

HBA Public Affairs Report By Heath Clarkston

Wright selected for City 4th Ward Vacancy

On May 15th, the Jefferson City Council selected Randall Wright to fill the un-expired term for the 4th ward city council seat vacated by newly elected Mayor Ron Fitzwater. Wright competed against five other residents in the selection process and successfully received sufficient votes from the council. Wright noted that his priority would be to address the city's affordable housing crisis. Randall Wright is a local real estate broker.

2023 Missouri Legislative Session Ends

On Friday, May 12th at 6:00 pm the Missouri General Assembly concluded its 2023 regular legislative session. Just as years past, the session faced constant turmoil as the Republican Caucus in the Senate was factionalized and struggled to find consensus on numerous issues. In addition, the House and Senate leadership were at odds during the final weeks of the session on major issues such as education, taxation, and elections. In the end, the legislature passed 43 non-budget policy bills.

Of the major items that passed, the main highlights were:

- Funding for Interstate 70, from 4 to 6 lanes across the state
- Funding for public education, K-12, and higher education
- Transgender legislation related to gender transformation procedures and women sports
- Public Safety and Crime legislation
- Medicaid postpartum coverage expansion for new mothers
- Exempting all state income tax for social security benefits
- Banning texting while driving

Major items that did not pass, include:

- Legalizing sports betting
- Initiative Petition reform
- Banning foreign ownership of agricultural property
- Elimination of the state corporate income tax and personal income tax cuts
- Education Reform, including educational scholarships, charter school expansion, and district-to-district transfers.
- Parents' Bill of Rights (curriculum, critical race theory, and student information sharing)
- State takeover of the St. Louis Police Department

The Missouri General Assembly will return to Jefferson City on Wednesday, September 13th for its constitutionally mandated legislative veto session. All bills passed become effective on August 28, 2023, unless a specific effective date was included in the legislation.

General Contractor and Subcontractor Liability – DID NOT PASS

House Bill 470, sponsored by Representative Mike Henderson (R-Bonne Terre), requires contractors who enter contracts after Jan. 1, 2024, for construction work to disclose all hired subcontractors and the labor the subcontractor is being hired to perform under the original contract. The bill authorizes the Department of Labor and Industrial Relations (DOLIR) to inspect all subcontractors' payroll records of employees and project details. The bill includes a penalty clause of up to a \$5,000 fine for each day a subcontractor does not provide the required records to the department. Finally, the bill exempts residential construction and exempts work performed by state, city, and county employees. The sponsor stated the legislation addresses out of state contractors who are hiring subcontractors that are not following current federal and state hiring practices. Members expressed concerns that this legislation would affect union and non-union contractors and sub-contractors differently. Concerns were also raised that because there is no clear process for DOLIR to track subcontractors performing work for contractors this would place an undue burden on general contractors.

The Mid-American Carpenters Regional Council and Construction Employers Coalition provided supporting testimony stating the legislation is simply seeking to force general contractors who knowingly and repeatedly violate current labor practices to cease that behavior. The committee was also informed this has been an ongoing issue for five years and, to date, DOLIR has not responded to requests for further investigation even though additional funds were placed into the FY2023 budget for additional inspectors. During the public hearing, opposing testimony stated this would place an undue burden on general contractors, the penalty provisions are unjust and general contractors have no way to track or verify whom subcontractors' further contract with or employ. This bill did not receive a committee vote and was later added to another bill on the House floor. This bill did not reach final passage.

Regulation of Construction Standards – DID NOT PASS

House Bill 580, sponsored by Representative Dan Houx, (R-Warrensburg), establishes a limit on the regulation of construction standards for insulation in new dwellings that political subdivisions may adopt and enforce. Proponents of the bill claim that home improvements are difficult and costly by the mandatory application process and any new codes can add tens of thousands of dollars onto the cost of constructing and rehabilitating residential and commercial structures. Further, it was stated that cities are being incentivized by the Biden Administration with promises of millions of dollars in funding if the local elected officials adopt the new IECC code without amendments. Opponents to the bill expressed concerns and suggest this should remain a local issue. This legislation was passed through committee and did not receive any debate on the House floor.

Building Permit Reform – DID NOT PASS

House Bill 625, sponsored by Representative Tony Lovasco, (R- St. Charles), establishes the Building Permit Reform Act, which creates guidelines and protections for homeowners seeking to update and maintain their homes. Additionally, the bill restricts political subdivisions from requiring a homeowner to acquire a license, certification, or professional registration before requesting a building permit. During committee discussion in the House Local Government Committee, concerns were raised by the committee about inspections and micromanaging municipalities that already have building licenses. The Missouri Municipal League provided

informational testimony and informed committee members it supports the intent of the bill because it is allowing homeowners to do the work, and it is not exactly preempting local building codes. The legislation was voted “do pass” by the House Local Government Committee and the House Rules Committee but did not receive any floor debate and did not reach final passage.

Statewide Mechanical Contractor Licensing – DID NOT PASS

Senate Bill 80, sponsored by Senator Nick Schroer (R-St. Charles), allows mechanical contractors to apply for an optional statewide license rather than having multiple licenses per political subdivision. During debate, the sponsor offered substitute language to provide compromise language that has been negotiated by all interested stakeholders. The compromise language clouded the bill to some degree as it exempted various locations in the state. The bill passed the Senate 32-0 and ultimately died on the House Floor Calendar on the last day of session.

Moratoriums on Eviction Proceedings – DID NOT PASS

Senate Bill 239, sponsored by Senator Andrew Koenig (R-Kirkwood), and House Bill 730, sponsored by Representative Chris Brown (R-Kansas City), provide that no county, city, town, or village shall impose or enforce a moratorium on eviction proceedings unless specifically authorized by law. Additionally, no court shall impose or enforce such a moratorium unless specifically authorized by law and the general administrative authority of the presiding judge of the circuit court does not include authority to impose or enforce such a moratorium. HB 730 was passed by the House and ultimately died on the Senate Calendar due to limited activity. The bill language was added to Senate Bill 222 by amendment in the House and remained in the Conference committee report. However, SB 222 did not reach the floor for adoption of the committee report on the final day of session.