

# LEGISLATIVE REPORT



## APWA KC Metro 2024 MO Session Final Week May 22, 2024

### ***2024 Legislative Session Concludes***

The 2024 Missouri legislative session officially came to an end on Friday, May 17. It proved to be a session unlike any in recent history as partisanship between Republicans and Democrats, and between Republican factions, dominated the entire 2024 session. The Senate came to a halt on many occasions due to disagreements among Republican leadership and the newly created Freedom Caucus members who attempted to control the order of bills that would be considered on the floor for debate. In fact, there were no bills passed in the first six weeks of session as the Freedom Caucus (comprised of then six members) filibustered to attempt to bring a constitutional amendment relating to initiative petition reform to the floor.

Ultimately, disagreements resulted in two record setting filibusters in the Senate. The second came during the final week, led by the Democratic caucus, and lasted over 50 hours as they fought a constitutional amendment intended to reform the initiative petition process. This filibuster resulted in the Senate passing no legislation during the final week of session and many House bills that were positioned for a final vote by the Senate failed to see floor debate.

#### **Key Upcoming Dates:**

- June 30, 2024 – Final day for Governor to sign or line-item veto budget
- July 14, 2024 – Last day for Governor to sign or veto policy legislation
- August 6, 2024 – Missouri Primary Elections
- August 28, 2024 – Effective date for policy bills without an emergency clause
- September 11, 2024 – Veto Session
- November 5, 2024 – Missouri General Elections
- December 1, 2024 – First day of bill filing
- January 8, 2025 – First day of 2025 Legislative Session

This session was also the first session in this century to not have a single conference committee over the budget or on any regular bill. The lack of conference committee activity contributed to a limited number of bills being Truly Agreed to and Finally Passed, barely surpassing the abbreviated 2020, COVID pandemic session in which only 45 bills were passed.

Governor Parson's administration will spend the next eight weeks reviewing the passed bills and issuing his signature and vetoes. Bills signed by the governor will become law on August 28, unless they were passed with an emergency clause.

### ***By the Numbers***

- Total number of bills filed: 2,502
  - 843 Senate bills and Senate joint resolutions
  - 1,659 House bills and House joint resolutions
- Total number of constitutional amendments filed: 168
  - 47 by members of the Senate
  - 121 by members of the House
- Total number of bills passed: 50
  - 17 Senate bills and Senate joint resolutions
  - 14 House bills
  - 19 House budget bills

The full list of bills which were Truly Agreed to and Finally Passed may be found [here](#).

### ***MAJOR ISSUES THAT PASSED THIS SESSION***

- Education Reform/Vouchers/Teacher Pay Increases/Charter Expansion
- Federal Reimbursement Allowance Renewal (FRA)
- Defund Planned Parenthood
- "Kill the Fill" legislation (legislation to stop a landfill in Jackson and Cass Counties)
- Legislation expanding veteran resources
- Legislation dealing with the 340 B Program (very limited provision relating to restrictions pertaining to delivery of 340B drugs to pharmacies)
- Legislation increasing the MOBuck\$ Program

### ***MAJOR ISSUES THAT FAILED TO PASS THIS SESSION***

- Legalizing sports wagering in Missouri;
- Legislation that would ban illegal slot machines in retail stores in Missouri;
- A bill changing the legal age of marriage in Missouri;
- Cut to individual and corporate income tax;
- Tort Reform issues dealing with statute of limitations, product liability, and asbestos transparency;
- Legislation regarding utility relocation costs;
- Childcare Tax Credit;
- Elimination of foreign ownership of agricultural land;
- Elimination of the state and local sales tax on food;
- A bill returning control of the St. Louis Police Board to the State of Missouri;
- Legislation preempting local governments from regulating tobacco sales;
- A bill seeking to phase out the personal property tax;
- Property Tax Reform;
- Legislation regarding pesticide labeling;
- Legislation that would permit professional licensure for individuals who practice a profession for three years under certain conditions.

**INDUSTRY BILLS THAT PASSED**

**BUDGETS**

The FY 20225 budget has the following transportation appropriations:

4.430. To the Department of Transportation For all expenditures associated with the planning, designing, constructing, reconstructing, rehabilitating and repairing three lanes in each direction on I-70 pursuant to a financing agreement between the Commission and the Office of Administration From State Road Fund I-70 Project Fund (0324) .....\$1,400,000,000

4.432. To the Department of Transportation For all expenditures associated with paying debt service of outstanding state road bonds issued by the state Highways and Transportation Commission pursuant to a financing agreement between the Commission and the Office of Administration related to the planning, designing, constructing, reconstructing, rehabilitating and repairing on I-44 from Missouri Route T to Missouri Route 7 68, from US Route 160 to Missouri Route 125, and from I-49 to Missouri Route 249 and rebuild pavement and improve the I- 44/Route 13 interchange and the I-44/I-49 interchange and other I-44 Tier 2 and Tier 3 projects listed on the Unfunded Needs List From State Road Fund (0320).....\$44,000,000

4.434. To the Department of Transportation For all expenditures associated with the planning, designing, constructing, reconstructing, rehabilitating and repairing on I-44 from Missouri Route T to Missouri Route 68, from US Route 160 to Missouri Route 125, and from I-49 to Missouri Route 249 and rebuild pavement and improve the I-44/Route 13 interchange and the I-44/I-49 interchange and other I-44 Tier 2 and Tier 3 projects listed on the Unfunded Needs List pursuant to a financing agreement between the Commission and the Office of Administration From State Road Fund I-44 Improvement Fund (0338) .....\$363,750,000

**SS/HB 1751 -- SOLID WASTE MANAGEMENT PERMITS**

Currently, the Department of Natural Resources is prohibited from issuing a permit for the operation of a solid waste disposal area designed to serve a city with a population greater than 400,000 inhabitants located in more than one county, if the site is located within one-half mile of an adjoining municipality without the adjoining municipality's approval.

This bill changes the required distance from the adjoining municipality from one-half mile to one mile, and makes the one mile distance apply to solid waste processing facilities, demolition landfills, and sanitary landfills in addition to solid waste disposal areas.

**SS/SCS/HCS/HBs 2134 & 1956 -- WATER POLLUTION**

This bill specifies that land application of industrial wastewater, industrial wastewater sludge, and related process wastes must be subject to a nutrient management technical standard established by rule by the Department of Natural Resources. The nutrient management technical standard must allow for the use of a phosphorus index as specified in the bill. Land application conducted in compliance with a land application management plan approved by the Department is exempted from these requirements.

The bill authorizes the Missouri Clean Water Commission to exempt any entity from the requirement to obtain any water pollution permit based on licensure under the Missouri Fertilizer law, only if the entity is producing products that are commercially sold to an end user and has accurate labeling for each container that includes certain information.

This bill specifies that entities storing combined bulk fertilizers in storage basins may not be exempt from design requirements for agrichemical facilities, as defined in the bill, when constructing new facilities. In order to receive an operating permit, a point source or operating location for commingled offsite industrial wastewater and wastewater residuals open storage basin or vessel must meet current design requirements for a wastewater treatment facility's design capacity. The bill also establishes buffer distances, based on a facilities capacity, between the basin or vessel and any public building or occupied residence. The bill specifies that the Department must:

- (1) Require groundwater monitoring when the basin or vessel is located in proximity to a geological feature that increases the likelihood for groundwater contamination;
- (2) Establish by rules sampling requirements for basins or vessels based on its permitted materials; and
- (3) Within 60 days, promulgate rules, including a chain of custody form to be used during the handling of testing samples, and establish criteria to require annual sampling and testing for specified metal concentrations and pathogens. This testing must be done by a third-party certified laboratory.

The bill contains an emergency clause.

### **SS#2/SCS/SBs 754, 746, 788, 765, 841, 887 & 861 - PUBLIC SAFETY**

This act modifies provisions relating to public safety.

CRITICAL INCIDENT STRESS MANAGEMENT PROGRAM (Section 590.192)

This act adds 911 dispatchers, paramedics, emergency medical technicians, or volunteer or full-time paid firefighters as eligible first responder personnel to receive services from the Critical Incident Stress Management Program of the Department of Public Safety.

### **HB 2057 -- MUNICIPAL FRANCHISE FEES FOR VIDEO SERVICE PROVIDERS**

This bill modifies the definition of "video service" for provisions of law relating to video service providers to now include streaming content.

### **SS/HB 2062 -- REAL PROPERTY**

This bill enacts several provisions relating to the use of real property, including changes to property taxation, the broadening of the Land Bank Act to cover more areas, changes to the historic, rural revitalization, and regulatory streamlining act, and new enactments on business shutdown orders, electric vehicle charging infrastructure requirements, sewer liens, home inspections, and the pasturing of chickens.

HISTORIC, RURAL REVITALIZATION, AND REGULATORY STREAMLINING ACT (Sections 253.533, 253.454, 253.550, 253.557 and 253.559)

This act names the historic preservation tax credit the "Missouri Historic, Rural Revitalization, and Regulatory Streamlining Act". (Section 253.533)

The act adds definitions of "applicable percentage", "eligible recipient", "historic theater", "historic school", "qualified rehabilitation standards" and "qualifying county". The definition of "structure in a certified historic district" is repealed, and the definition of "certified historic structure" is revised to allow location in a National Register-listed historic district as an option to qualification of a building (Section 253.545).

Currently, a tax credit is authorized for rehabilitation expenses incurred for the rehabilitation of certain properties, and requires the rehabilitation to meet the standards as determined by the State Historic Preservation officer of the Missouri Department of Natural Resources. Ten percent of the rehabilitation costs may be incurred for investigative assessments and building stabilization prior to the submission of an application.

The bill authorizes a tax credit for the rehabilitation of property that is in a qualifying county, as defined in the bill, equal to 35% of the total costs of rehabilitation incurred on or after July 1, 2024. A qualifying county is a county that is not within the city of Kansas City or the city of St. Louis.

This bill provides that state historic rehabilitation standards shall not be more restrictive than the Secretary of the Interior's Standards for Rehabilitation.

Provisions relating to projects started between July 1, 2010 and June 30, 2018, are repealed. Properties that are not located in a qualified census tract will not be approved.

Non-income-producing single-family owner-occupied residential property is revised to delete the reference to “owner-occupied” and adds a description of the taxpayer applicant and any relative within the third degree of relationship to the applicant, which is also applicable to applications for certified historic structures and structures in a certified historic district, which must be located in a distressed community.

Tax credits authorized for a single-resource certified historic structure of more than one million gross square feet with a Part I approval prior to January 1, 2024, shall count toward the aggregate amount of tax credits that may be authorized in a fiscal year but may be spread over a six-year period under conditions described in the bill(Section 253.550).

Current law prohibits not-for-profit entities from receiving historic preservation tax credits. This bill authorizes the entities to receive these tax credits (Section 253.557).

This bill requires the Department of Economic Development to establish an application cycle that allows for the year-round submission and year-round receipt and review of the applications.

Currently, an application for tax credits must include proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district. In lieu of such requirement, the bill allows proof that part 1 of a federal application or a draft national register of historic places nomination has been submitted to the State Historic Preservation Office.

This bill requires the Department, when evaluating an application, to consider the estimated number of housing units created by the project, the estimated number of construction and professional jobs associated with the project, capital improvements created by a project, and increased revenues from sales or property taxes. Historic schools and theaters are exempt from this provision.

The State Historic Preservation Office must determine whether a rehabilitation satisfies the required standards within 60 days of the filing of an initial application for tax credits and the determination must be based upon specific evidence and, if approved, must forward the application to the National Park Service within 60 days.

If the scope of a project that has been approved materially changes, the taxpayer will be eligible to receive additional tax credits in the year in which the Department is notified of and approves of the change in scope, as specified in the bill.

Currently, evidence of the capacity of the applicant to finance rehabilitation costs and expenses is required within 60 days of approval. This bill changes the requirement to 120 days.

Currently, a taxpayer is required to receive approval for tax credits to commence rehabilitation within nine months of approval. This bill changes the time period to 24 months from approval. A taxpayer must notify the Department of the loss of site control within 10 days of the loss. The act allows a taxpayer to forfeit approval of tax credits at any time.

Currently, taxpayers are required to submit an application for final approval of tax credits. This bill provides that final approval must be shown by either approval of the State Historic Preservation Office or an approved part 3 Federal application. The bill specifies a timeline for submission, approval, forwarding, and issuance.

An applicant may appeal any official decision relating to the application submitted by the applicant, as specified in the bill. (Section 253.559)

## **Conclusion**

Governor Mike Parson will now spend the next couple of weeks determining whether to sign or veto the bills passed during session. Appropriation decisions must be made by June 30<sup>th</sup> and policy decisions must be made by July 14<sup>th</sup>. The FY 25 budget fiscal year starts July 1<sup>st</sup>. We will continue to monitor the Governor's actions and will provide updates intermediately throughout the interim.

**Filed Bills of Interest: (The link will take you to your full list of bills and their summaries.)**

APWA-General

<https://govwatch.net/report/ZLr96KRqeE>

APWA-Emergency Responders

<https://govwatch.net/report/2abBP0wrwv>

APWA-Water

<https://govwatch.net/report/ZebQGPBr6X>

APWA-Transportation

<https://govwatch.net/report/59bxGBkqON>

APWA-Workforce Development

<https://govwatch.net/report/EeqO4OpbDX>

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