

# Legislative Bulletin



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## 2014 Legislative Session Gets Underway

In a few days we will have completed one month of the Second Regular Session of the 97<sup>th</sup> General Assembly. Over the first month many of the items that will be focused on this session have begun to make their way to the front of the agenda. Many of the school issues are heading forward whether it is changes in transfer policy or dealing with unaccredited schools; all issues that will have to be addressed this session. Taxes will be another hot topic this year, but what it will look like is still up for grabs. Lastly, is the 1 cent sales tax proposal that it was thought wouldn't have to go through the General Assembly, but it looks as though there is a new plan of action.

It now appears that trying to pass a 1 cent sales tax legislatively is the idea of the day! In addition to that there are other items that the association will be following and testifying on over the course of the session. Among the bills we are watching is legislation that would allow tax credits to all other modes of transportation excluding trucking. After discussion with the bill sponsor, he agreed to change the language to eliminate the anti-trucking verbiage. Other items of interest are anti-texting legislation, but unfortunately many of those who are a part of the General Assembly are some of the worst violators. Also included in the discussion would be the possibility of allowing agricultural carriers to haul 85,500 like many of the states surrounding us. We still need to speak with him, but Rep. Parkinson has a bill that would force commercial vehicles to move their plates from the front to the back of the truck. We all know why that is a terrible idea; when pulling a trailer the plate would be totally hidden. As for those who have straight trucks, specifically dump trucks that are often times backed to a mound or spreader for loading and unloading could lose the plate without even noticing it.

As things are getting organized again, your association staff is working very closely with key transportation and business players from around the state. Please take a look at the myriad of bills we are following and give us a call if there is one that makes a specific impression on you.

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**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.

**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.

**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.