

LEGISLATIVE UPDATE

Issue 4, January 28, 2011

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Welcome to the fourth issue of the 2011 Legislative Update with the 96th General Assembly. The *Legislative Update* will present a new bill by providing a summary description. When significant changes occur on the bill it will be summarized again. Any changes in bill status will be highlighted in red.

- The *Legislative Update* issue number and current bill summary will be inserted each week along with the bill number, title, sponsor, and current status (includes the committee assigned, chair and vice chair of the committee). Online copies of the legislative updates will have a red hyperlink to take you to the description of the bill and sponsors.
- The *Legislative Update* will also include an index to assist you in locating the bill's category.
- Each issue of the *Legislative Update* is available on the Governor's Council on Disability's website at <http://www.disabilityinfo.mo.gov/gcd/>
- Access to individual bill information is available on the Missouri General Assembly's website at <http://www.moga.mo.gov/>
- A glossary of terms can be found at <http://house.mo.gov/>
- Please contact our office (Laura.Mueth@oa.mo.gov) if you need a different format.
- To learn more about the legislative process consider attending the *Legislative Education Project* training by registering online.
- Governor's Council on Disability (GCD) welcomes your comments and suggestions. Your comments can be submitted online to the GCD website at <http://www.disabilityinfo.mo.gov/gcd/> or call us at (800) 877-8249.

The summaries are prepared by the Research Staff of the Missouri House of Representatives and are used by permission.

Bills are organized in the following categories:

- Assistive Technology
- Crime
- Education
- Employment
- Funding/Tax Relief
- Health Care and Personal Assistance
- Legal Rights and Responsibilities
- Mental Health
- Olmstead
- Safety/Prevention
- Services for people with Disabilities
- Other
- Appropriations

Note: When "incapacitated," "handicapped," appear in a bill description, it reflects the terminology of the legislation, not the Governor's Council on Disability.

Abbreviations

HB.....	House of Representatives Bill
HA.....	House Amendment
HS.....	House Substitute
HR.....	House Resolution
HJR.....	House Joint Resolution
HCS.....	House Committee Substitute
SB.....	Senate Bill
SCA.....	Senate Committee Substitute
SA.....	Senate Amendment
SS.....	Senate Substitute
SR.....	Senate Resolution
SJR.....	Senate Joint Resolution
CCR.....	Conference Committee Substitute
CCS.....	Conference Committee Substitute
BC.....	Budget Control Committee

ASSISTIVE TECHNOLOGY**HB 203 - Hoskins****Issue 3**

Includes professional therapy dogs in the definition of service dogs for purposes of certain crimes relating to such animals

To repeal section 209.200, and to enact in lieu thereof one new section relating to professional therapy dogs. "Professional therapy dog," a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons with disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy.

Status:

1/20/11 Referred Crime Prevention and Public Safety committee (H) Chair: Schad, Vice Chair: Marshall

1/18/11 Second Time Read (H)

1/13/2011 Introduced and First Time Read (H)

CRIME**SB 54 - Cunningham****Issue 1**

Creates the Amy Hestir Student Protection Act.

Status:

1/20/11 Second time Read and Referred to Education committee (S) Chair: Pearce, Vice Chair: Nieves

1/5/11 First time Read (S)

EDUCATION**HB 40 - Lampe****Issue 1**

Changes the laws regarding the identification, assessment, and education of children with autism spectrum disorder assessment, and education of children with autism spectrum disorder.

Status:

1/6/11 Second Time Read (H)

1/5/11 First time Read (H)

Issue 1**SB 37 - Lembke**

Establishes the "Students First Interscholastic Athletics Act" to allow each student of high school age the opportunity to seek to participate in interscholastic athletics.

Status:

1/12/11 Read Second time and Referred to General Laws committee (S) Chair: Cunningham, Vice

Chair: Nieves

1/5/11 First time Read (S)

EMPLOYMENT**HB 56 - Brown****Issue 1**

Authorizes a tax credit for employers who hire certain high school students for summer employment.

Status:

1/20/11 Referred to Economic Development committee (H) Chair: Zerr, Vice Chair: Jones

1/6/11 Second time Read (H)

1/5/11 First time Read (H)

HB 205 - Elmer

Changes the laws regarding unlawful discriminatory practices in employment as they relate to the Missouri Human Rights Law.

This bill changes the laws regarding unlawful discriminatory practices as they relate to the Missouri Human Rights Law. The text re-defines "employers." Definitions for protected classes such as age and disability are included.

Status:

1/20/11 Workforce Development and Workplace Safety (H) Chair: Fisher, Vice Chair: Brown

1/18/11 Second time Read (H)

1/13/11 Introduced and First time Read (H)

SB 188 - Lager

Modifies the law relating to the Missouri Human Rights Act and employment discrimination

This act changes the standard from one of contributing to one of motivating as it relates to employment discrimination. The act modifies the definition of "employer." This act directs courts to follow judicial interpretations of the ADA and other laws when deciding employment discrimination cases.

Status:

1/27/11 Second time Read and Referred to Commerce, Consumer Protection, Energy, and the Environment committee (S) Chair: Lager, Vice Chair: Lamping
1/26/11 Introduced and First time Read (S)

FUNDING/TAX RELIEF

HB 55 - Sater **Issue 1**
Authorizes a state and local sales and use tax exemption for over-the-counter or nonprescription drugs which are prescribed by a practitioner and certain medical equipment, supplies, or devices.

Status:

1/27/11 Public Hearing Completed
1/20/11 Referred to Ways and Means committee (H) Chair: Koenig, Vice Chair: Higdon
1/6/11 Second time Read (H)
1/5/11 First time Read (H)

HB 60 - Nolte **Issue 1**
Limits the increase in assessed valuation of residential property by the percentage of increase in the federal Social Security benefits for the elderly and disabled who own and live in their principal residence.

Status:

1/20/11 Referred to Local Government committee (H) Chair: Gatschenberger, Vice Chair: Schneider
1/6/11 Second time Read (H)
1/5/11 First time Read (H)

HB 106 – Sater **Issue 2**
Establishes limitations on the amount of money that may be held in reserve by sheltered workshop boards.

Status:

1/6/11 Second time Read
1/5/11 Introduced and First time Read (H)

SB 100 - Stouffer **Issue 2**
Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program

Status:

1/20/11 Second time Read and Referred to Ways and Means and Fiscal Oversight committee (S) Chair: Purgason, Vice Chair: Kraus
1/12/11 First time Read (S)

HEALTH CARE/PERSONAL ASSISTANCE

HB 55 - Sater

Sales Tax Exemption for Certain Drugs and Medical Equipment (see Funding/Tax Relief category for bill summary)

SB 42 - Chappelle-Nadal **Issue 1**
Increases resource limits for medical eligibility.

Status:

1/12/11 Second time Read and Referred to Health, Mental Health, Seniors, and Families committee (S) Chair: Ridgeway, Vice Chair: Schaaf
1/5/11 First time Read (S)

SB 43 - Chappelle-Nadal **Issue 2**
Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents.

Status:

1/12/11 Second time Read and Referred to Health, Mental Health, Seniors, and Families committee (S) Chair: Ridgeway, Vice Chair: Schaaf
1/5/11 First time Read (S)

SB 44 - Wright-Jones **Issue 2**

Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services

Status:

1/12/11 Second time Read and Referred to Small Business, Insurance, Industry committee (S) Chair: Rupp, Vice Chair: Parson
1/5/11 First time Read (S)

HB 201- Sater

Authorizes the MO HealthNet Division to implement a statewide dental delivery system for the provision of services under the MO HealthNet program The MO HealthNet division within the department of social services may implement a statewide dental delivery system to ensure participation of and access to providers in all areas of the state. The MO HealthNet division may administer the system or may seek a third party experienced in the administration of dental benefits to administer the program under the supervision of the division.

Status:

1/27/11 Referred to Health Care Policy committee

(H) Chair: Sater, Vice Chair: Frederick

1/18/11 Second Time Read (H)

1/13/11 Introduced and First Time Read (H)

LEGAL RIGHTS/RESPONSIBILITIES**SB 3 - Stouffer****Issue 1**

Establishes photo identification requirements for voting.

Status:**1/24/11 Hearing Conducted (S)**

1/24/11 Hearing Scheduled (S)

1/12/11 Second time Read and Referred to Financial and Governmental Organizations and Elections committee (S) Chair: Engler, Vice Chair: Wasson

1/5/11 First time Read (S)

HB 130 - Barnes**Issue 2**

Enacts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act

Status:**1/27/11 Referred to Judiciary committee (H)** Chair: Cox, Vice Chair: Elmer

1/11/11 Second time Read

1/10/11 Introduced and First time Read (H)

SB 134 - Rupp**Issue 3**

Outlines the parental rights of individuals with disabilities in termination of parental rights cases

This act modifies provisions relating to termination of parental rights as it relates to parents with disabilities. The act specifies that the disability of a parent shall not constitute a basis for a determination that a child is in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child. In such cases involving termination of parental rights, the court shall consider the availability and use of accommodations for the disability of the parent, including assistive technology and support services.

Status: **1/27/11 Second time Read and Referred to Judiciary and Civil and Criminal Jurisprudence committee (S)** Chair: Goodman, Vice Chair: Schmitt
1/18/11 Introduced and First time Read (S)

MENTAL HEALTH**HB 302 - Black**

Authorizes the director of the department of corrections to establish a mental health assessment pilot program

The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process. A judge in certain criminal cases may request that an offender undergo a 120 day mental health assessment and then treatment if it appears the offender may have a mental illness or mental disorder so that the offender may qualify for probation including community psychiatric rehabilitation programs. The department of corrections will determine eligibility for the assessment process.

Status:**1/26/11 Second time Read (H)**

1/25/11 Introduced and First time Read (H)

OLMSTEAD**SB 56 - Rupp****Issue 1**

Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting

Status:**1/20/11 Second time Read and Referred to Health, Mental Health, Seniors, and Families committee (S)**

Chair: Ridgeway, Vice Chair: Schaaf

1/5/11 First time Read (S)

SAFETY/PREVENTION**SB 28 - Brown****Issue 2**

Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle

Status:**1/26/11 Voted Do Pass by Transportation committee**

1/19/11 Hearing Conducted (S)

1/19/11 Hearing Scheduled (S)

1/12/11 Second time Read and Referred to Transportation committee (S) Chair: Stouffer, Vice Chair: Kehoe
1/5/11 First time Read (S)

HB 114 – Day**Issue 2**

Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle

Status:

1/20/11 Referred to Transportation committee (H)
Chair: Denison, Vice Chair: Faith
1/10/2011 Second time Read (H)
1/6/2011 Introduced and First time Read (H)

HB 300 - Gatschenberger

Establishes the High School Sports Brain Injury Prevention Act which requires school boards to work with the Missouri State High School Activities Association to develop guidelines regarding head injuries

This act creates the High School Sports Brain Injury Prevention Act. It specifies that guidelines and other information should be established to educate interested parties about concussion and head injury. Parent forms should be signed each year. Protocol will be established for occurrences of athlete head injuries.

Status:

1/26/11 Second time Read (H)
1/25/11 Introduced and First time Read (H)

HB 334 - Barnes

Enacts provisions relating to the prevention and treatment of sports-related concussions and other head injuries among student athletes

The act amends Section A. Chapter 167, RSMo and adds sections 176.760 and 176.62. The act instructs the Department of Education to develop and implement an interscholastic athletic head injury safety training program and an educational fact sheet about sports-related concussions and other head injuries. Each school district is instructed to develop a policy relating to sports-related concussion prevention and treatment. A guideline is also outlined for what should occur

with the student athlete following concussion or head injury.

Status:

1/27/11 Second time Read (H)
1/26/11 Introduced and First time Read (H)

SERVICES

No pending legislation

OTHER**HB 36 Sater****Issue 2**

Specifies that farm machinery and equipment as it relates to exemptions for sales tax will include certain all-terrain vehicles

Status:

1/27/11 Referred to Tax Reform committee (H)
Chair: Funderburk, Vice Chair: Cross
1/6/11 Second time Read (H)
1/5/11 First time Read (H)

APPROPRIATIONS

No pending legislation