

Legislative Bulletin



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February Update

The last couple of weeks in the Missouri General Assembly have been good for the Missouri Trucking Association (MoTA). Highway funding is a key priority in the legislature and over the last couple of weeks some movement has occurred. Many of the issues that come up almost every year we have had great conversations with the sponsors and plans have been made to take care of these challenges when they come up. It is still early in the session, but many of the legislative priorities are starting to step forward.

MoTA's major priority for this session is the 1 percent sales tax that would be dedicated to transportation for 10 years and then approved again once those ten years are up. Legislation has started in the House, the much easier side for this issue, and things are moving along okay so far. The hearing took place and the groups supporting this issue, the "fragile coalition" coined by Senate sponsor Mike Kehoe, testified in support again and it was voted out of committee 12 – 2. At that point, it was sent to the Rules Committee and was again voted out with only one no vote this time. Now we are in the Speaker's realm and it is important for him to place the bill on the calendar and then it can be brought up for debate. If it is placed on the calendar we could easily surpass last year's vote of 100 ayes out of 163 House members. The real challenge is in the Senate and many have said we will deal with it once we have it, so the goal now is to get it to them as soon as possible.

As mentioned earlier, the other topics this session include several bills relating to raising the limit to 85,500 pounds for ag purposes, a tax credit for ports that use modes of transportation that do not include trucks, and several license plate bills are all progressing with very little problems. One issue that we will continue to work on is the rotating list for towing companies for the Highway Patrol. Right now the patrol or whoever is handling things at the site will call the most appropriate towing company to help with that issue. The legislation would require they call someone who may or may not be trained for this particular situation. The Patrol leads the charge on this and we play a supportive role which usually works out fine and hopefully will again this year.

Things are going well, but as anyone who has been around the capitol can tell you, nothing critical happens in February - most of this stuff will really start to happen in the next month or two. If you have any questions regarding these bill or any listed below give Tom or Ross a call at the MoTA office.

HB 1050 (Rhoads) - Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts.

HB 1053 (Lichtenegger) - Specifies, upon voter approval, that a person as a condition or continuation of employment cannot be required to become or refrain from becoming a member of or paying dues to a labor organization.

HB 1059 (Higdon) - Removes the provision that prohibits persons from being stopped, inspected, or detained solely for not wearing a seat belt and increases the fine for seat belt violations.

HB 1089 (McCaherty) - Establishes the Bring Jobs Home Act, which authorizes a tax deduction for out-of state businesses that relocate to Missouri.

HB 1091 (McCaherty) - Authorizes three new tax credits for port authorities.

HB 1093 (Lant) - Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks.

HB 1094 (Lant) - Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices.

HB 1095 (Lant) - Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices.

HB 1098 (Roorda) - Modifies provisions relating to minimum wage.

HB 1099 (Burlison) - Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices.

HB 1104 (Gatschenberger) - Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination.

HB 1106 (Gatschenberger) - Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner.

HB 1112 (Peters) - Enacts the Missouri Wage Payment and Collection Act.

HB 1123 (Gosen) - Prohibits the operation of a moving motor vehicle while wearing a head-mounted optic display and increases the penalty for the crime of texting while driving.

HB 1124 (Kolkmeier) - Revises the definitions of "all-terrain vehicles," "recreational off-highway vehicles," and "Utility vehicles".

HB 1143 (White) - Specifies that no person as a condition or continuation of employment can be required to become or refrain from becoming a member of or paying dues to a labor organization.

HB 1144 (White) - Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a

contractor on a project for a housing tax credit if it is in a Governor-declared disaster.

HB 1149 (Hicks) - Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense.

HB 1153 (Pace) - Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant.

HB 1182 (Redmon) - Repeals various obsolete, expired, and ineffective provisions of law.

HB 1187 (Berry) - Changes the laws regarding fines & court costs for traffic violations in a city, town, village, or county that exceed 30% of its total annual general operating revenue.

HB 1188 (Elmer) - Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person.

HB 1190 (Kelley) - Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted.

HB 1195 (Berry) - Limits the fine that may be imposed for a traffic violation for which no points are assessed to no more than \$50.

HB 1214 (Guernsey) - Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways.

HB 1235 (Hoskins) - Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways.

HB 1253 (Berry) - Changes the laws regarding taxation by reducing the tax on corporate business income and business income for certain tax entities.

HB 1256 (Kratky) - Prohibits drivers of non-commercial vehicles from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free text.

HB 1258 (Rowden) - Changes the laws regarding gifts by lobbyists, reporting requirements for campaign donations, and members of the general assembly serving as lobbyists within 2 years of being in office.

HB 1260 (Jones-50) - Changes the laws regarding ethics and lobbying.

HB 1267 (Cornejo) - Changes provisions relating to ethics.

HB 1268 (Curtman) - Changes the individual income tax rates to adjust for inflation.

HB 1269 (Curtman) - Changes the individual income tax rates to consider the poverty line.

HB 1277 (English) - Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances.

HB 1282 (English) - Prohibits anyone from sending, reading, or writing a text message while operating a motor vehicle.

HB 1295 (Koenig) - Changes the laws regarding income tax.

HB 1297 (Koenig) - Modifies the corporate income tax rate in Missouri by gradually phasing it out over a five year period.

HB 1306 (Love) - Changes the laws regarding the prevailing hourly rate of wages.

HB 1316 (Ellinger) - Expands the ban on texting while driving to include all individuals, regardless of age.

HB 1328 (Carpenter) - Decreases individual income tax rates on income of \$300,000 or less, imposes an 8% tax rate on income above \$300,000, creates a low-income tax deduction, and decreases the individual income tax deduction.

HB 1340 (McManus) - Changes provisions relating to ethics, conflicts of interest, lobbying, and campaign finance.

HB 1343 (Frederick) - Increases the minimum number of employees needed to be considered an employer for the purposes of workers' compensation from five to ten.

HB 1368 (Bahr) - Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax.

HB 1378 (Carpenter) - Requires ethics training for statewide elected officials, General Assembly members, and executive department directors and acting directors after taking office, appointment, or employment.

HB 1387 (Crawford) - Exempts motor vehicles older than ten years from the sales tax on titling.

HB 1388 (Cornejo) - Requires a search warrant for a government entity to obtain location information of an electronic device.

HB 1398 (Ellinger) - Requires same-day service for driver's license issuance and renewal, prior to January 2, 2016.

HB 1422 (Parkinson) - Eliminates the corporate income tax imposed on Missouri businesses beginning in 2015.

HB 1424 (Parkinson) - Specifies that motor vehicles licensed in Missouri shall only have one license plate. An owner whose motor vehicle has a front license plate shall surrender the plate to the Department of Revenue.

HB 1437 (Schupp) - Modifies laws relating to certain business fees by allowing changes to such fees to occur only during specified time periods, beginning in 2016.

HB 1440 (Dunn) - Changes provisions relating to lobbying and campaign finance disclosure law.

HB 1447 (Cox) - Specifies that no person shall have to produce source documents for a driver's license renewal if the documents were necessary to obtain the original driver's license.

HB 1453 (Hoskins) - Changes the laws regarding taxation.

HB 1475 (Brattin) - Authorizes an exemption from the motor fuel tax for motor fuel used in watercraft in this state.

HB 1477 (Brattin) - Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%.

HB 1482 (Austin) - Changes the calculation of the limitation for punitive damages.

HB 1486 (Fitzpatrick) - Specifies that beginning January 1, 2015, certain shareholders of S corporations may elect to reject workers compensation insurance coverage.

HB 1487 (Bahr) - Allows students at two-year or four-year colleges or universities to seek tuition reimbursement for college remedial courses under certain circumstances.

HB 1498 (Zerr) - Changes the laws regarding tax incentives and tax credits.

HB 1500 (Zerr) - Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri.

HB 1501 (Zerr) - Changes the laws regarding the Distressed Area Land Assemblage Tax Credit Act.

HB 1503 (Zerr) - Establishes the Missouri Angel Investment Incentive Act.

HB 1565 (Kratky) - Establishes the Fair Fare Passenger Safety Act of 2014 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications.

HB 1609 (McGaugh) - Modifies the definition of “employer” as it relates to workers’ compensation.

HB 1610 (McGaugh) - Reauthorizes the alternative fuel tax credit for six years and adds electric vehicles recharging properties to the list of eligible properties.

HB 1617 (Rehder) - Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks.

HB 1634 (Hough) - Changes the laws regarding the Motor Vehicle Franchise Practices Act.

HB 1642 (Bahr) - Creates the Employee Reclassification Act and modifies provisions related to employment taxes.

HB 1646 (Jones 110) - Prohibits issuance of certain incentives to business relocating from certain counties in Kansas if Kansas enacts a similar prohibition.

HB 1654 (Funderburk) - Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation.

HB 1663 (Haahr) - Changes the amount that the compensation and death benefit shall be increased or reduced by for an employee’s personal injury or death if caused by certain failures of the employer or employee.

HB 1674 (Gosen) - Changes the laws regarding indemnity agreements for construction contracts.

HB 1688 (Burlison) - Changes the laws regarding state income tax by exempting all income below the poverty line from tax.

HB 1713 (Lauer) - Modifies provisions relating to the Shared Work Unemployment Compensation Program.

HB 1721 (McNeil) - Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation.

HB 1723 (Davis) - Adds vehicles owned and operated by the Civil Support Team of the Missouri National Guard when used during operations involving hazardous materials to the definition of emergency vehicle.

HB 1734 (Fraker) - Requires the Division of Workers’ Compensation to develop and maintain a workers’ compensation claims database.

HB 1770 (Burlison) - Prohibits employers from requiring persons to become members of a private labor organization as a condition of employment.

HB 1772 (Rehder) - Creates the Freedom to Work Act.

HB 1777 (Colona) - Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer.

HB 1854 (Redmon) - Increases the membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation districts.

HB 1860 (Roorda) - Creates the Missouri Motor Vehicle Theft Prevention Act.

HB 1877 (Black) - Changes the laws regarding the retail sale of propane gas.

HB 1890 (Marshall) - Allows assessors to use the Kelly Blue Book or other credible resource when determining the trade-in value of a motor vehicle and restricts increases in real property valuation assessments.

HB 1897 (Kolkmeier) - Modifies provisions of law relating to the Missouri propane gas commission.

HJR 43 (Lant) - Proposes a constitutional amendment to prohibit public labor organizations from withholding sums from the earning of public employees for the payment of dues or fees without consent.

HJR 44 (Lant) - Proposes a constitutional amendment to prohibit employers from requiring persons to become member of a private labor organization as a condition of employment.

HJR 45 (White) - Proposes a constitutional amendment limiting the liability for damages and authorizes the General Assembly to adjust the amount as necessary by law.

SB 486 (Rupp) - Modifies the law relating to campaign finance.

SB 487 (Rupp) - Modifies the law relating to campaign finance.

SB 488 (Lager) - Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists.

SB 490 (Lager) - Modifies the law relating to whistleblower protection.

SB 496 (Schmitt) - Phases in an income tax deduction for business income.

SB 497 (Schmitt) - Reduces the top rate of tax on personal income over a period of years.

SB 509 (Kraus) - Modifies provisions relating to income taxes.

SB 510 (Kraus) - Redefines “misconduct” and “good cause” for the purposes of disqualification from unemployment benefits.

SB 512 (Lamping) - Modifies the law relating to campaign finance, lobbying, and public official conflicts of interest.

SB 526 (Cunningham) - Requires the Division of Workers’ Compensation to develop and maintain a workers’ compensation claims database.

SB 536 (Sifton) - Institutes a lobbyist gift ban for the members of the General Assembly and their candidate committees.

SB 540 (Keaveny) - Increases the fine for seat belt violation from \$10 to \$50.

SB 544 (Lamping) - Requires a portion of sales and use taxes collected to be deposited into the State Road Fund.

SB 555 (Nasheed) - Imposes campaign contribution limits and bans certain lobbyist gifts.

SB 574 (Munzlinger) - Reauthorizes the alternative fuel tax credit for six years and adds electric vehicles recharging properties to the list of eligible properties.

SB 577 (Kraus) - Prohibits further authorization of certain tax credits and modifies historic preservation and low-income housing tax credits.

SB 583 (Dixon) - Changes the evidentiary standard for noneconomic damages in medical malpractice cases.

SB 585 (Dixon) - Modifies the calculation of the limitation for punitive damages.

SB 586 (Kraus) - Requires only one motor vehicle license plate unless the registered owner is eligible to receive a second plate.

SB 588 (Kraus) - Allows a fifteen day grace period upon transfer or sale of a motor vehicle for the acquiring owner to obtain new registration for a motor vehicle.

SB 599 (Kraus) - Restricts the storage and use as evidence of data collected through automated license plate reader systems.

SB 627 (LeVota) - Establishes campaign contribution limits.

SB 629 (Kraus) - Modifies the law relating to ethics.

SB 673 (Kehoe) - Modifies the duration of unemployment compensation and the method to pay federal advances.

SB 693 (Parsons) - Exempts motor vehicles older than ten years from the sales tax on titling.

SB 696 (Schaefer) - Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances.

SB 703 (Lager) - Modifies the qualification requirements for enrolling as a land surveyor-in-training.

SB 733 (Schaefer) - Reduces the rate of tax in personal and corporate income and increases the cap on the federal income tax liability deduction.

SB 740 (Lamping) - Modifies the caps on Low-Income Housing and Historic Preservation tax credits.

SB 742 (Schmidtt) - Relates to incentives created by the Missouri Export Incentive Act.

SB 743 (Schmidtt) - Requires all tax credit programs created on or after August 28, 2014 to comply with the Tax Credit Accountability Act of 2004.

SB 746 (Munzlinger) - Exempts violations of traffic laws enforced by automated traffic enforcement systems from the mandatory driver's license point system.

SB 762 (Schaefer) - Limits the release of data collected by automobile event data recorders.

SB 772 (Lamping) - Requires the personal income tax brackets to be adjusted annually in accordance with the consumer price index.

SB 777 (Nieves) - Extends a sales tax exemption for replacement parts to aircraft and creates an exemption for sales of aircraft to nonresidents.

SB 877 (Kraus) - Extends a sales tax exemption for replacement parts to aircraft and creates an exemption for sales of aircraft to nonresidents.

SJR 25 (Lager) - Grants the General Assembly the power to limit by statute jury awards of noneconomic damages.

SJR 43 (Lamping) - Requires a portion of sales and use taxes collected to be deposited into the State Road Fund.