

DEC

DATE AND PLACE	TYPE	CALL TIME	END TIME	PERSONAL ON CALL
12/1/2024 W Washing	Med	9:12	9:41	No Response
12/1/2024 S Oak St	Med	10:09	10:25	No Response
12/1/2024 W Newton	Med	17:17	17:33	701,706
12/2/2024 Pamela Dr	Med	12:10	12:36	701,705,741
12/2/2024 W Newton	Training	18:00	20:00	701,705,706,723,729 737,741,799
12/2/2024 S Second St	Med	21:26	21:48	701,705,706,721 737,741,701
12/4/2024 N Monroe S	Med	7:06	7:23	701
12/4/2024 Jefferson St	Admin	8:14	8:35	701
12/4/2024 W Clay Rd	Med	15:25	15:45	705,701
12/4/2024 W Clay Rd	Med	16:00	16:17	701
12/5/2024 Kidwell Dr	Admin	9:12	9:33	701
12/6/2024 E Newton S	Med	6:01	6:27	701
12/6/2024 W Clay Rd	Med	8:10	8:22	701,705
12/6/2024 N Seymour	Med	16:08	16:27	701,705,706
12/6/2024 W Newton	Admin	18:00	21:00	701,702,705,706,721 737,741,799
12/6/2024 W Clay Rd	Med	21:39	21:54	701
12/7/2024 W Williams	Med	1:14	1:45	701
12/7/2024 S Second St	Med	13:42	14:09	705,737
12/8/2024 Petty Dr	Med	23:14	23:42	701
12/9/2024 N Van Burel	Med	8:32	9:03	701

12/9/2024	W Newton	Med	*	15:45	16:06	701
12/9/2024	S Maple St	Med	*	21:46	22:12	701,706
12/10/2024	W Lafayette	Med	*	4:33	5:09	701
12/10/2024	Fairgrounds	Med	*	10:35	11:02	701,729
12/10/2024	Kidwell Dr	Fire	*	11:36	12:13	701,702,721,799
12/10/2024	WestView	Med	*	13:37	14:02	701
12/11/2024	W Newton	Med	*	15:53	16:18	701
12/11/2024	Jones Ave	Med	*	23:10	23:38	701
12/12/2024	E Newton	Med	*	1:32	2:15	701
12/12/2024	W Newton	Fire	*	8:59	9:24	701,706,799
12/9/2024	W Newton	Med	*	15:45	16:06	
12/12/2024	S Van Burer	Med	*	9:19	9:42	701,702,706,721
12/9/2024	S Maple St	Med	*	21:46	22:12	
12/12/2024	W Newton	Med	*	14:10	14:17	701
12/10/2024	W Lafayette	Med	*	4:33	5:09	
12/12/2024	Fairgrounds	Med	*	17:28	17:58	701,706
12/10/2024	Fairgrounds	Med	*	10:35	11:02	
12/14/2024	W Clay Rd	Med	*	8:43	9:10	701,705
12/10/2024	Kidwell Dr	Fire	*	11:36	12:13	
12/16/2024	Fairgrounds	Med	*	16:39	17:04	701
12/10/2024	WestView	Med	*	13:37	14:02	
12/16/2024	W Newton	Training	*	18:00	21:30	701,702,705,721,723
12/11/2024	W Newton	Med	*	15:53	16:18	725,726,729,737,799
Samson						
12/11/2024	Jones Ave	Med	*	23:10	23:38	
12/17/2024	W Newton	Med	*	10:10	10:35	701,705
12/12/2024	E Newton	Med	*	1:32	2:15	
12/17/2024	Sedalia, Mo	Admin	*	10:36	14:00	701
12/12/2024	W Newton	Fire	*	8:59	9:24	
12/18/2024	S Monroe S	Med	*	3:07	3:27	701
12/12/2024	S Van Burer	Med	*	9:19	9:42	
12/18/2024	W Clay Rd	Med	*	9:45	10:00	701
12/12/2024	W Newton	Med	*	14:10	14:17	
12/18/2024	Jefferson St	Med	*	16:29	16:49	701,705
12/12/2024	Fairgrounds	Med	*	17:28	17:58	
12/19/2024	S Monroe S	Med	*	12:13	12:23	701
12/14/2024	W Clay Rd	Med	*	8:43	9:10	
12/10/2024	Kidwell Dr	Fire	*	11:36	12:13	
12/16/2024	Fairgrounds	Med	*	16:39	17:04	

12/19/2024	W Clay Rd	Med	*	13:12 13:58	19:10 14:29	701 701
12/19/2024	N Walnut St	Med	*	19:14 20:13	19:26 21:04	701 701,706
12/19/2024	S Hunter St	Med	*	18:41 21:02	18:54 21:26	701 701
12/20/2024	S Burke St	Admin	*	5:49 13:00	6:04 13:40	701 701
12/20/2024	E Jasper St	Admin	*	11:20 13:40	11:03 14:00	701,705 701
12/21/2024	N Maple St	Med	*	21:44 21:30	0:26 21:57	No Response 705
12/22/2024	Wood Dr	Med	*	21:12 17:44	21:34 18:08	No Response No Response
12/23/2024	S Monroe S	Med	*	4:50 9:03	5:13 9:14	701 701
12/23/2024	E McNair St	Med	*	7:26 9:35	7:49 10:04	701 701,721
12/23/2024	W Newton	Med	*	11:24 13:12	11:17 19:10	701,705,721 701
12/23/2024	S Monroe S	Med	*	11:06 19:14	11:17 19:26	701 701
12/24/2024	N 5 Hwy	Med	*	11:50 1:41	14:59 1:54	701,702,705,799 701
12/24/2024	S Monroe	Med	*	4:45 5:45	5:17 6:04	701,705 701
12/24/2024	Mo Ave	Med	*	9:12 11:20	9:37 11:43	701,705 701,705
12/25/2024	E Newton	Med	*	21:11 23:44	22:24 0:06	701 No Response
12/25/2024	W Clay Rd	Med	*	21:12 21:12	21:34 21:34	No Response No Response
12/26/2024	Pamela Dr	Med	*	4:50 4:50	5:23 5:23	701 701
12/26/2024	Pamela Dr	Med	*	7:26 7:26	7:49 7:49	701 701
12/27/2024	N Hunter St	Med	*	18:24 18:24	18:37 18:37	701,705,723 701,705,723
12/27/2024	E Newton	Med	*	19:06 19:06	19:37 19:37	701 701
12/27/2024	W Newton	Med	*	14:50 14:50	14:59 14:59	701,702,705,799 701,702,705,799
12/28/2024	W Newton	Med	*	4:45 4:45	5:57 5:57	701,705 701,705
12/28/2024	Mo Ave	Med	*	5:22 5:22	5:57 5:57	701,705 701,705
12/29/2024	E Newton	Med	*	22:11 22:11	22:24 22:24	701 701

12/29/2024	Sequoia Ln	Med	*	12:28	12:53	701,705
12/30/2024	N KreKel St	Med	*	0:38	1:18	701
12/30/2024	S Hunter St	Med	*	10:18	10:26	701,705
12/30/2024	S Monroe	Med	*	14:24	15:18	701
12/31/2024	N Hunter	Med	*	6:49	7:08	701,705
12/31/2024	Gravois St	Med	*	13:00	13:25	701,705,706
12/31/2024	S Burke St	Med	*	14:14	14:21	701
12/13/2024	E Newton	Med	*	21:37	22:06	701

12/29/2024	Sequoia Ln	Med	*	12:28	12:53	
12/30/2024	N KreKel St	Med	*	0:38	1:18	
12/30/2024	S Hunter St	Med	*	10:18	10:26	
12/30/2024	S Monroe	Med	*	14:24	15:18	
12/31/2024	N Hunter	Med	*	6:49	7:08	
12/31/2024	Gravois St	Med	*	13:00	13:25	
12/31/2024	S Burke St	Med	*	14:14	14:21	
12/13/2024	E Newton	Med	*	21:37	22:06	

CodeWatch generally focuses on revisions that would affect a municipality's Code book, and is not intended to include every change made by the Legislature. That said, some of the changes included are not necessarily Code-worthy but are set out to inform municipalities of revisions that may be of interest.

In addition to the Bills cited in this document, there are always a number of new provisions or amended provisions that have been passed dealing with *specific* municipalities or counties (e.g., Sections 140.190 and 141.820 et seq., RSMo.). We have NOT included those types of provisions herein, as we believe the affected municipalities and counties are aware of said provisions. In addition, we do not usually include amendments to felony offenses since felonies are not typically prosecuted in municipal court; however, we occasionally mention amendments to felony offenses that municipalities may want to review.

It is not the intent of General Code to give legal advice or opinions by way of the CodeWatch bulletin, but to provide as much information as possible to enable municipal officials to make necessary decisions. Any questions as to the validity or legal sufficiency of legislation, or as to interpretation of Statutes, will properly remain the responsibility of the Municipal Attorney.

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## TITLE I. GOVERNMENT CODE

**Depository for city funds, how selected. § 95.280, RSMo.; Depository to deposit securities – contract term for depositories, certain cities (Maryville) § 95.285, RSMo.; City depository. § 95.355, RSMo. – SB 1359** This Bill repeals these three Sections in their entirety, effective August 28, 2024.

**Selection of depositories, competitive bid process – definitions – requirements – contracts – records. § 110.075, RSMo. – SB 1359** This Bill enacts new provisions applicable to all municipalities when selecting their depositories.

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

- (1) “**Depository**”, banking institution headquartered in or maintaining a full-service branch in this state which is selected by a municipality to hold and manage public funds;*
- (2) “**Governing body**”, any city council, board of aldermen, or board of trustees;*
- (3) “**Municipal depositories**”, any state-chartered or federally chartered banking institution as defined in Article IV, Section 15 of the Constitution of Missouri;*
- (4) “**Municipality**”, any city or village in this state;*
- (5) “**Public funds**”, funds owned or controlled by a municipality, including tax revenues, fees, grants, and other sources of income.*

*2. All municipalities shall select depositories through a competitive process in accordance with the provisions in this section. The governing body of each municipality shall develop and publish a request for proposals which shall outline the requirements for selecting one or more municipal depositories. Such requirements shall address or include the following matters:*

- (1) The municipality shall use due diligence for determining the financial stability and soundness of the depository based on publicly available financial reports and other public sources;*
  - (2) Safe custody and liquidity of public funds, including deposit insurance coverage and pledge of collateral or investment in appropriate government securities as authorized for public funds;*
  - (3) Interest rates and fees offered;*
  - (4) Services offered, including online banking, cash management, deposit sweep and repurchase accounts, investment in a common trust fund in eligible securities for municipalities and political subdivisions, and other banking service options;*
  - (5) Compliance with all applicable state and federal banking regulations;*
  - (6) Convenient and efficient treasury functions, including if the location of the depository institution shall be required to be located within the municipality or in the same county as the municipality.*
- 3. Banking institutions interested in becoming the municipal depository shall respond to the municipality's request for proposals within the time frame specified by the municipality in the request.*
  - 4. The governing body shall evaluate the proposals based on the criteria outlined in the request for proposals and select a banking institution that best meets the municipality's needs and objectives.*
  - 5. The selected banking institution shall enter into a contract with the municipality outlining the terms and conditions of the depository relationship, including, but not limited to, the interest rates, fees, and services to be provided.*
  - 6. Municipalities shall maintain records of the selection process, including all proposals received by the municipality for a period of two years.*

**Closed meetings and closed records authorized when, exceptions. § 610.021, RSMo. – HB 2111** This Bill adds a new Subsection (17), set out below, and renumbers subsequent Subsections.

- (17) Records relating to reports of allegations of improper governmental activities under section 29.221;*

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## **TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE**

**Criminal mischief, offense of – penalty. § 569.200, RSMo. – HB 2062** This Bill adds the following new misdemeanor offense:

- 1. A person commits the offense of criminal mischief if he or she unlawfully detains, occupies, or trespasses upon a residential dwelling.*
- 2. The offense of criminal mischief is a class A misdemeanor.*

**Definitions. § 571.010, RSMo. – HB 2287** This Bill adds the following new definition to this Section:

- (17) “School”, any charter school, as such term is defined in section 160.400, any private school, as such term is defined in section 166.700, or any public school, as such term is defined in section 160.011;*

**Blair's Law – unlawful discharge of a firearm, offense of – penalties. § 571.031, RSMo. – SB 754, et al.** This Bill adds the following new Section, which sets out numerous exceptions to unlawful discharge in a municipality:

1. *This section shall be known and may be cited as “Blair's Law”.*
2. *A person commits the offense of unlawful discharge of a firearm if he or she recklessly discharges a firearm within or into the limits of any municipality.*
3. *This section shall not apply if the firearm is discharged:*
  - (1) *As allowed by a defense of justification under chapter 563;*
  - (2) *On a shooting range that is:*
    - (a) *Indoor;*
    - (b) *Owned or operated by the state or any political subdivision;*
    - (c) *A commercial shooting range, including any range used by paying members; and*
    - (d) *Supervised by any person eighteen years of age or older;*
  - (3) *To lawfully take wildlife during an open season established by the department of conservation. Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;*
  - (4) *For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;*
  - (5) *By special permit of the chief of police of the municipality;*
  - (6) *As required by an animal control officer in the performance of his or her duties;*
  - (7) *Using blanks;*
  - (8) *More than one mile from any occupied structure;*
  - (9) *In self-defense or defense of another person against an imminent or ongoing animal attack unless the self-defense or defense of another person is a gross deviation from the standard of care which a reasonable person would exercise in the situation to protect oneself or the other person from such animal attack and such person shall not have a duty to retreat;*
  - (10) *In defense of a domestic animal against an imminent or ongoing animal attack, unless the defense of the domestic animal is a gross deviation from the standard of care which a reasonable person would exercise in the situation to protect a domestic animal from attack; or*
  - (11) *By law enforcement personnel, as defined in section 590.1040, or a member of the United States Armed Forces if acting in an official capacity.*
4. *A person who commits the offense of unlawful discharge of a firearm shall be guilty of:*
  - (1) *For a first offense, a class A misdemeanor;*
  - (2) *For a second offense, a class E felony; and*

(3) For a third or subsequent offense, a class D felony.

**Possession of firearm unlawful for certain persons – penalty – exception. § 571.070, RSMo. – SB 754, et al.** This Bill revises Subsection 2 of this Section as indicated below.

*2. Unlawful possession of a firearm is a class D C felony, unless a person has been convicted of a dangerous felony as defined in section 556.061, or the person has a prior conviction for unlawful possession of a firearm in which case it is a class C B felony.*

**Definitions. § 575.010, RSMo. – SB 754, et al.** This Bill deletes the definition of “police animal” and adds the following definition of “law enforcement animal”:

*(7) “Law enforcement animal” means a dog, horse, or other animal used in law enforcement or a correctional facility, or by a municipal police department, fire department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs, and tracking animals;*

**Valentine's Law – aggravated fleeing a stop or detention of a motor vehicle, offense of – penalty. § 575.151, RSMo. – SB 754, et al.** This Bill adds the following new Section regarding aggravated fleeing a stop or detention. This is a felony offense.

*1. This section shall be known and may be cited as “Valentine's Law”.*

*2. A person commits the offense of aggravated fleeing a stop or detention of a motor vehicle if he or she knows or reasonably should know that a law enforcement officer is attempting to detain or stop a motor vehicle, and for the purpose of preventing the officer from effecting the stop or detention, he or she flees and:*

*(1) Such person operates a motor vehicle at a high speed or in any manner which creates a substantial risk of serious physical injury or death to any person;*

*(2) As a result of such flight causes physical injury to another person; or*

*(3) As a result of such flight causes death to another person.*

*3. A person is presumed to be fleeing a vehicle stop or detention if he or she continues to operate a motor vehicle after he or she has seen or reasonably should have seen clearly visible emergency lights or has heard or reasonably should have heard an audible signal emanating from the law enforcement vehicle pursuing him or her.*

*4. It is no defense to a prosecution pursuant to subsection 2 of this section that the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this section shall be construed to bar civil suits for unlawful arrest. A person need not know the basis for the arrest, detention, or stop, only that the person was being stopped or detained.*

*5. The offense of aggravated fleeing a stop or detention in violation of subdivision (1) of subsection 2 of this section shall be a class D felony, without eligibility for probation, parole, or conditional release until the defendant has served no less than one year of such sentence. The offense of aggravated fleeing a stop or detention in violation of subdivision (2) of subsection 2 of this section shall be a class B felony. The offense of aggravated fleeing a stop or detention in violation of subdivision (3) of subsection 2 of this section shall be a class A felony.*

**Max's Law – assault on a police animal – penalties. § 575.353, RSMo. – SB 754, et al.** This Bill revises this Section as indicated below.

1. This section shall be known and may be cited as “Max’s Law”.

2. A person commits the offense of assault on a ~~police~~ law enforcement animal if he or she knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a ~~police~~ law enforcement animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2- 3. The offense of assault on a ~~police~~ law enforcement animal is a: ~~class C misdemeanor, unless~~

(1) Class A misdemeanor, if the law enforcement animal is not injured to the point of requiring veterinary care or treatment;

(2) Class E felony if the law enforcement animal is seriously injured to the point of requiring veterinary care or treatment; and

(3) Class D felony if the assault results in the death of such animal, ~~or disables such animal to the extent it is unable to be utilized as a police animal, in which case it is a class E felony.~~

**Acts and facilities to which section 574.130 and sections 578.005 to 578.023 do not apply. § 578.007, RSMo. – SB 754, et al.** This Bill revises Subsection (9) of this Section as indicated below.

*(9) The killing of an animal by any person at any time if such animal is outside of the owned or rented property of the owner or custodian of such animal and the animal is injuring any person or farm animal, but this exemption shall not include ~~police or guard dogs~~ the killing or injuring of a law enforcement animal while working;*

**Law enforcement dogs, exempt from certain laws, when. § 578.022, RSMo. – SB 754, et al.** This Bill revises this Section as indicated below.

*Any dog that is owned, or the service of which is employed, by a law enforcement agency and that bites or injures another animal or human in the course of their official duties is exempt from the provisions of sections 273.033 ~~and~~, 273.036 ~~and~~ ~~section~~, 578.012, and 578.024.*

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### TITLE III. TRAFFIC CODE

**Duty to maintain financial responsibility, residents and nonresidents, misdemeanor penalty for failure to maintain—exception, methods—court to notify department of revenue, additional punishment, right of appeal. § 303.025, RSMo. — HB 2168** This Bill revises this Section as indicated below. Note that this Bill was enacted during the 2022 Legislative Session and went into effect January 1, 2024.

*1. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, unless the owner maintains the financial responsibility which conforms to the requirements of the laws of this state. No nonresident shall operate or permit another person to operate in this state a motor vehicle registered to such nonresident unless the nonresident maintains the financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle; however, no owner or nonresident shall be in violation of this subsection if he or she fails to*

maintain financial responsibility on a motor vehicle which is inoperable or being stored and not in operation. The director of the department of revenue shall establish by rule a process for voluntary suspension of motor vehicle registration for vehicles which are inoperable or being stored and not in operation. The owner or nonresident shall not further operate the vehicle until the owner or nonresident notifies the department of revenue that the vehicle will be in use, and the department shall reinstate the motor vehicle registration upon receipt of proof of financial responsibility. Owners or nonresidents who operate a motor vehicle during a period of inoperability or storage claimed under this subsection shall be guilty of a class B misdemeanor and may additionally be guilty of a violation of this subsection. Notwithstanding any provision of law to the contrary, the department of revenue may verify motor vehicle financial responsibility as provided by law, but shall not otherwise take legal or administrative action to enforce the requirements of this section unless, in the discretion of the director, the motor vehicle is determined to have been operated in violation of this section, a motor vehicle registration is applied for in violation of this section, or the motor vehicle on two separate occasions thirty days apart is determined to have its registration maintained in violation of this section. The director may prescribe rules and regulations for the implementation of this section.

2. A motor vehicle owner shall maintain the owner's financial responsibility in a manner provided for in section 303.160, or with a motor vehicle liability policy which conforms to the requirements of the laws of this state. A nonresident motor vehicle owner shall maintain the owner's financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence.

3. Any person who violates this section is guilty of a misdemeanor. Except as otherwise provided in this section, a first violation of this section shall be punishable as a class D misdemeanor. A second or subsequent violation of this section shall ~~may~~ be punishable punished by imprisonment in the county jail for a term not to exceed fifteen days ~~and/or~~ and shall be punished by a fine not less than two hundred dollars but not to exceed five hundred dollars. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021. However, no person shall be found guilty of violating this section if the operator demonstrates to the court that he or she met the financial responsibility requirements of this section at the time the peace officer, commercial vehicle enforcement officer or commercial vehicle inspector wrote the citation. In addition to any other authorized punishment, the court shall notify the director of revenue of any person convicted pursuant to this section and shall do one of the following:

[...]

6. Any fines owed to the state pursuant to this section may be eligible for payment in installments. The director shall promulgate rules for the application of payment plans, which shall take into account individuals' ability to pay.

**Traffic citation, infraction, no warrant of arrest, when – alternate notice, procedure. § 307.018, RSMo. – SB 754, et al.** This Bill adds the following new Section restricting the court's ability to issue a warrant of arrest for a person's failure to pay a fine or appear in court with respect to a traffic citation issued for a violation of Chapter 307, RSMo.

1. Notwithstanding any other provision of law, no court shall issue a warrant of arrest for a person's failure to respond, pay the fine assessed, or appear in court with respect to a traffic citation issued for an infraction under the provisions of this chapter. In lieu of such warrant of arrest, the court shall issue a notice of failure to respond, pay the fine assessed, or appear, and the court shall schedule a second court date for the person to respond, pay the fine assessed, or appear. A copy of the court's notice with the new court date shall be sent to the driver of the vehicle. If the driver fails to respond, pay the fine assessed, or appear on the second court date, the court shall issue a second notice of failure to respond, pay the fine assessed, or appear. If the driver fails to

respond, pay the fine assessed, or appear after the second notice, the court may issue a default judgment under section 556.021 for the infraction.

2. At any point after the default judgment has been entered, the driver may appear in court to state that he or she is unable to pay and to request the court to modify the judgment. The court shall hold a hearing to determine whether the driver has the ability to pay. If the court finds the driver lacks the present ability to pay, the court shall modify the judgment in any way authorized by statute or court rule, including:

- (1) Allowing for payment of the fine on an installment basis;
- (2) Waiving or reducing the amount owed; or
- (3) Requiring the driver to perform community service or attend a court-ordered program in lieu of payment.

3. At any point after the default judgment has been entered, the driver may appear in court and show proof that he or she corrected the equipment violation for which the fine and costs were assessed. If the driver shows such proof, the court may waive the fines and costs that are due.

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## TITLE VI. BUSINESS AND OCCUPATION

**Electric vehicle charging stations – political subdivision restrictions. § 67.288, RSMo. – HB 2062** This Bill adds the following new Section, which sets certain restrictions on a political subdivision regarding electric vehicle charging stations.

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

- (1) “Electric vehicle”, any vehicle that operates, either partially or exclusively, on electrical energy from the grid or an off-board source that is stored onboard for a motive purpose;
- (2) “Electric vehicle charging station”, a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle.

2. Notwithstanding any other provision of law to the contrary, no political subdivision shall adopt any ordinance, resolution, regulation, code, or policy that requires electric vehicle charging stations or infrastructure for future installation of electric vehicle charging stations on any parking lot owned or leased to any church or nonprofit organization exempt from taxation under 26 U.S.C. Section 501(c)(3) of the Internal Code of 1986, as amended.

3. Nothing in this section shall prohibit a business owner or property owner from paying for the installation, maintenance, or operation of an electric vehicle charging station.

**Definitions. – § 67.2677, RSMo. – HB 2057 and SB 872.** These Bills revise the definition of “video service” as indicated below.\* Senate Bill 872 also deletes Subsection 2 of this Section, which stated, “The repeal and reenactment of this section shall become effective August 28, 2023.”

\*These Bills used slightly different wording in the beginning of this definition. The wording below reflects the wording set out on the Missouri Revisor of Statutes website.

- (14) “**Video service**”, the provision, by a video service provider, of video programming provided through wireline facilities located at least in part in the public right-of-way without regard to

*delivery technology, including internet protocol technology whether provided as part of a tier, on demand, or on a per-channel basis. This definition includes cable service as defined by 47 U.S.C. Section 522(6), but does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. Section 332(d), or any video programming ~~provided solely as part of and~~ accessed via a service that enables users to access content, information, electronic mail, or other services offered over the ~~public~~ internet, including streaming content;*

**Expiration date, exception. § 67.5122, RSMo. – SB 872.** This Bill changes the expiration date for small wireless facilities from January 1, 2025, to December 31, 2029. This Section now reads as follows:

*Sections 67.5110 to 67.5122 shall expire on December 31, 2029, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in section 67.5116 for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation.*

**Home inspection not required for sale of property, exception. § 436.345, RSMo. – HB 2062** This Bill adds the following new Section regarding home inspections.

*Notwithstanding any other provision of law to the contrary, no political subdivision shall require a property owner to have a home inspection conducted of a residential property prior to the sale of the property. This provision shall not apply to any inspection requirement of new construction or occupancy permits.*

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## TITLE VII. UTILITIES

**Definitions. § 644.016, RSMo. – HB 2134 and HB 1956.** These Bills add the following new definitions to this Section related to water regulations:

*(1) “**Agrichemical facility**”, any site, with the exception of chemical production facilities, where bulk pesticides or fertilizers, excluding anhydrous ammonia fertilizer, are:*

*(a) Stored and combined in nonmobile containers, dedicated containers, or storage basins; or*

*(b) Stored or being mixed, applied, repackaged, or transferred between containers or storage basins;*

*(14) “**Open storage basin**”, an open earthen basin (nonconcrete) with a capacity of two and one-half million gallons or larger that stores industrial process wastewater or industrial process wastewater residuals for disposal or land application;*

*(15) “**Open storage vessel**”, any metal, plastic, or polymer lined basin with a capacity of two and one-half million gallons or larger that stores industrial process wastewater or industrial process wastewater residuals for disposal or land application;*

*(16) “**Operating location**”, all contiguous lands owned, operated, or controlled by one or more persons jointly or as tenants in common, except land application sites are not required to be contiguous;*

**Effluent regulations to be promulgated – nutrient management technical standard, requirements, inapplicability. § 644.041, RSMo. – HB 2134 and HB 1956.** These Bills add the following new Subsections to this Section:

*2. Any land application of industrial wastewater, industrial wastewater treatment sludge, and*

*related process wastes, excluding concentrated animal feeding operations, livestock markets, and animal manure, shall be subject to a nutrient management technical standard established and incorporated into rule by the department, which shall include land application practices, annual soil sampling, setbacks, material sampling requirements and frequency, and a process for establishing land application rates. The nutrient management technical standard shall allow the use of a phosphorus index developed by Missouri's first land grant university, regardless of operational control over land application fields. Such phosphorus index shall be revised for each annual planned application of such material and include, but shall not be limited to, data inputs for field use, field slope, field management practices, application method, soil type, phosphorus soil test, phosphorus solubility, and tillage type. Results of any sampling required under this subsection shall be provided to the department. Such rules shall afford a prudent degree of environmental protection designed to ensure safe and clean soils and water for the surrounding community while accommodating modern agricultural practices. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.*

*3. The provisions of subsection 2 of this section shall not apply to land application conducted in compliance with a land application management plan approved by the department.*

**Prohibited acts – permits required, when, exemptions, fee – permit application procedures – rulemaking – limitation on use of permit fee moneys – permit shield provisions. § 644.051, RSMo. – HB 2134 and HB 1956.** These Bills add new Subsections 6 through 8, set out below, and renumber subsequent Subsections.

*6. Notwithstanding any provision of this section to the contrary, the commission may exempt an entity from the requirement to obtain a permit under this section based on licensure under the Missouri fertilizer law, sections 266.291 to 266.351, only if the entity is producing products that are commercially sold to an end user in accordance with such sections and has accurate labeling for each container that includes the information required under subsection 1 of section 266.321.*

*7. Entities currently storing combined bulk fertilizers in storage basins shall not be exempt from any design requirements for agrichemical facilities established by rule when constructing new agrichemical facilities.*

*8. (1) In order to receive an operating permit under this section, any point source or operating location seeking an operating permit for a commingled offsite industrial wastewater or wastewater residuals open storage basin or open storage vessel shall meet current design requirements for a wastewater treatment facility's design capacity.*

*(2) Except as provided in subdivision (3) of this subsection, the department shall require at least, but not more than, the following buffer distances between the nearest commingled offsite industrial wastewater or wastewater residuals open storage basin or open storage vessel and any public building or occupied residence other than a public building or occupied residence that is operated by the commingled offsite industrial wastewater or wastewater residuals open storage basin or open storage vessel or a residence from which a written agreement for operation is obtained:*

*(a) For a facility with a capacity of more than five hundred thousand gallons but less than or equal to five million gallons, one thousand feet;*

*(b) For a facility with a capacity of more than five million gallons but less than or equal to ten million gallons, two thousand feet; and*

*(c) For a facility with a capacity of more than ten million gallons, three thousand five hundred feet.*

*(3) All commingled offsite industrial wastewater or wastewater residuals open storage basins or open storage vessels holding valid operating permits as of the effective date of this section shall be exempt from the buffer distances prescribed in subdivision (2) of this subsection. Such distances shall not apply to a facility that has received a written agreement signed by all affected property owners within the relevant buffer distance.*

*(4) The department shall require groundwater monitoring on a site-specific basis when, in the determination of the division of geological survey, the commingled offsite industrial wastewater and wastewater residuals open storage basin or open storage vessel is located in proximity to a geological feature that increases the likelihood of groundwater contamination.*

*(5)(a) The department shall establish by rule sampling requirements for commingled offsite industrial wastewater and wastewater residuals open storage basins or open storage vessels based on permitted materials.*

*(b) The department shall, within sixty days of the effective date of this section, begin the process of promulgating rules, which shall include creating a chain of custody record form to be used by all parties during the handling of testing samples, and, at a minimum, establish criteria to require annual sampling and testing of any contents of any commingled offsite industrial wastewater or wastewater residuals open storage basin or open storage vessel for:*

*a. The total concentrations of metals, including arsenic, aluminum, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and thallium; and*

*b. E. coli and fecal coliform.*

*(c) Testing under paragraph (b) of this subdivision shall be done by a third-party certified laboratory and results of the testing shall be sent to the department by the third-party certified laboratory annually.*