



Governmental Services Group

This week the Missouri General Assembly recovered from a gruesome Super Bowl loss by the Chiefs, paired with a winter storm that dropped 4 inches of snow on Jefferson City mid-week. Hearings were cancelled in the House on Wednesday, but a few crucial committees still met despite the weather.

Meanwhile, the Senate showed little signs of slowing down, taking up multiple bills on the floor this week. Sen. Burger's SB 84 creating a special protection for election and poll workers in the state was ultimately laid over late Monday as Sens. Moon and Nicola took issue with creating yet another special class in the state. This was an indication early in the week that the kumbaya version of the Senate may not last too long if members of the freedom caucus are going to go line-by-line on a freshman Senators fairly innocuous bill.

In other news, the debate over how much to spend on public schools could turn into the first big disagreement between our new Governor Mike Kehoe and the Missouri General Assembly. In his budget the Governor did not recommend a \$300 million boost to public school funding as part of the executive proposal. Education friendly legislators as well as the State Board of Education are defending the request and pushing for it to be funded as lawmakers rewrite elements of the Governor's \$54 billion spending plan. The Board of Education could always adjust its overall budget, but this would be a huge shortfall compared to what was committed to be the legislature. The backdrop of all of this is a stagnant state budget, with revenue numbers and future estimates less than impressive. The General Assembly is also looking to follow through on Gov. Kehoe's income tax elimination pledge.

The Senate Committee on Economic and Workforce Development held a hearing Wednesday on numerous ways to approach an income tax cut. Six Senators worked on a proposal that had the most support sponsored by Sen. Ben Brown, to cut the state income tax by 2027. According to opponents, such as the Missouri Budget Project, the state's budget is already shrinking, and this is largely due to previous cuts to income taxes. Missouri's budget analysts are predicting \$13.35 billion in general revenue for the fiscal year 2025 state budget, a 0.6% decline from last year's general revenue. General revenue is the money left to be spent, there is more money that's already been allocated to specific state departments. GR is funded in large part from the state income tax. As the budget process heats up this argument over what to do to get to a responsible state income tax cut and how to replace that revenue will grow much louder.

We will continue to keep you up to date on the latest in Jefferson City.

Tabacco Regulations

HB 344 (Keathley) This bill specifies that the state preempts and supersedes all local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision regulating the sale of tobacco products, alternative nicotine products, or vapor products.

This bill was heard in House Commerce this week.

Those testifying in favor of the bill: Gas Mart, Huck's Market, National Association of Tobacco Outlets, Hub, Inc, Maverik, Cheap Smokes, MO Vape and Alternative Products Company, Missouri Petroleum and Convenience Association, Missouri Grocers Association, and MO Retailers Association.

Those testifying in opposition to the bill: City of Kansas City, Springfield-Greene County Health Department, Missouri Public Health Association, Missouri State Medical Association, Missouri State Physician Association, American Cancer Society, American Heart Association, and American Lung Association.

Confiscation of Animals

HB 489 (Van Schoiack) This bill changes the laws regarding the confiscation of animals. In its main provisions, the bill:

- (1) Specifies that a warrant issued under the bill must be served in the presence of a law enforcement official;
- (2) Requires a person acting under the authority of a warrant to appear at a disposition hearing before the court through which the warrant was issued within 10 days of the confiscation, instead of being given a disposition hearing within 30 days of the filing of the request, for the purpose of granting immediate disposition of the animals. An animal cannot be sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering;
- (3) Allows a third party approved by the court to care for confiscated animals;
- (4) Specifies that the owner of any animal that has been confiscated cannot be responsible for the animal's care and keeping prior to a disposition hearing if at the hearing, there is no finding of abuse by the court and the court orders the animals returned to the owner;
- (5) Requires a reasonable bond or security to be posted within 72 hours of the disposition hearing in an amount sufficient to provide for the care of the animal and consistent with the fair market cost of boarding the animal in an appropriate retail boarding facility if the owner, custodian, or any person claiming an interest in an animal that has been confiscated because of neglect or abuse would like to prevent disposition of the animal after the disposition hearing and while the criminal case proceeds.

(6) Specifies that all animals confiscated must receive proper care as determined by state law and regulations. Any facility or organization must be liable to the owner for damages for any negligent act or abuse of the animal which occurs while the animal is in its care, custody, and control.

(7) Specifies that in the event that an animal owner is not liable for the costs incurred while the charges were pending, the costs of care and the liability for the life or death of the animal and medical procedures performed are the responsibility of the confiscating agency;

(8) Allows an owner to demand the return of the animal held in custody if he or she posted a sufficient bond and is acquitted or there is a final discharge without a conviction unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence. Any entity with care, custody, and control of the animal must immediately return it to the owner upon demand and proof of the acquittal or final discharge without conviction.

(9) Specifies that any person or entity that intentionally euthanizes, other than as permissible under the provisions of the bill, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor and is liable to the owner for damages including the actual value of the animal.

(10) Requires, in the event that the animal owner is not liable for the costs incurred, the confiscating agency to be responsible for the usual and customary veterinary costs and fair market boarding fees and be liable for the life or death of the animal and for medical procedures performed while the charges were pending.

Testifying in Support: Pet Breeders Association, MO Cattleman's Association, MO Veterinarians Medical Association.

Testifying in Opposition: MO Alliance for Animal Legislation, MO Animal Control Association, Human Society of the US, Animal Legal Defense Legislative Fund.