond or insurance policy within sixty days
61 of expiration of such bond or policy, the licensee shall be required to satisfy all
62 the requirements for licensure as if never before licensed.

63 4. Nothing in sections 281.010 to 281.115 shall be construed to relieve any
64 person from liability for any damage to the person or lands of another caused by
65 the use of pesticides even though such use conforms to the rules and regulations
66 of the director.

304.180. 1. No vehicle or combination of vehicles shall be moved or
2 operated on any highway in this state having a greater weight than twenty
3 thousand pounds on one axle, no combination of vehicles operated by transporters

4 of general freight over regular routes as defined in section 390.020 shall be moved
 5 or operated on any highway of this state having a greater weight than the vehicle
 6 manufacturer's rating on a steering axle with the maximum weight not to exceed
 7 twelve thousand pounds on a steering axle, and no vehicle shall be moved or
 8 operated on any state highway of this state having a greater weight than
 9 thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall
 10 mean a group of two or more axles, arranged one behind another, the distance
 11 between the extremes of which is more than forty inches and not more than
 12 ninety-six inches apart.

13 2. An "axle load" is defined as the total load transmitted to the road by
 14 all wheels whose centers are included between two parallel transverse vertical
 15 planes forty inches apart, extending across the full width of the vehicle.

16 3. Subject to the limit upon the weight imposed upon a highway of this
 17 state through any one axle or on any tandem axle, the total gross weight with
 18 load imposed by any group of two or more consecutive axles of any vehicle or
 19 combination of vehicles shall not exceed the maximum load in pounds as set forth
 20 in the following table:

21 Distance in feet between the extremes
 22 of any group of two or more consecutive
 23 axles, measured to the nearest foot,

24	feet	Maximum load in pounds				
		2 axles	3 axles	4 axles	5 axles	6 axles
25	4	34,000				
26	5	34,000				
27	6	34,000				
28	7	34,000				
29	8	34,000	34,000			
30	More than 8	38,000	42,000			
31	9	39,000	42,500			
32	10	40,000	43,500			
33	11	40,000	44,000			
34	12	40,000	45,000	50,000		
35	13	40,000	45,500	50,500		
36	14	40,000	46,500	51,500		

38	15	40,000	47,000	52,000		
39	16	40,000	48,000	52,500	58,000	
40	17	40,000	48,500	53,500	58,500	
41	18	40,000	49,500	54,000	59,000	
42	19	40,000	50,000	54,500	60,000	
43	20	40,000	51,000	55,500	60,500	66,000
44	21	40,000	51,500	56,000	61,000	66,500
45	22	40,000	52,500	56,500	61,500	67,000
46	23	40,000	53,000	57,500	62,500	68,000
47	24	40,000	54,000	58,000	63,000	68,500
48	25	40,000	54,500	58,500	63,500	69,000
49	26	40,000	55,500	59,500	64,000	69,500
50	27	40,000	56,000	60,000	65,000	70,000
51	28	40,000	57,000	60,500	65,500	71,000
52	29	40,000	57,500	61,500	66,000	71,500
53	30	40,000	58,500	62,000	66,500	72,000
54	31	40,000	59,000	62,500	67,500	72,500
55	32	40,000	60,000	63,500	68,000	73,000
56	33	40,000	60,000	64,000	68,500	74,000
57	34	40,000	60,000	64,500	69,000	74,500
58	35	40,000	60,000	65,500	70,000	75,000
59	36		60,000	66,000	70,500	75,500
60	37		60,000	66,500	71,000	76,000
61	38		60,000	67,500	72,000	77,000
62	39		60,000	68,000	72,500	77,500
63	40		60,000	68,500	73,000	78,000
64	41		60,000	69,500	73,500	78,500
65	42		60,000	70,000	74,000	79,000
66	43		60,000	70,500	75,000	80,000
67	44		60,000	71,500	75,500	80,000
68	45		60,000	72,000	76,000	80,000
69	46		60,000	72,500	76,500	80,000

70	47	60,000	73,500	77,500	80,000
71	48	60,000	74,000	78,000	80,000
72	49	60,000	74,500	78,500	80,000
73	50	60,000	75,500	79,000	80,000
74	51	60,000	76,000	80,000	80,000
75	52	60,000	76,500	80,000	80,000
76	53	60,000	77,500	80,000	80,000
77	54	60,000	78,000	80,000	80,000
78	55	60,000	78,500	80,000	80,000
79	56	60,000	79,500	80,000	80,000
80	57	60,000	80,000	80,000	80,000

81 Notwithstanding the above table, two consecutive sets of tandem axles may carry
 82 a gross load of thirty-four thousand pounds each if the overall distance between
 83 the first and last axles of such consecutive sets of tandem axles is thirty-six feet
 84 or more.

85 4. Whenever the state highways and transportation commission finds that
 86 any state highway bridge in the state is in such a condition that use of such
 87 bridge by vehicles of the weights specified in subsection 3 of this section will
 88 endanger the bridge, or the users of the bridge, the commission may establish
 89 maximum weight limits and speed limits for vehicles using such bridge. The
 90 governing body of any city or county may grant authority by act or ordinance to
 91 the state highways and transportation commission to enact the limitations
 92 established in this section on those roadways within the purview of such city or
 93 county. Notice of the weight limits and speed limits established by the
 94 commission shall be given by posting signs at a conspicuous place at each end of
 95 any such bridge.

96 5. Nothing in this section shall be construed as permitting lawful axle
 97 loads, tandem axle loads or gross loads in excess of those permitted under the
 98 provisions of Section 127 of Title 23 of the United States Code.

99 6. Notwithstanding the weight limitations contained in this section, any
 100 vehicle or combination of vehicles operating on highways other than the interstate
 101 highway system may exceed single axle, tandem axle and gross weight limitations
 102 in an amount not to exceed two thousand pounds. However, total gross weight
 103 shall not exceed eighty thousand pounds, except as provided in subsections 9 and

104 10 of this section.

105 7. Notwithstanding any provision of this section to the contrary, the
106 department of transportation shall issue a single-use special permit, or upon
107 request of the owner of the truck or equipment, shall issue an annual permit, for
108 the transporting of any concrete pump truck or well-drillers' equipment. The
109 department of transportation shall set fees for the issuance of permits pursuant
110 to this subsection. Notwithstanding the provisions of section 301.133, concrete
111 pump trucks or well-drillers' equipment may be operated on state-maintained
112 roads and highways at any time on any day.

113 8. Notwithstanding the provision of this section to the contrary, the
114 maximum gross vehicle limit and axle weight limit for any vehicle or combination
115 of vehicles equipped with an idle reduction technology may be increased by a
116 quantity necessary to compensate for the additional weight of the idle reduction
117 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the
118 additional weight increase allowed by this subsection be greater than five
119 hundred fifty pounds. Upon request by an appropriate law enforcement officer,
120 the vehicle operator shall provide proof that the idle reduction technology is fully
121 functional at all times and that the gross weight increase is not used for any
122 purpose other than for the use of idle reduction technology.

123 9. [Notwithstanding subsection 3 of this section or any other provision of
124 law to the contrary, the total gross weight of any vehicle or combination of
125 vehicles hauling livestock may be as much as, but shall not exceed, eighty-five
126 thousand five hundred pounds while operating on U.S. Highway 36 from St.
127 Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S.
128 Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway
129 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The
130 provisions of this subsection shall not apply to vehicles operated on the Dwight
131 D. Eisenhower System of Interstate and Defense Highways.

132 10.] Notwithstanding any provision of this section or any other law to the
133 contrary, the total gross weight of any vehicle or combination of vehicles hauling
134 milk, from a farm to a processing facility **or livestock** may be as much as, but
135 shall not exceed, eighty-five thousand five hundred pounds while operating on
136 highways other than the interstate highway system. The provisions of this
137 subsection shall not apply to vehicles operated and operating on the Dwight D.
138 Eisenhower System of Interstate and Defense Highways.

139 [11.] **10. Notwithstanding any provision of this section or any**

140 **other law to the contrary, any vehicle or combination of vehicles**
141 **hauling grain or grain co-products during times of harvest may be as**
142 **much as, but not exceeding, ten percent over the maximum weight**
143 **limitation allowable under subsection 3 of this section while operating**
144 **on highways other than the interstate highway system. The provisions**
145 **of this subsection shall not apply to vehicles operated and operating on**
146 **the Dwight D. Eisenhower System of Interstate and Defense Highways.**

147 **11.** Notwithstanding any provision of this section or any other law to the
148 contrary, the department of transportation shall issue emergency utility response
149 permits for the transporting of utility wires or cables, poles, and equipment
150 needed for repair work immediately following a disaster where utility service has
151 been disrupted. Under exigent circumstances, verbal approval of such operation
152 may be made either by the motor carrier compliance supervisor or other
153 designated motor carrier services representative. Utility vehicles and equipment
154 used to assist utility companies granted special permits under this subsection
155 may be operated and transported on state-maintained roads and highways at any
156 time on any day. The department of transportation shall promulgate all
157 necessary rules and regulations for the administration of this section. Any rule
158 or portion of a rule, as that term is defined in section 536.010, that is created
159 under the authority delegated in this section shall become effective only if it
160 complies with and is subject to all of the provisions of chapter 536 and, if
161 applicable, section 536.028. This section and chapter 536 are nonseverable and
162 if any of the powers vested with the general assembly pursuant to chapter 536 to
163 review, to delay the effective date, or to disapprove and annul a rule are
164 subsequently held unconstitutional, then the grant of rulemaking authority and
165 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

414.300. 1. No later than January 1, 2016, the department of
2 **agriculture shall propose a rule regarding renewable fuels and the**
3 **labeling of motor fuel pumps.**

4 **2. Any rule or portion of a rule, as that term is defined in section**
5 **536.010, that is created under the authority delegated in this section**
6 **shall become effective only if it complies with and is subject to all of**
7 **the provisions of chapter 536 and, if applicable, section 536.028. This**
8 **section and chapter 536 are nonseverable, and if any of the powers**
9 **vested with the general assembly under chapter 536 to review, to delay**
10 **the effective date, or to disapprove and annul a rule are subsequently**

11 **held unconstitutional, then the grant of rulemaking authority and any**
12 **rule proposed or adopted after August 28, 2015, shall be invalid and**
13 **void.**

442.571. 1. Except as provided in sections 442.586 and 442.591, no alien
2 or foreign business shall acquire by grant, purchase, devise, descent or otherwise
3 agricultural land in this state if the total aggregate alien and foreign ownership
4 of agricultural acreage in this state exceeds one percent of the total aggregate
5 agricultural acreage in this state. [No such] A sale[,] or transfer[, or
6 acquisition] of any agricultural land in this state shall [occur unless such sale,
7 transfer, or acquisition is approved by] **be submitted to** the director of the
8 department of agriculture **for review** in accordance with subsection 3 of this
9 section **only if there is no completed Internal Revenue Service Form W-9**
10 **signed by the purchaser.** No person may hold agricultural land as an agent,
11 trustee, or other fiduciary for an alien or foreign business in violation of sections
12 442.560 to 442.592, **provided, however, that no security interest in such**
13 **agricultural land shall be divested or invalidated by such violation.**

14 2. Any alien or foreign business who acquires agricultural land in
15 violation of sections 442.560 to 442.592 remains in violation of sections 442.560
16 to 442.592 for as long as he or she holds an interest in the land, **provided,**
17 **however, that no security interest in such agricultural land shall be**
18 **divested or invalidated by such violation.**

19 3. [All] **Subject to the provisions of subsection 1 of this section,**
20 such proposed acquisitions by grant, purchase, devise, descent, or otherwise of
21 agricultural land in this state shall be submitted to the department of agriculture
22 to determine whether such acquisition of agricultural land is conveyed in
23 accordance with the one percent restriction on the total aggregate alien and
24 foreign ownership of agricultural land in this state. The department shall
25 establish by rule the requirements for submission and approval of requests under
26 this subsection.

27 4. Any rule or portion of a rule, as that term is defined in section 536.010,
28 that is created under the authority delegated in this section shall become effective
29 only if it complies with and is subject to all of the provisions of chapter 536 and,
30 if applicable, section 536.028. This section and chapter 536 are nonseverable and
31 if any of the powers vested with the general assembly pursuant to chapter 536 to
32 review, to delay the effective date, or to disapprove and annul a rule are
33 subsequently held unconstitutional, then the grant of rulemaking authority and

34 any rule proposed or adopted after August 28, 2014, shall be invalid and void.

537.325. 1. As used in this section, unless the context otherwise requires,
2 the following words and phrases shall mean:

3 (1) "Engages in an equine activity", riding, training, assisting in medical
4 treatment of, driving or being a passenger upon an equine, whether mounted or
5 unmounted, or any person assisting a participant or any person involved in show
6 management. The term "engages in an equine activity" does not include being a
7 spectator at an equine activity, except in cases where the spectator places himself
8 in an unauthorized area;

9 (2) "Equine", a horse, pony, mule, donkey or hinny;

10 (3) "Equine activity":

11 (a) Equine shows, fairs, competitions, performances or parades that
12 involve any or all breeds of equines and any of the equine disciplines, including,
13 but not limited to, dressage, hunter and jumper horse shows, grand prix jumping,
14 three-day events, combined training, rodeos, driving, pulling, cutting, polo,
15 steeplechasing, English and western performance riding, endurance trail riding
16 and western games and hunting;

17 (b) Equine training or teaching activities or both;

18 (c) Boarding equines;

19 (d) Riding, inspecting or evaluating an equine belonging to another,
20 whether or not the owner has received [some] **or currently receives** monetary
21 consideration or other thing of value for the use of the equine or is permitting a
22 prospective purchaser of the equine to ride, inspect or evaluate the equine;

23 (e) Rides, trips, hunts or other equine activities [of any type] however
24 informal or impromptu that are sponsored by an equine activity sponsor; and

25 (f) Placing or replacing horseshoes on an equine;

26 (4) "Equine activity sponsor", an individual, group, club, partnership or
27 corporation, whether or not operating for profit or nonprofit, **legal entity**, or any
28 employee thereof, which sponsors, organizes or provides the facilities for, an
29 equine activity, including but not limited to pony clubs, 4-H clubs, hunt clubs,
30 riding clubs, school- and college-sponsored classes, programs and activities,
31 therapeutic riding programs and operators, instructors and promoters of equine
32 facilities, including but not limited to stables, clubhouses, pony ride strings, fairs
33 and arenas at which the activity is held;

34 (5) "Equine professional", a person engaged for compensation, or an
35 employee of such a person engaged:

36 (a) In instructing a participant or renting to a participant an equine for
37 the purpose of riding, driving or being a passenger upon the equine; or

38 (b) In renting equipment or tack to a participant;

39 (6) "Inherent risks of equine **or livestock** activities", those dangers or
40 conditions which are an integral part of equine **or livestock** activities, including
41 but not limited to:

42 (a) The propensity of any equine **or livestock** to behave in ways that may
43 result in injury, harm or death to persons on or around it;

44 (b) The unpredictability of any equine's **or livestock's** reaction to such
45 things as sounds, sudden movement and unfamiliar objects, persons or other
46 animals;

47 (c) Certain hazards such as surface and subsurface conditions;

48 (d) Collisions with other equines, **livestock**, or objects;

49 (e) The potential of a participant to act in a negligent manner that may
50 contribute to injury to the participant or others, such as failing to maintain
51 control over the animal or not acting within his ability;

52 (7) "**Livestock**", the same as used in section 277.020;

53 (8) "**Livestock activity**":

54 (a) **Grazing, herding, feeding, branding, milking, or other activity**
55 **that involves the care or maintenance of livestock;**

56 (b) **A livestock show, fair, competition, or auction;**

57 (c) **A livestock training or teaching activity;**

58 (d) **Boarding livestock; and**

59 (e) **Inspecting or evaluating livestock;**

60 (9) "**Livestock activity sponsor**", an individual, group, club,
61 partnership, or corporation, whether or not operating for profit or
62 nonprofit, legal entity, or any employee thereof, which sponsors,
63 organizes, or provides the facilities for, a livestock activity;

64 (10) "**Livestock facility**", a property or facility at which a
65 livestock activity is held;

66 (11) "**Livestock owner**", a person who owns livestock that is
67 involved in livestock activity;

68 (12) "**Participant**", any person, whether amateur or professional, who
69 engages in an equine activity **or a livestock activity**, whether or not a fee is
70 paid to participate in the equine activity **or livestock activity**.

71 2. Except as provided in subsection 4 of this section, an equine activity

72 sponsor, an equine professional, **a livestock activity sponsor, a livestock**
73 **owner, a livestock facility, a livestock auction market, any employee**
74 **thereof**, or any other person or corporation shall not be liable for an injury to or
75 the death of a participant resulting from the inherent risks of equine **or**
76 **livestock** activities and, except as provided in subsection 4 of this section, no
77 participant or a participant's representative shall make any claim against,
78 maintain an action against, or recover from an equine activity sponsor, an equine
79 professional, **a livestock activity sponsor, a livestock owner, a livestock**
80 **facility, a livestock auction market, any employee thereof**, or any other
81 person from injury, loss, damage or death of the participant resulting from any
82 of the inherent risks of equine **or livestock** activities.

83 3. This section shall not apply to the horse racing industry as regulated
84 in sections 313.050 to 313.720. This section shall not apply to any
85 employer-employee relationship governed by the provisions of, and for which
86 liability is established pursuant to, chapter 287.

87 4. The provisions of subsection 2 of this section shall not prevent or limit
88 the liability of an equine activity sponsor, an equine professional, **a livestock**
89 **activity sponsor, a livestock owner, a livestock facility, a livestock**
90 **auction market, any employee thereof**, or any other person if the equine
91 activity sponsor, equine professional, **livestock activity sponsor, livestock**
92 **owner, livestock facility, livestock auction market, any employee**
93 **thereof**, or person:

94 (1) Provided the equipment or tack and knew or should have known that
95 the equipment or tack was faulty and such equipment or tack was faulty to the
96 extent that [it did cause] **the equipment or tack caused** the injury; or

97 (2) Provided the equine **or livestock** and failed to make reasonable and
98 prudent efforts to determine the ability of the participant to engage safely in the
99 equine activity **or livestock activity** and determine the ability of the
100 participant to safely manage the particular equine **or livestock** based on the
101 participant's age, obvious physical condition or the participant's representations
102 of his **or her** ability;

103 (3) Owns, leases, rents or otherwise is in lawful possession and control of
104 the land or facilities upon which the participant sustained injuries because of a
105 dangerous latent condition which was known to the equine activity sponsor,
106 equine professional, **livestock activity sponsor, livestock owner, livestock**
107 **facility, livestock auction market, any employee thereof**, or person and

108 for which warning signs have not been conspicuously posted;

109 (4) Commits an act or omission that constitutes willful or wanton
110 disregard for the safety of the participant and that act or omission caused the
111 injury;

112 (5) Intentionally injures the participant;

113 (6) Fails to use that degree of care that an ordinarily careful and prudent
114 person would use under the same or similar circumstances.

115 5. The provisions of subsection 2 of this section shall not prevent or limit
116 the liability of an equine activity sponsor [or], an equine professional, a
117 **livestock activity sponsor, a livestock owner, a livestock facility, a**
118 **livestock auction market, or any employee thereof** under liability
119 provisions as set forth in any other section of law.

120 6. Every equine activity sponsor **and livestock activity sponsor** shall
121 post and maintain signs which contain the warning notice specified in this
122 subsection. Such signs shall be placed in a clearly visible location on or near
123 stables, corrals or arenas where the [equine professional] **equine activity**
124 **sponsor or livestock activity sponsor** conducts equine **or livestock**
125 activities if such stables, corrals or arenas are owned, managed or controlled by
126 the [equine professional] **equine activity sponsor or livestock activity**
127 **sponsor**. The warning notice specified in this subsection shall appear on the
128 sign in black letters on a white background with each letter to be a minimum of
129 one inch in height. Every written contract entered into by an equine professional
130 [and], **an equine activity sponsor, a livestock activity sponsor, a livestock**
131 **owner, a livestock facility, a livestock auction market, or any employee**
132 **thereof** for the providing of professional services, instruction or the rental of
133 equipment [or], tack, or an equine to a participant, whether or not the contract
134 involves equine **or livestock** activities on or off the location or site of the equine
135 professional's [or], equine activity sponsor's, **or livestock activity sponsor's**
136 business, shall contain in clearly readable print the warning notice specified in
137 this subsection. The signs and contracts described in this subsection shall
138 contain the following warning notice:

139 **WARNING**

140 Under Missouri law, an **equine activity sponsor, an** equine
141 professional, **a livestock activity sponsor, a livestock owner,**
142 **a livestock facility, a livestock auction market, or any**
143 **employee thereof** is not liable for an injury to or the death of a

144 participant in equine **or livestock** activities resulting from the
145 inherent risks of equine **or livestock** activities pursuant to the
146 Revised Statutes of Missouri.

✓

President of the Senate

Unofficial

Speaker of the House of Representatives

Governor

Bill

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