



Governmental Services Group

The Missouri General Assembly is heading into the chaos of the final two weeks of the legislative session, which ends May 16th. The fiscal year 2026 budget is heading to conference, presumably mid-week, as part of the must-pass portion of business before the General Assembly. The budget must have conference committee hearings with appointed House and Senate members, and, after the budget makes it through the conference process, it will still need to be approved by both the House and Senate Chambers before the constitutional deadline. The final version of the budget is due to the Governor on Friday, May 9th.

The Senate this week took up a major priority, open enrollment, on the Senate floor Wednesday. Rep. Pollitt's HB 711. While not as controversial with Democrats as other Republican priorities, the bill still faced a long day of debate. Sen. Hough added amendments that made the bill contingent on fully funding the state education foundation formula, as well as the educational transportation budget line. They narrowly passed on standing division votes, and the bill was ultimately laid over Wednesday evening.

Meanwhile, the House is taking up and passing, or amending and passing, numerous Senate bills. At this point, House leadership is fixated on a few non-controversial omnibus bills that they have tried to send to conference without too many provisions attached. At this point in the calendar, we typically have seen early adjournments the past few years. The House by now has passed nearly everything they believe they can pass through the chamber with enough votes. Now the games begin, as both chambers horse trade over what Senate and House priorities can get across the finish line. For example, the House will end early, adjourning at noon, killing a day to pass legislation while waiting for the Senate to pass a particular House priority. Deals will be cut in the final weeks that will have sweeping consequences on legislation that still needs to be passed. Despite the quick start of session, it is looking like things are slowing down, and a highly flammable Senate could upend the rest of session.

The next two weeks will be full of action as Representative and Senators try to get their priorities across the finish line. The two major obstacles remain the fixes to Prop A that the Missouri Chamber has pushed on behalf of members, and the changes to Amendment 3 dealing with restricting abortion procedures in the state. Both are highly controversial for Democrats and their ten Senators are expected to filibuster absent a procedural motion to end debate. This would likely collapse any hope for the Senate to function moving forward with a limited window to pass legislation. Next week the budget process will dominate time, leaving only one week for a final push for various pieces of legislation to make it through the process.

As a reminder, during the last two weeks of session we will update you on an as needed basis in lieu of the weekly legislative update. We will continue to update you on the latest from Jefferson City.

Animal Confiscation

HB 489, sponsored by Representative Van Schoiack, changes the laws regarding the confiscation of animals. In its main provisions, the bill:

- (1) Specifies that a law enforcement official must seek a warrant to enter private property to inspect, care for, or confiscate neglected or abused animals. Currently, either a law enforcement official or a duly authorized public health official can seek the warrant;
- (2) Prohibits an animal from being 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 or neglect 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. Currently, the owner, custodian, or any person claiming an interest in an animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care for at least 30 days, inclusive of the date on which the animal was taken into custody;
- (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. The animal owner must not be liable for any costs incurred relating to the placement or care of the animal while the charges were pending unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence;
- (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. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor, and any entity licensed under state law must be subject to licensure sanction by its governing body; and

(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.

This bill had a hearing in the Senate Agriculture Committee this week.

In support of the bill was the MO Pet Breeders Association, MO Federation Animal Owners, MO Farm Bureau, and MO Cattlemen Association.

In opposition to the bill was the MO Alliance for Animal Legislation, City of Independence, Humane World for Animals, and Animal Legal Defense Legal Fund.

Tobacco

HB 344, sponsored by Representative Keathley, specifies that the State preempts the sale of tobacco products, alternative nicotine products, and vapor products, including local ordinances that deal with ingredients, setting the age to sell or purchase to 21 years and above, licensing and products bans, and supersedes any 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.

The bill does not prohibit counties, municipalities, or other political subdivisions from enforcing ordinances or regulations that set the age to sell or purchase tobacco products, alternative nicotine products, and vapor products at 21 years.

This bill was voted out of the Senate General Laws Committee DO PASS.

Health Care

SB 7, sponsored by Senator Bernskoetter, act modifies several provisions relating to health care, including: (1) This act modifies several provisions relating to health care, including: (1) hospital investments and service areas; (2) epinephrine products; (3) emergency medical services; (4) patient medical records; (5) the "Missouri State Loan Repayment Program"; (6) sexually transmitted infections; (7) telehealth; (8) forensic examinations of victims of sexual offenses; (9) limits on the sale of over-the-counter drugs; (10) administration of medications; (11) MO HealthNet coverage of hearing-related devices; (12) prenatal tests for certain diseases; (13) food-born allergies; (14) the Missouri Emergency Response Commission; (15) license plates; (16) the practice of dentistry in correctional centers; (17) licensure of dentists and dental hygienists; (18) the administration of certain vaccines; (19) the "RX Cares for Missouri Program"; (20) clinical fellowships for speech-language pathologists and audiologists; (21) insurance coverage of self-administered hormonal contraceptives; (22) insurance coverage of alternatives to opioid drugs; (23) liability for care provided in an emergency; and (24) mammograms.

This omnibus health care bill was third read and passed out of the House. The House has requested Senate concurrence on the bill. If the Senate does not accept House amendments, the bill will go to conference.