

SECOND REGULAR SESSION

HOUSE BILL NO. 1800

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COPELAND.

4300H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 43.543, 43.546, 260.205, 324.1108, 324.1116, and 337.315, RSMo, and to enact in lieu thereof forty-three new sections relating to criminal history background checks.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 43.543, 43.546, 260.205, 324.1108, 324.1116, and 337.315, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 43.546, 168.014, 190.106, 208.222, 209.324, 260.205, 301.551, 311.661, 324.055, 324.129, 324.246, 324.488, 324.1105, 324.1108, 324.1116, 326.257, 330.025, 331.025, 332.015, 334.015, 334.403, 334.501, 334.701, 334.739, 334.805, 335.022, 335.042, 336.025, 337.018, 337.308, 337.315, 337.501, 337.605, 337.702, 338.052, 339.015, 339.510, 345.016, 374.711, 436.225, 443.702, 484.125, and 640.011, to read as follows:

43.546. 1. Any state agency, board, or commission may require the fingerprinting of applicants in specified occupations or appointments within the state agency, board, or commission for the purpose of positive identification and receiving criminal history record information when determining an applicant's ability or fitness to serve in such occupation or appointment.

2. In order to facilitate the criminal background check under subsection 1 of this section on any person employed or appointed by a state agency, board, or commission, ~~and in accordance with section 43.543,~~ the applicant or employee shall submit a set of fingerprints collected under the standards determined by the Missouri highway patrol. The fingerprints and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state criminal history repository and the fingerprints shall be

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 forwarded to the Federal Bureau of Investigation for a national criminal background check
13 under section 43.540. Notwithstanding the provisions of section 610.120, all records related
14 to any criminal history information discovered shall be accessible and available to the state
15 agency making the request.

**168.014. 1. The state board of education shall require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check.**

**4 2. The state board of education may require that such fingerprint submissions be
5 made as part of an application seeking a certificate of license to teach or substitute teach
6 in public schools, as described in sections 168.011, 168.021, and 168.036, and as required
7 by section 168.133.**

**8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the state board of education of any criminal history
13 record information or lack of criminal history record information discovered on the
14 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the state board of education.**

**190.106. 1. The department of health and senior services shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.**

**4 2. The department of health and senior services may require that such
5 fingerprint submissions be made as part of any application seeking licensure as an
6 emergency medical technician, an advanced emergency medical technician, or a
7 paramedic and as part of any application seeking certification as an emergency medical
8 technician-community paramedic.**

**9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the department of health and senior services of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the department of health and senior services.**

208.222. 1. As used in this section, the term "provider" means any person, partnership, corporation, nonprofit corporation, professional corporation, or other business entity that enters into a contract or provider agreement with the department of social services or its divisions to be enrolled as a MO HealthNet provider for the purposes of providing services to eligible persons and obtaining reimbursement from the department of social services or its divisions for such services.

2. The Medicaid audit and compliance unit of the department of social services may require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The Medicaid audit and compliance unit of the department of social services may require that such fingerprint submissions be made as part of an application seeking to be enrolled as a MO HealthNet provider for the purposes of providing MO HealthNet services to eligible persons and obtaining from the department of social services or its divisions reimbursement for eligible services.

4. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the Medicaid audit and compliance unit of the department of social services of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the Medicaid audit and compliance unit of the department of social services.

209.324. 1. The state committee of interpreters shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state committee of interpreters may require that such fingerprint submissions be made as part of any application seeking licensure as an interpreter and as part of any application seeking a temporary license to practice interpreting as described in section 209.326.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the committee of any criminal history record

13 **information or lack of criminal history record information discovered on the individual.**
14 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
15 **any criminal history information discovered shall be accessible and available to the**
16 **committee.**

260.205. 1. It shall be unlawful for any person to operate a solid waste processing
2 facility or solid waste disposal area of a solid waste management system without first
3 obtaining an operating permit from the department. It shall be unlawful for any person to
4 construct a solid waste processing facility or solid waste disposal area without first obtaining
5 a construction permit from the department pursuant to this section. A current authorization to
6 operate issued by the department pursuant to sections 260.200 to 260.345 shall be considered
7 to be a permit to operate for purposes of this section for all solid waste disposal areas and
8 processing facilities existing on August 28, 1995. A permit shall not be issued for a sanitary
9 landfill to be located in a flood area, as determined by the department, where flood waters are
10 likely to significantly erode final cover. A permit shall not be required to operate a waste
11 stabilization lagoon, settling pond or other water treatment facility which has a valid permit
12 from the Missouri clean water commission even though the facility may receive solid or
13 semisolid waste materials.

14 2. No person or operator may apply for or obtain a permit to construct a solid waste
15 disposal area unless the person has requested the department to conduct a preliminary site
16 investigation and obtained preliminary approval from the department. The department shall,
17 within sixty days of such request, conduct a preliminary investigation and approve or
18 disapprove the site.

19 3. All proposed solid waste disposal areas for which a preliminary site investigation
20 request pursuant to subsection 2 of this section is received by the department on or after
21 August 28, 1999, shall be subject to a public involvement activity as part of the permit
22 application process. The activity shall consist of the following:

23 (1) The applicant shall notify the public of the preliminary site investigation approval
24 within thirty days after the receipt of such approval. Such public notification shall be by
25 certified mail to the governing body of the county or city in which the proposed disposal area
26 is to be located and by certified mail to the solid waste management district in which the
27 proposed disposal area is to be located;

28 (2) Within ninety days after the preliminary site investigation approval, the
29 department shall conduct a public awareness session in the county in which the proposed
30 disposal area is to be located. The department shall provide public notice of such session by
31 both printed and broadcast media at least thirty days prior to such session. Printed
32 notification shall include publication in at least one newspaper having general circulation
33 within the county in which the proposed disposal area is to be located. Broadcast notification

34 shall include public service announcements on radio stations that have broadcast coverage
35 within the county in which the proposed disposal area is to be located. The intent of such
36 public awareness session shall be to provide general information to interested citizens on the
37 design and operation of solid waste disposal areas;

38 (3) At least sixty days prior to the submission to the department of a report on the
39 results of a detailed site investigation pursuant to subsection 4 of this section, the applicant
40 shall conduct a community involvement session in the county in which the proposed disposal
41 area is to be located. Department staff shall attend any such session. The applicant shall
42 provide public notice of such session by both printed and broadcast media at least thirty days
43 prior to such session. Printed notification shall include publication in at least one newspaper
44 having general circulation within the county in which the proposed disposal area is to be
45 located. Broadcast notification shall include public service announcements on radio stations
46 that have broadcast coverage within the county in which the proposed disposal area is to be
47 located. Such public notices shall include the addresses of the applicant and the department
48 and information on a public comment period. Such public comment period shall begin on the
49 day of the community involvement session and continue for at least thirty days after such
50 session. The applicant shall respond to all persons submitting comments during the public
51 comment period no more than thirty days after the receipt of such comments;

52 (4) If a proposed solid waste disposal area is to be located in a county or city that has
53 local planning and zoning requirements, the applicant shall not be required to conduct a
54 community involvement session if the following conditions are met:

55 (a) The local planning and zoning requirements include a public meeting;

56 (b) The applicant notifies the department of intent to utilize such meeting in lieu of
57 the community involvement session at least thirty days prior to such meeting;

58 (c) The requirements of such meeting include providing public notice by printed or
59 broadcast media at least thirty days prior to such meeting;

60 (d) Such meeting is held at least thirty days prior to the submission to the department
61 of a report on the results of a detailed site investigation pursuant to subsection 4 of this
62 section;

63 (e) The applicant submits to the department a record of such meeting;

64 (f) A public comment period begins on the day of such meeting and continues for at
65 least fourteen days after such meeting, and the applicant responds to all persons submitting
66 comments during such public comment period no more than fourteen days after the receipt of
67 such comments.

68 4. No person may apply for or obtain a permit to construct a solid waste disposal area
69 unless the person has submitted to the department a plan for conducting a detailed surface and
70 subsurface geologic and hydrologic investigation and has obtained geologic and hydrologic

71 site approval from the department. The department shall approve or disapprove the plan
72 within thirty days of receipt. The applicant shall conduct the investigation pursuant to the
73 plan and submit the results to the department. The department shall provide approval or
74 disapproval within sixty days of receipt of the investigation results.

75 5. (1) Every person desiring to construct a solid waste processing facility or solid
76 waste disposal area shall make application for a permit on forms provided for this purpose by
77 the department. Every applicant shall submit evidence of financial responsibility with the
78 application. Any applicant who relies in part upon a parent corporation for this demonstration
79 shall also submit evidence of financial responsibility for that corporation and any other
80 subsidiary thereof.

81 (2) Every applicant shall provide a financial assurance instrument or instruments to
82 the department prior to the granting of a construction permit for a solid waste disposal area.
83 The financial assurance instrument or instruments shall be irrevocable, meet all requirements
84 established by the department and shall not be cancelled, revoked, disbursed, released or
85 allowed to terminate without the approval of the department. After the cessation of active
86 operation of a sanitary landfill, or other solid waste disposal area as designed by the
87 department, neither the guarantor nor the operator shall cancel, revoke or disburse the
88 financial assurance instrument or allow the instrument to terminate until the operator is
89 released from postclosure monitoring and care responsibilities pursuant to section 260.227.

90 (3) The applicant for a permit to construct a solid waste disposal area shall provide
91 the department with plans, specifications, and such other data as may be necessary to comply
92 with the purpose of sections 260.200 to 260.345. The application shall demonstrate
93 compliance with all applicable local planning and zoning requirements. The department shall
94 make an investigation of the solid waste disposal area and determine whether it complies with
95 the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant
96 to sections 260.200 to 260.345. Within twelve consecutive months of the receipt of an
97 application for a construction permit the department shall approve or deny the application.
98 The department shall issue rules and regulations establishing time limits for permit
99 modifications and renewal of a permit for a solid waste disposal area. The time limit shall be
100 consistent with this chapter.

101 (4) The applicant for a permit to construct a solid waste processing facility shall
102 provide the department with plans, specifications and such other data as may be necessary to
103 comply with the purpose of sections 260.200 to 260.345. Within one hundred eighty days of
104 receipt of the application, the department shall determine whether it complies with the
105 provisions of sections 260.200 to 260.345. Within twelve consecutive months of the receipt
106 of an application for a permit to construct an incinerator as described in the definition of solid
107 waste processing facility in section 260.200 or a material recovery facility as described in the

108 definition of solid waste processing facility in section 260.200, and within six months for
109 permit modifications, the department shall approve or deny the application. Permits issued
110 for solid waste facilities shall be for the anticipated life of the facility.

111 (5) If the department fails to approve or deny an application for a permit or a permit
112 modification within the time limits specified in subdivisions (3) and (4) of this subsection, the
113 applicant may maintain an action in the circuit court of Cole County or that of the county in
114 which the facility is located or is to be sited. The court shall order the department to show
115 cause why it has not acted on the permit and the court may, upon the presentation of evidence
116 satisfactory to the court, order the department to issue or deny such permit or permit
117 modification. Permits for solid waste disposal areas, whether issued by the department or
118 ordered to be issued by a court, shall be for the anticipated life of the facility.

119 (6) The applicant for a permit to construct a solid waste processing facility shall pay
120 an application fee of one thousand dollars. Upon completion of the department's evaluation
121 of the application, but before receiving a permit, the applicant shall reimburse the department
122 for all reasonable costs incurred by the department up to a maximum of four thousand dollars.
123 The applicant for a permit to construct a solid waste disposal area shall pay an application fee
124 of two thousand dollars. Upon completion of the department's evaluations of the application,
125 but before receiving a permit, the applicant shall reimburse the department for all reasonable
126 costs incurred by the department up to a maximum of eight thousand dollars. Applicants who
127 withdraw their application before the department completes its evaluation shall be required to
128 reimburse the department for costs incurred in the evaluation. The department shall not
129 collect the fees authorized in this subdivision unless it complies with the time limits
130 established in this section.

131 (7) When the review reveals that the facility or area does conform with the provisions
132 of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections
133 260.200 to 260.345, the department shall approve the application and shall issue a permit for
134 the construction of each solid waste processing facility or solid waste disposal area as set
135 forth in the application and with any permit terms and conditions which the department deems
136 appropriate. In the event that the facility or area fails to meet the rules and regulations
137 adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the
138 applicant stating the reason for denial of a permit.

139 6. Plans, designs, and relevant data for the construction of solid waste processing
140 facilities and solid waste disposal areas shall be submitted to the department by a registered
141 professional engineer licensed by the state of Missouri for approval prior to the construction,
142 alteration or operation of such a facility or area.

143 7. Any person or operator as defined in section 260.200 who intends to obtain a
144 construction permit in a solid waste management district with an approved solid waste

145 management plan shall request a recommendation in support of the application from the
146 executive board created in section 260.315. The executive board shall consider the impact of
147 the proposal on, and the extent to which the proposal conforms to, the approved district solid
148 waste management plan prepared pursuant to section 260.325. The executive board shall act
149 upon the request for a recommendation within sixty days of receipt and shall submit a
150 resolution to the department specifying its position and its recommendation regarding
151 conformity of the application to the solid waste plan. The board's failure to submit a
152 resolution constitutes recommendation of the application. The department may consider the
153 application, regardless of the board's action thereon and may deny the construction permit if
154 the application fails to meet the requirements of sections 260.200 to 260.345, or if the
155 application is inconsistent with the district's solid waste management plan.

156 8. If the site proposed for a solid waste disposal area is not owned by the applicant,
157 the owner or owners of the site shall acknowledge that an application pursuant to sections
158 260.200 to 260.345 is to be submitted by signature or signatures thereon. The department
159 shall provide the owner with copies of all communication with the operator, including
160 inspection reports and orders issued pursuant to section 260.230.

161 9. The department shall not issue a permit for the operation of a solid waste disposal
162 area designed to serve a city with a population of greater than four hundred thousand located
163 in more than one county, if the site is located within one-half mile of an adjoining
164 municipality, without the approval of the governing body of such municipality. The
165 governing body shall conduct a public hearing within fifteen days of notice, shall publicize
166 the hearing in at least one newspaper having general circulation in the municipality, and shall
167 vote to approve or disapprove the land disposal facility within thirty days after the close of the
168 hearing.

169 10. (1) Upon receipt of an application for a permit to construct a solid waste
170 processing facility or disposal area, the department shall notify the public of such receipt:

171 (a) By legal notice published in a newspaper of general circulation in the area of the
172 proposed disposal area or processing facility;

173 (b) By certified mail to the governing body of the county or city in which the
174 proposed disposal area or processing facility is to be located; and

175 (c) By mail to the last known address of all record owners of contiguous real property
176 or real property located within one thousand feet of the proposed disposal area and, for a
177 proposed processing facility, notice as provided in section 64.875 or section 89.060,
178 whichever is applicable.

179 (2) If an application for a construction permit meets all statutory and regulatory
180 requirements for issuance, a public hearing on the draft permit shall be held by the department
181 in the county in which the proposed solid waste disposal area is to be located prior to the

182 issuance of the permit. The department shall provide public notice of such hearing by both
183 printed and broadcast media at least thirty days prior to such hearing. Printed notification
184 shall include publication in at least one newspaper having general circulation within the
185 county in which the proposed disposal area is to be located. Broadcast notification shall
186 include public service announcements on radio stations that have broadcast coverage within
187 the county in which the proposed disposal area is to be located.

188 11. After the issuance of a construction permit for a solid waste disposal area, but
189 prior to the beginning of disposal operations, the owner and the department shall execute an
190 easement to allow the department, its agents or its contractors to enter the premises to
191 complete work specified in the closure plan, or to monitor or maintain the site or to take
192 remedial action during the postclosure period. After issuance of a construction permit for a
193 solid waste disposal area, but prior to the beginning of disposal operations, the owner shall
194 submit evidence that such owner has recorded, in the office of the recorder of deeds in the
195 county where the disposal area is located, a notice and covenant running with the land that the
196 property has been permitted as a solid waste disposal area and prohibits use of the land in any
197 manner which interferes with the closure and, where appropriate, postclosure plans filed with
198 the department.

199 12. Every person desiring to obtain a permit to operate a solid waste disposal area or
200 processing facility shall submit applicable information and apply for an operating permit from
201 the department. The department shall review the information and determine, within sixty
202 days of receipt, whether it complies with the provisions of sections 260.200 to 260.345 and
203 the rules and regulations adopted pursuant to sections 260.200 to 260.345. When the review
204 reveals that the facility or area does conform with the provisions of sections 260.200 to
205 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345, the
206 department shall issue a permit for the operation of each solid waste processing facility or
207 solid waste disposal area and with any permit terms and conditions which the department
208 deems appropriate. In the event that the facility or area fails to meet the rules and regulations
209 adopted pursuant to sections 260.200 to 260.345, the department shall issue a report to the
210 applicant stating the reason for denial of a permit.

211 13. Each solid waste disposal area, except utility waste landfills unless otherwise and
212 to the extent required by the department, and those solid waste processing facilities
213 designated by rule, shall be operated under the direction of a certified solid waste technician
214 in accordance with sections 260.200 to 260.345 and the rules and regulations promulgated
215 pursuant to sections 260.200 to 260.345.

216 14. Base data for the quality and quantity of groundwater in the solid waste disposal
217 area shall be collected and submitted to the department prior to the operation of a new or

218 expansion of an existing solid waste disposal area. Base data shall include a chemical
219 analysis of groundwater drawn from the proposed solid waste disposal area.

220 15. Leachate collection and removal systems shall be incorporated into new or
221 expanded sanitary landfills which are permitted after August 13, 1986. The department shall
222 assess the need for a leachate collection system for all types of solid waste disposal areas,
223 other than sanitary landfills, and the need for monitoring wells when it evaluates the
224 application for all new or expanded solid waste disposal areas. The department may require
225 an operator of a solid waste disposal area to install a leachate collection system before the
226 beginning of disposal operations, at any time during disposal operations for unfilled portions
227 of the area, or for any portion of the disposal area as a part of a remedial plan. The
228 department may require the operator to install monitoring wells before the beginning of
229 disposal operations or at any time during the operational life or postclosure care period if it
230 concludes that conditions at the area warrant such monitoring. The operator of a demolition
231 landfill or utility waste landfill shall not be required to install a leachate collection and
232 removal system or monitoring wells unless otherwise and to the extent the department so
233 requires based on hazardous waste characteristic criteria or site specific geohydrological
234 characteristics or conditions.

235 16. Permits granted by the department, as provided in sections 260.200 to 260.345,
236 shall be subject to suspension for a designated period of time, civil penalty or revocation
237 whenever the department determines that the solid waste processing facility or solid waste
238 disposal area is, or has been, operated in violation of sections 260.200 to 260.345 or the rules
239 or regulations adopted pursuant to sections 260.200 to 260.345, or has been operated in
240 violation of any permit terms and conditions, or is creating a public nuisance, health hazard,
241 or environmental pollution. In the event a permit is suspended or revoked, the person named
242 in the permit shall be fully informed as to the reasons for such action.

243 17. Each permit for operation of a facility or area shall be issued only to the person
244 named in the application. Permits are transferable as a modification to the permit. An
245 application to transfer ownership shall identify the proposed permittee. A disclosure
246 statement for the proposed permittee listing violations contained in the definition of
247 disclosure statement found in section 260.200 shall be submitted to the department. The
248 operation and design plans for the facility or area shall be updated to provide compliance with
249 the currently applicable law and rules. A financial assurance instrument in such an amount
250 and form as prescribed by the department shall be provided for solid waste disposal areas by
251 the proposed permittee prior to transfer of the permit. The financial assurance instrument of
252 the original permittee shall not be released until the new permittee's financial assurance
253 instrument has been approved by the department and the transfer of ownership is complete.

254 18. Those solid waste disposal areas permitted on January 1, 1996, shall, upon
255 submission of a request for permit modification, be granted a solid waste management area
256 operating permit if the request meets reasonable requirements set out by the department.

257 19. In case a permit required pursuant to this section is denied or revoked, the person
258 may request a hearing in accordance with section 260.235.

259 20. Every applicant for a permit shall file a disclosure statement with the information
260 required by and on a form developed by the department of natural resources at the same time
261 the application for a permit is filed with the department.

262 21. Upon request of the director of the department of natural resources, the applicant
263 for a permit, any person that could reasonably be expected to be involved in management
264 activities of the solid waste disposal area or solid waste processing facility, or any person who
265 has a controlling interest in any permittee shall be required to submit to a criminal
266 background check under section ~~[43.543]~~ **640.011**.

267 22. All persons required to file a disclosure statement shall provide any assistance or
268 information requested by the director or by the Missouri state highway patrol and shall
269 cooperate in any inquiry or investigation conducted by the department and any inquiry,
270 investigation or hearing conducted by the director. If, upon issuance of a formal request to
271 answer any inquiry or produce information, evidence or testimony, any person required to file
272 a disclosure statement refuses to comply, the application of an applicant or the permit of a
273 permittee may be denied or revoked by the director.

274 23. If any of the information required to be included in the disclosure statement
275 changes, or if any additional information should be added after the filing of the statement, the
276 person required to file it shall provide that information to the director in writing, within thirty
277 days after the change or addition. The failure to provide such information within thirty days
278 may constitute the basis for the revocation of or denial of an application for any permit issued
279 or applied for in accordance with this section, but only if, prior to any such denial or
280 revocation, the director notifies the applicant or permittee of the director's intention to do so
281 and gives the applicant or permittee fourteen days from the date of the notice to explain why
282 the information was not provided within the required thirty-day period. The director shall
283 consider this information when determining whether to revoke, deny or conditionally grant
284 the permit.

285 24. No person shall be required to submit the disclosure statement required by this
286 section if the person is a corporation or an officer, director or shareholder of that corporation
287 or any subsidiary thereof, and that corporation:

288 (1) Has on file and in effect with the federal Securities and Exchange Commission a
289 registration statement required under Section 5, Chapter 38, Title 1 of the Securities Act of
290 1933, as amended, 15 U.S.C. Section 77e(c);

291 (2) Submits to the director with the application for a permit evidence of the
292 registration described in subdivision (1) of this subsection and a copy of the corporation's
293 most recent annual form 10-K or an equivalent report; and

294 (3) Submits to the director on the anniversary date of the issuance of any permit it
295 holds under the Missouri solid waste management law evidence of registration described in
296 subdivision (1) of this subsection and a copy of the corporation's most recent annual form 10-
297 K or an equivalent report.

298 25. After permit issuance, each facility shall annually file an update to the disclosure
299 statement with the department of natural resources on or before March thirty-first of each
300 year. Failure to provide such update may result in penalties as provided for under section
301 260.240.

302 26. Any county, district, municipality, authority, or other political subdivision of this
303 state which owns and operates a sanitary landfill shall be exempt from the requirement for the
304 filing of the disclosure statement and annual update to the disclosure statement.

305 27. Any person seeking a permit to operate a solid waste disposal area, a solid waste
306 processing facility, or a resource recovery facility shall, concurrently with the filing of the
307 application for a permit, disclose any convictions in this state, county or county-equivalent
308 public health or land use ordinances related to the management of solid waste. If the
309 department finds that there has been a continuing pattern of adjudicated violations by the
310 applicant, the department may deny the application.

311 28. No permit to construct or permit to operate shall be required pursuant to this
312 section for any utility waste landfill located in a county of the third classification with a
313 township form of government which has a population of at least eleven thousand inhabitants
314 and no more than twelve thousand five hundred inhabitants according to the most recent
315 decennial census, if such utility waste landfill complies with all design and operating
316 standards and closure requirements applicable to utility waste landfills pursuant to sections
317 260.200 to 260.345 and provided that no waste disposed of at such utility waste landfill is
318 considered hazardous waste pursuant to the Missouri hazardous waste law.

319 29. Advanced recycling facilities are not subject to the requirements of this section as
320 long as the feedstocks received by such facility are source-separated or diverted or recovered
321 from municipal or other waste streams prior to acceptance at the advanced recycling facility.

**301.551. 1. The department of revenue shall require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check.**

**4 2. The department of revenue may require that such fingerprint submissions be
5 made as part of an application seeking licensure as a new motor vehicle franchise dealer,
6 used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer, motor**

7 vehicle dealer, public motor vehicle auction, recreational motor vehicle dealer, trailer
8 dealer, boat dealer, manufacturer, or boat manufacturer.

9 **3.** The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the department of any criminal history record
14 information or lack of criminal history record information discovered on the individual.
15 Notwithstanding the provisions of section 610.120 to the contrary, all records related to
16 any criminal history information discovered shall be accessible and available to the
17 department.

311.661. 1. The division of alcohol and tobacco control shall require applicants
2 for a liquor license or permit under this chapter to submit fingerprints to the Missouri
3 state highway patrol for the purpose of conducting a state and federal fingerprint-based
4 criminal history background check.

5 **2.** The division of alcohol and tobacco control may require that such fingerprint
6 submissions be made as part of an application seeking a liquor license or permit under
7 this chapter.

8 **3.** The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the division of alcohol and tobacco control of any
13 criminal history record information or lack of criminal history record information
14 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
15 contrary, all records related to any criminal history information discovered shall be
16 accessible and available to the division of alcohol and tobacco control.

324.055. 1. The Missouri board of occupational therapy shall require applicants
2 to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 **2.** The Missouri board of occupational therapy may require that such
5 fingerprint submissions be made as part of any application seeking licensure as an
6 occupational therapist or an occupational therapy assistant and as part of any
7 application seeking a limited permit to practice occupational therapy as described in
8 section 324.077.

9 **3.** The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the

11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the Missouri board of occupational therapy of any
14 criminal history record information or lack of criminal history record information
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
16 contrary, all records related to any criminal history information discovered shall be
17 accessible and available to the Missouri board of occupational therapy.

324.129. 1. The state board of registration for the healing arts shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The state board of registration for the healing arts may require that such
5 fingerprint submissions be made as part of an application seeking licensure as a licensed
6 clinical perfusionist or provisional licensed clinical perfusionist.

7 3. The fingerprints and any required fees shall be sent to the Missouri state
8 highway patrol's central repository. The fingerprints shall be used for searching the
9 state criminal records repository and shall also be forwarded to the Federal Bureau of
10 Investigation for a federal criminal records search under section 43.540. The Missouri
11 state highway patrol shall notify the state board of registration for the healing arts of
12 any criminal history record information or lack of criminal history record information
13 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
14 contrary, all records related to any criminal history information discovered shall be
15 accessible and available to the state board of registration for the healing arts.

324.246. 1. The board of therapeutic massage shall require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check.

4 2. The board of therapeutic massage may require that such fingerprint
5 submissions be made as part of any application seeking a license, provisional license, or
6 student license as a massage therapist and as part of any application seeking a license as
7 a massage business.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the board of therapeutic massage of any criminal
13 history record information or lack of criminal history record information discovered on
14 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all

15 records related to any criminal history information discovered shall be accessible and
16 available to the board of therapeutic massage.

324.488. 1. The state board of chiropractic examiners shall require applicants to
2 submit fingerprints to the Missouri state highway patrol for the purpose of conducting a
3 state and federal fingerprint-based criminal history background check.

4 2. The state board of chiropractic examiners may require that such fingerprint
5 submissions be made as part of an application seeking licensure as an acupuncturist.

6 3. The fingerprints and any required fees shall be sent to the Missouri state
7 highway patrol's central repository. The fingerprints shall be used for searching the
8 state criminal records repository and shall also be forwarded to the Federal Bureau of
9 Investigation for a federal criminal records search under section 43.540. The Missouri
10 state highway patrol shall notify the state board of chiropractic examiners of any
11 criminal history record information or lack of criminal history record information
12 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
13 contrary, all records related to any criminal history information discovered shall be
14 accessible and available to the state board of chiropractic examiners.

324.1105. 1. The board of private investigator and private fire investigator
2 examiners shall require applicants to submit fingerprints to the Missouri state highway
3 patrol for the purpose of conducting a state and federal fingerprint-based criminal
4 history background check.

5 2. The board of private investigator and private fire investigator examiners may
6 require that such fingerprint submissions be made as part of an application seeking
7 licensure as a private investigator or private fire investigator or as described in section
8 324.1116 for private investigator agency employees and private fire investigator agency
9 employees.

10 3. The fingerprints and any required fees shall be sent to the Missouri state
11 highway patrol's central repository. The fingerprints shall be used for searching the
12 state criminal records repository and shall also be forwarded to the Federal Bureau of
13 Investigation for a federal criminal records search under section 43.540. The Missouri
14 state highway patrol shall notify the board of private investigator and private fire
15 investigator examiners of any criminal history record information or lack of criminal
16 history record information discovered on the individual. Notwithstanding the
17 provisions of section 610.120 to the contrary, all records related to any criminal
18 history information discovered shall be accessible and available to the board of private
19 investigator and private fire investigator examiners.

324.1108. 1. Every person desiring to be licensed in this state as a private
2 investigator, private investigator agency, private fire investigator, or private fire investigator

3 agency shall make application therefor to the board. An application for a license under the
4 provisions of sections 324.1100 to 324.1148 shall be on a form prescribed by the board and
5 accompanied by the required application fee. An application shall be verified and shall
6 include:

7 (1) The full name and business address of the applicant;

8 (2) The name under which the applicant intends to conduct business;

9 (3) A statement as to the general nature of the business in which the applicant intends
10 to engage;

11 (4) A statement as to the classification or classifications under which the applicant
12 desires to be qualified;

13 (5) Two recent photographs of the applicant, of a type prescribed by the board, and
14 two classifiable sets of the applicant's fingerprints processed in a manner approved by the
15 Missouri state highway patrol, central repository, under section ~~[43.543]~~ **324.1105**;

16 (6) A verified statement of the applicant's experience qualifications; and

17 (7) Such other information, evidence, statements, or documents as may be required by
18 the board.

19 2. Before an application for a license may be granted, the applicant shall:

20 (1) Be a citizen of the United States;

21 (2) Provide proof of liability insurance with amount to be no less than two hundred
22 fifty thousand dollars in coverage and proof of workers' compensation insurance if required
23 under chapter 287. The board shall have the authority to raise the requirements as deemed
24 necessary; and

25 (3) Comply with such other qualifications as the board adopts by rules and
26 regulations.

324.1116. A private investigator agency or private fire investigator agency shall not
2 hire any individual as an employee unless the individual:

3 (1) Is at least twenty-one years of age;

4 (2) Provides two recent photographs of themselves, of a type prescribed by the board
5 of private investigator examiners;

6 (3) Has been fingerprinted in a manner approved by the Missouri state highway
7 patrol, central repository, under section ~~[43.543]~~ **324.1105**; and

8 (4) Complies with any other qualifications and requirements the board adopts by rule.

**326.257. 1. The state board of accountancy shall require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check.**

4 **2. The state board of accountancy may require that such fingerprint submissions**
5 **be made as part of any application seeking licensure as a certified public accountant and**
6 **as part of any application seeking a permit for a certified public accounting firm.**

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**
9 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
10 **Investigation for a federal criminal records search under section 43.540. The Missouri**
11 **state highway patrol shall notify the state board of accountancy of any criminal history**
12 **record information or lack of criminal history record information discovered on the**
13 **individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
14 **records related to any criminal history information discovered shall be accessible and**
15 **available to the state board of accountancy.**

330.025. 1. The state board of podiatric medicine shall require applicants to
2 **submit fingerprints to the Missouri state highway patrol for the purpose of conducting a**
3 **state and federal fingerprint-based criminal history background check.**

4 **2. The state board of podiatric medicine may require that such fingerprint**
5 **submissions be made as part of an application seeking a permanent license, or a**
6 **temporary license, to practice podiatric medicine, or a permanent podiatric medicine**
7 **license with ankle certification, as described in sections 330.010, 330.020, 330.045, and**
8 **330.065.**

9 **3. The fingerprints and any required fees shall be sent to the Missouri state**
10 **highway patrol's central repository. The fingerprints shall be used for searching the**
11 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
12 **Investigation for a federal criminal records search under section 43.540. The Missouri**
13 **state highway patrol shall notify the state board of podiatric medicine of any criminal**
14 **history record information or lack of criminal history record information discovered on**
15 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
16 **records related to any criminal history information discovered shall be accessible and**
17 **available to the state board of podiatric medicine.**

331.025. 1. The state board of chiropractic examiners shall require applicants to
2 **submit fingerprints to the Missouri state highway patrol for the purpose of conducting a**
3 **state and federal fingerprint-based criminal history background check.**

4 **2. The state board of chiropractic examiners may require that such fingerprint**
5 **submissions be made as part of an application seeking licensure to engage in the practice**
6 **of chiropractic, as defined in section 331.010.**

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**

9 state criminal records repository and shall also be forwarded to the Federal Bureau of
10 Investigation for a federal criminal records search under section 43.540. The Missouri
11 state highway patrol shall notify the state board of chiropractic examiners of any
12 criminal history record information or lack of criminal history record information
13 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
14 contrary, all records related to any criminal history information discovered shall be
15 accessible and available to the state board of chiropractic examiners.

332.015. 1. The Missouri dental board shall require applicants to submit
2 fingerprints to the Missouri state highway patrol for the purpose of conducting a state
3 and federal fingerprint-based criminal history background check.

4 2. The Missouri dental board may require that such fingerprint submissions be
5 made as part of any application seeking licensure as a dentist under section 332.181, as a
6 dental specialist under section 332.171, as a volunteer dentist under section 332.112, as a
7 temporary dentist under section 332.201, as a dental hygienist under section 332.091, or
8 as a volunteer dental hygienist under section 332.113 and as part of any application
9 seeking a limited dental teaching license under section 332.425 or a dental faculty
10 permit under section 332.183.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the Missouri dental board of any criminal history
16 record information or lack of criminal history record information discovered on the
17 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
18 records related to any criminal history information discovered shall be accessible and
19 available to the Missouri dental board.

334.015. 1. The state board of registration for the healing arts shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The state board of registration for the healing arts may require that such
5 fingerprint submissions be made as part of an application for a permanent license,
6 temporary license, or limited license as a physician or assistant physician as described in
7 sections 334.035, 334.036, 334.045, 334.046, and 334.112.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri

12 state highway patrol shall notify the state board of registration for the healing arts of
13 any criminal history record information or lack of criminal history record information
14 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
15 contrary, all records related to any criminal history information discovered shall be
16 accessible and available to the state board of registration for the healing arts.

334.403. 1. The state board of registration for the healing arts shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The state board of registration for the healing arts may require that such
5 fingerprint submissions be made as part of any application seeking licensure as an
6 anesthesiologist assistant and as part of any application for a temporary license to
7 practice as an anesthesiologist assistant as described in section 334.406.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the state board of registration for the healing arts of
13 any criminal history record information or lack of criminal history record information
14 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
15 contrary, all records related to any criminal history information discovered shall be
16 accessible and available to the state board of registration for the healing arts.

334.501. 1. The state board of registration for the healing arts shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The state board of registration for the healing arts may require that such
5 fingerprint submissions be made as part of an application seeking a license, or
6 temporary license under section 334.550, as a physical therapist or physical therapist
7 assistant.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the state board of registration for the healing arts of
13 any criminal history record information or lack of criminal history record information
14 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
15 contrary, all records related to any criminal history information discovered shall be
16 accessible and available to the state board of registration for the healing arts.

334.701. 1. The state board of registration for the healing arts shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state board of registration for the healing arts may require that such fingerprint submissions be made as part of an application seeking licensure as an athletic trainer.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state board of registration for the healing arts of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state board of registration for the healing arts.

334.739. 1. The state board of registration for the healing arts shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state board of registration for the healing arts may require that such fingerprint submissions be made as part of an application seeking a license, or temporary license under section 334.736, as a physician assistant.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state board of registration for the healing arts of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state board of registration for the healing arts.

334.805. 1. The board for respiratory care shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The board for respiratory care may require that such fingerprint submissions be made as part of any application seeking licensure as a respiratory care practitioner and as part of any application seeking an educational permit to practice respiratory care or a temporary permit to practice respiratory care as described in section 334.890.

8 **3. The fingerprints and any required fees shall be sent to the Missouri state**
9 **highway patrol's central repository. The fingerprints shall be used for searching the**
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**
12 **state highway patrol shall notify the board for respiratory care of any criminal history**
13 **record information or lack of criminal history record information discovered on the**
14 **individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
15 **records related to any criminal history information discovered shall be accessible and**
16 **available to the board for respiratory care.**

335.022. 1. The state board of nursing shall require applicants to submit
2 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**
3 **and federal fingerprint-based criminal history background check for employment**
4 **purposes with the state board of nursing.**

5 **2. The fingerprints and any required fees shall be sent to the Missouri state**
6 **highway patrol's central repository. The fingerprints shall be used for searching the**
7 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
8 **Investigation for a federal criminal records search under section 43.540. The Missouri**
9 **state highway patrol shall notify the state board of nursing of any criminal history**
10 **record information or lack of criminal history record information discovered on the**
11 **individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
12 **records related to any criminal history information discovered shall be accessible and**
13 **available to the state board of nursing.**

335.042. 1. The state board of nursing shall require nursing applicants to submit
2 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**
3 **and federal fingerprint-based criminal history background check.**

4 **2. The state board of nursing may require that such fingerprint submissions be**
5 **made as part of an application seeking licensure to practice as a registered nurse,**
6 **practical nurse, or advanced practice registered nurse.**

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**
9 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
10 **Investigation for a federal criminal records search under section 43.540. The Missouri**
11 **state highway patrol shall notify the state board of nursing of any criminal history**
12 **record information or lack of criminal history record information discovered on the**
13 **individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
14 **records related to any criminal history information discovered shall be accessible and**
15 **available to the state board of nursing.**

336.025. 1. The state board of optometry shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state board of optometry may require that such fingerprint submissions be made as part of an application seeking licensure as an optometrist.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state board of optometry of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state board of optometry.

337.018. 1. The state committee of psychologists shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state committee of psychologists may require that such fingerprint submissions be made as part of any application seeking licensure as a licensed psychologist or provisional licensed psychologist and as part of any application seeking a temporary license as a psychologist.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the state committee of psychologists of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the state committee of psychologists.

337.308. 1. The state committee of psychologists shall require applicants to submit fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

2. The state committee of psychologists may require that such fingerprint submissions be made as part of an application seeking licensure, provisional licensure, or temporary licensure as a behavior analyst or an assistant behavior analyst.

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**
9 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
10 **Investigation for a federal criminal records search under section 43.540. The Missouri**
11 **state highway patrol shall notify the state committee of psychologists of any criminal**
12 **history record information or lack of criminal history record information discovered on**
13 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
14 **records related to any criminal history information discovered shall be accessible and**
15 **available to the state committee of psychologists.**

337.315. 1. An applied behavior analysis intervention shall produce socially
2 significant improvements in human behavior through skill acquisition, increase or decrease in
3 behaviors under specific environmental conditions and the reduction of problematic behavior.
4 An applied behavior analysis intervention shall:

5 (1) Be based on empirical research and the identification of functional relations
6 between behavior and environment, contextual factors, antecedent stimuli and reinforcement
7 operations through the direct observation and measurement of behavior, arrangement of
8 events and observation of effects on behavior, as well as other information gathering methods
9 such as record review and interviews; and

10 (2) Utilize changes and arrangements of contextual factors, antecedent stimuli,
11 positive reinforcement, and other consequences to produce behavior change.

12 2. Each person wishing to practice as a licensed behavior analyst shall:

13 (1) Submit a complete application on a form approved by the committee, which shall
14 include a statement that the applicant has completed two hours of suicide assessment, referral,
15 treatment, and management training;

16 (2) Pay all necessary fees as set by the committee;

17 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
18 than six months prior to the application date;

19 (4) Provide two classified sets of fingerprints for processing by the Missouri state
20 highway patrol under section ~~[43.543]~~ **337.308**. One set of fingerprints shall be used by the
21 highway patrol to search the criminal history repository and the second set shall be forwarded
22 to the Federal Bureau of Investigation for searching the federal criminal history files;

23 (5) Have passed an examination and been certified as a board-certified behavior
24 analyst by a certifying entity, as defined in section 337.300;

25 (6) Provide evidence of active status as a board-certified behavior analyst; and

26 (7) If the applicant holds a license as a behavior analyst in another state, a statement
27 from all issuing states verifying licensure and identifying any disciplinary action taken
28 against the license holder by that state.

- 29 3. Each person wishing to practice as a licensed assistant behavior analyst shall:
- 30 (1) Submit a complete application on a form approved by the committee;
- 31 (2) Pay all necessary fees as set by the committee;
- 32 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
33 than six months prior to the application date;
- 34 (4) Provide two classified sets of fingerprints for processing by the Missouri state
35 highway patrol under section ~~[43.543]~~ **337.308**. One set of fingerprints shall be used by the
36 highway patrol to search the criminal history repository and the second set shall be forwarded
37 to the Federal Bureau of Investigation for searching the federal criminal history files;
- 38 (5) Have passed an examination and been certified as a board-certified assistant
39 behavior analyst by a certifying entity, as defined in section 337.300;
- 40 (6) Provide evidence of active status as a board-certified assistant behavior analyst;
- 41 (7) If the applicant holds a license as an assistant behavior analyst in another state, a
42 statement from all issuing states verifying licensure and identifying any disciplinary action
43 taken against the license holder by that state; and
- 44 (8) Submit documentation satisfactory to the committee that the applicant will be
45 directly supervised by a licensed behavior analyst in a manner consistent with the certifying
46 entity.
- 47 4. The committee shall be authorized to issue a temporary license to an applicant for a
48 behavior analyst license or assistant behavior analyst license upon receipt of a complete
49 application, submission of a fee as set by the committee by rule for behavior analyst or
50 assistant behavior analyst, and a showing of valid licensure as a behavior analyst or assistant
51 behavior analyst in another state, only if the applicant has submitted fingerprints and no
52 disqualifying criminal history appears on the family care safety registry. The temporary
53 license shall expire upon issuance of a license or denial of the application but no later than
54 ninety days from issuance of the temporary license. Upon written request to the committee,
55 the holder of a temporary license shall be entitled to one extension of ninety days of the
56 temporary license.
- 57 5. (1) The committee shall, in accordance with rules promulgated by the committee,
58 issue a provisional behavior analyst license or a provisional assistant behavior analyst license
59 upon receipt by the committee of a complete application, appropriate fee as set by the
60 committee by rule, and proof of satisfaction of requirements under subsections 2 and 3 of this
61 section, respectively, and other requirements established by the committee by rule, except that
62 applicants for a provisional license as either a behavior analyst or assistant behavior analyst
63 need not have passed an examination and been certified as a board-certified behavior analyst
64 or a board-certified assistant behavior analyst to obtain a provisional behavior analyst or
65 provisional assistant behavior analyst license.

66 (2) A provisional license issued under this subsection shall only authorize and permit
67 the licensee to render behavior analysis under the supervision and the full professional
68 responsibility and control of such licensee's licensed supervisor.

69 (3) A provisional license shall automatically terminate upon issuance of a permanent
70 license, upon a finding of cause to discipline after notice and hearing under section 337.330,
71 upon termination of supervision by a licensed supervisor, or upon the expiration of one year
72 from the date of issuance of the provisional license, whichever first occurs. The provisional
73 license may be renewed after one year, with a maximum issuance of two years. Upon a
74 showing of good cause, the committee by rule shall provide procedures for exceptions and
75 variances from the requirement of a maximum issuance of two years.

76 6. No person shall hold himself or herself out to be licensed behavior analysts or
77 LBA, provisionally licensed behavior analyst or PLBA, provisionally licensed assistant
78 behavior analyst or PLABA, temporary licensed behavior analyst or TLBA, or temporary
79 licensed assistant behavior analyst or TLaBA, licensed assistant behavior analysts or LaBA in
80 the state of Missouri unless they meet the applicable requirements.

81 7. No persons shall practice applied behavior analysis unless they are:

82 (1) Licensed behavior analysts;

83 (2) Licensed assistant behavior analysts working under the supervision of a licensed
84 behavior analyst;

85 (3) An individual who has a bachelor's or graduate degree and completed course work
86 for licensure as a behavior analyst and is obtaining supervised field experience under a
87 licensed behavior analyst pursuant to required supervised work experience for licensure at the
88 behavior analyst or assistant behavior analyst level;

89 (4) Licensed psychologists practicing within the rules and standards of practice for
90 psychologists in the state of Missouri and whose practice is commensurate with their level of
91 training and experience;

92 (5) Provisionally licensed behavior analysts;

93 (6) Provisionally licensed assistant behavior analysts;

94 (7) Temporary licensed behavior analysts; or

95 (8) Temporary licensed assistant behavior analysts.

96 8. Notwithstanding the provisions in subsection ~~[6]~~ 7 of this section, any licensed or
97 certified professional may practice components of applied behavior analysis, as defined in
98 section 337.300 if he or she is acting within his or her applicable scope of practice and ethical
99 guidelines.

100 9. All licensed behavior analysts and licensed assistant behavior analysts shall be
101 bound by the code of conduct adopted by the committee by rule.

102 10. Licensed assistant behavior analysts shall work under the direct supervision of a
103 licensed behavior analyst as established by committee rule.

104 11. Persons who provide services under the Individuals with Disabilities Education
105 Act (IDEA), 20 U.S.C. Section 1400, et seq., or Section 504 of the federal Rehabilitation Act
106 of 1973, 29 U.S.C. Section 794, or are enrolled in a course of study at a recognized
107 educational institution through which the person provides applied behavior analysis as part of
108 supervised clinical experience shall be exempt from the requirements of this section.

109 12. A violation of this section shall be punishable by probation, suspension, or loss of
110 any license held by the violator.

**337.501. 1. The committee for professional counselors shall require applicants to
2 submit fingerprints to the Missouri state highway patrol for the purpose of conducting a
3 state and federal fingerprint-based criminal history background check.**

**4 2. The committee for professional counselors may require that such fingerprint
5 submissions be made as part of an application seeking licensure as a licensed
6 professional counselor or a provisional licensed professional counselor.**

**7 3. The fingerprints and any required fees shall be sent to the Missouri state
8 highway patrol's central repository. The fingerprints shall be used for searching the
9 state criminal records repository and shall also be forwarded to the Federal Bureau of
10 Investigation for a federal criminal records search under section 43.540. The Missouri
11 state highway patrol shall notify the committee for professional counselors of any
12 criminal history record information or lack of criminal history record information
13 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
14 contrary, all records related to any criminal history information discovered shall be
15 accessible and available to the committee for professional counselors.**

**337.605. 1. The state committee for social workers shall require applicants to
2 submit fingerprints to the Missouri state highway patrol for the purpose of conducting a
3 state and federal fingerprint-based criminal history background check.**

**4 2. The state committee for social workers may require that such fingerprint
5 submissions be made as part of an application seeking a license, or a temporary permit
6 under section 337.621, to practice as a licensed clinical social worker, licensed advanced
7 macro social worker, licensed master social worker, or licensed baccalaureate social
8 worker.**

**9 3. The fingerprints and any required fees shall be sent to the Missouri state
10 highway patrol's central repository. The fingerprints shall be used for searching the
11 state criminal records repository and shall also be forwarded to the Federal Bureau of
12 Investigation for a federal criminal records search under section 43.540. The Missouri
13 state highway patrol shall notify the state committee for social workers of any criminal**

14 **history record information or lack of criminal history record information discovered on**
15 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
16 **records related to any criminal history information discovered shall be accessible and**
17 **available to the state committee for social workers.**

337.702. 1. The state committee of marital and family therapists shall require
2 **applicants to submit fingerprints to the Missouri state highway patrol for the purpose of**
3 **conducting a state and federal fingerprint-based criminal history background check.**

4 **2. The state committee of marital and family therapists may require that such**
5 **fingerprint submissions be made as part of an application seeking licensure as a licensed**
6 **marital and family therapist or provisional licensed marital and family therapist.**

7 **3. The fingerprints and any required fees shall be sent to the Missouri state**
8 **highway patrol's central repository. The fingerprints shall be used for searching the**
9 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
10 **Investigation for a federal criminal records search under section 43.540. The Missouri**
11 **state highway patrol shall notify the state committee of marital and family therapists of**
12 **any criminal history record information or lack of criminal history record information**
13 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
14 **contrary, all records related to any criminal history information discovered shall be**
15 **accessible and available to the state committee of marital and family therapists.**

338.052. 1. As used in this section, the following terms mean:

2 **(1) "Third-party logistics provider", the same meaning given to the term in**
3 **section 338.330;**

4 **(2) "Third-party logistics provider facility manager", a person who is a manager**
5 **and direct supervisor of a licensed third-party logistics provider facility and whose**
6 **fingerprints are required by federal and state law for licensure of a third-party logistics**
7 **provider facility;**

8 **(3) "Third-party logistics provider facility manager-in-charge", a person who**
9 **directly supervises a third-party logistics provider facility and whose fingerprints are**
10 **required by federal or state law for licensure of a third-party logistics provider facility;**

11 **(4) "Third-party logistics provider facility owner", a person who is an owner,**
12 **with greater than ten percent ownership interest, of a licensed third-party logistics**
13 **provider facility and whose fingerprints are required by federal and state law for**
14 **licensure of a third-party logistics provider facility;**

15 **(5) "Wholesale drug distributor", the same meaning given to the term in section**
16 **338.330;**

17 (6) "Wholesale drug distributor facility manager", a person who is a manager of
18 a licensed wholesale drug distributor facility and whose fingerprints are required by
19 federal or state law for licensure of a wholesale drug distributor facility;

20 (7) "Wholesale drug distributor facility manager-in-charge", a person who
21 directly supervises a licensed wholesale drug distributor facility and whose fingerprints
22 are required by federal or state law for licensure of a wholesale drug distributor facility;

23 (8) "Wholesale drug distributor facility owner", a person who is an owner, with
24 greater than ten percent ownership interest, of a licensed wholesale drug distributor
25 facility and whose fingerprints are required by federal or state law for licensure of a
26 wholesale drug distributor facility.

27 2. The board of pharmacy may require applicants to submit fingerprints to the
28 Missouri state highway patrol for the purpose of conducting a state and federal
29 fingerprint-based criminal history background check.

30 3. The board of pharmacy may require that such fingerprint submissions be
31 made as part of an application seeking a license to practice pharmacy as a pharmacist as
32 described in sections 338.010 and 338.050; a certificate of registration as a pharmacy
33 technician as described in section 338.013; a license as an intern pharmacist as
34 described in section 338.035; a license as a wholesale drug distributor, third-party
35 logistics provider, or drug outsourcer as described in section 338.333; a license as a
36 temporary pharmacist as described in section 338.043; a permit for the practice of
37 pharmacy to be conducted at a pharmacy as described in section 338.220; or work as a
38 wholesale drug distributor facility manager-in-charge or third-party logistics provider
39 facility manager-in-charge, wholesale drug distributor facility manager or third-party
40 logistics provider facility manager, or wholesale drug distributor facility owner or third-
41 party logistics provider facility owner.

42 4. The fingerprints and any required fees shall be sent to the Missouri state
43 highway patrol's central repository. The fingerprints shall be used for searching the
44 state criminal records repository and shall also be forwarded to the Federal Bureau of
45 Investigation for a federal criminal records search under section 43.540. The Missouri
46 state highway patrol shall notify the board of pharmacy of any criminal history record
47 information or lack of criminal history record information discovered on the individual.
48 Notwithstanding the provisions of section 610.120 to the contrary, all records related to
49 any criminal history information discovered shall be accessible and available to the
50 board of pharmacy.

339.015. 1. The Missouri real estate commission shall require applicants to
2 submit fingerprints to the Missouri state highway patrol for the purpose of conducting a
3 state and federal fingerprint-based criminal history background check.

4 2. The Missouri real estate commission may require that such fingerprint
5 submissions be made as part of an application seeking licensure as a real estate broker,
6 real estate salesperson, or real estate broker-salesperson as described in sections
7 339.010, 339.030, and 339.040.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the Missouri real estate commission of any criminal
13 history record information or lack of criminal history record information discovered on
14 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the Missouri real estate commission.

 339.510. 1. The Missouri real estate appraisers commission shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The Missouri real estate appraisers commission may require that such
5 fingerprint submissions be made as part of an application seeking licensure or
6 certification as a state-certified residential real estate appraiser, a state-certified
7 residential appraiser trainee, a state-certified general real estate appraiser, a state-
8 certified general appraiser trainee, a state-licensed real estate appraiser, a state-licensed
9 appraiser trainee, an appraisal management company, or a controlling person of an
10 appraisal management company.

11 3. The fingerprints and any required fees shall be sent to the Missouri state
12 highway patrol's central repository. The fingerprints shall be used for searching the
13 state criminal records repository and shall also be forwarded to the Federal Bureau of
14 Investigation for a federal criminal records search under section 43.540. The Missouri
15 state highway patrol shall notify the Missouri real estate appraisers commission of any
16 criminal history record information or lack of criminal history record information
17 discovered on the individual. Notwithstanding the provisions of section 610.120 to the
18 contrary, all records related to any criminal history information discovered shall be
19 accessible and available to the Missouri real estate appraisers commission.

 345.016. 1. The state board of registration for the healing arts shall require
2 applicants to submit fingerprints to the Missouri state highway patrol for the purpose of
3 conducting a state and federal fingerprint-based criminal history background check.

4 2. The state board of registration for the healing arts may require that such
5 fingerprint submissions be made as part of an application seeking a license, or

6 provisional license under section 345.021, as an audiologist, an audiology aide, a speech-
7 language pathologist, a speech-language pathology aide, or a speech-language pathology
8 assistant.

9 **3. The fingerprints and any required fees shall be sent to the Missouri state**
10 **highway patrol's central repository. The fingerprints shall be used for searching the**
11 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
12 **Investigation for a federal criminal records search under section 43.540. The Missouri**
13 **state highway patrol shall notify the state board of registration for the healing arts of**
14 **any criminal history record information or lack of criminal history record information**
15 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**
16 **contrary, all records related to any criminal history information discovered shall be**
17 **accessible and available to the state board of registration for the healing arts.**

374.711. 1. The department of commerce and insurance shall require applicants
2 **for a license, and may require applicants for renewal of a license, to submit fingerprints**
3 **to the Missouri state highway patrol for the purpose of conducting a state and federal**
4 **fingerprint-based criminal history background check.**

5 **2. The department may require that such fingerprint submissions be made as**
6 **part of an application seeking a license, or renewal of a license, for a general bail bond**
7 **agent, a bail bond agent, or a surety recovery agent.**

8 **3. The fingerprints and any required fees shall be sent to the Missouri state**
9 **highway patrol's central repository. The fingerprints shall be used for searching the**
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**
12 **state highway patrol shall notify the department of any criminal history record**
13 **information or lack of criminal history record information discovered on the individual.**
14 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**
15 **any criminal history information discovered shall be accessible and available to the**
16 **department.**

436.225. 1. The director shall require applicants to submit fingerprints to the
2 **Missouri state highway patrol for the purpose of conducting a state and federal**
3 **fingerprint-based criminal history background check.**

4 **2. The director may require that such fingerprint submissions be made as part of**
5 **an application seeking licensure as an athlete agent.**

6 **3. The fingerprints and any required fees shall be sent to the Missouri state**
7 **highway patrol's central repository. The fingerprints shall be used for searching the**
8 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
9 **Investigation for a federal criminal records search under section 43.540. The Missouri**

10 state highway patrol shall notify the director of any criminal history record information
11 or lack of criminal history record information discovered on the individual.
12 Notwithstanding the provisions of section 610.120 to the contrary, all records related
13 to any criminal history information discovered shall be accessible and available to the
14 director.

443.702. 1. The division of finance, in addition to the authority granted to the
2 director in sections 443.701 to 443.893, may require applicants seeking licensure as a
3 mortgage loan broker or mortgage loan originator to submit fingerprints to the
4 Missouri state highway patrol for the purpose of conducting a state and federal
5 fingerprint-based criminal history background check.

6 2. The fingerprints and any required fees shall be sent to the Missouri state
7 highway patrol's central repository. The fingerprints shall be used for searching the
8 state criminal records repository and shall also be forwarded to the Federal Bureau of
9 Investigation for a federal criminal records search under section 43.540. The Missouri
10 state highway patrol shall notify the division of finance of any criminal history record
11 information or lack of criminal history record information discovered on the individual.
12 Notwithstanding the provisions of section 610.120 to the contrary, all records related to
13 any criminal history information discovered shall be accessible and available to the
14 division of finance.

484.125. 1. The supreme court of Missouri may submit fingerprints to the
2 Missouri state highway patrol for the purpose of conducting a state and federal
3 fingerprint-based criminal history background check.

4 2. The supreme court of Missouri may require that such fingerprint submissions
5 be made as part of an application seeking admission or reinstatement to the bar of this
6 state for the purpose of licensure to practice law as attorneys and counselors in this
7 state.

8 3. The fingerprints and any required fees shall be sent to the Missouri state
9 highway patrol's central repository. The fingerprints shall be used for searching the
10 state criminal records repository and shall also be forwarded to the Federal Bureau of
11 Investigation for a federal criminal records search under section 43.540. The Missouri
12 state highway patrol shall notify the supreme court of Missouri of any criminal history
13 record information or lack of criminal history record information discovered on the
14 individual. Notwithstanding the provisions of section 610.120 to the contrary, all
15 records related to any criminal history information discovered shall be accessible and
16 available to the supreme court of Missouri.

2 **640.011. 1. The department of natural resources shall require applicants to**
3 **submit fingerprints to the Missouri state highway patrol for the purpose of conducting a**
4 **state and federal fingerprint-based criminal history background check.**

5 **2. The department of natural resources may require that such fingerprint**
6 **submissions be made as part of an application seeking to be employed or to volunteer**
7 **with the department or as described in section 260.205.**

8 **3. The fingerprints and any required fees shall be sent to the Missouri state**
9 **highway patrol's central repository. The fingerprints shall be used for searching the**
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**
12 **state highway patrol shall notify the department of natural resources of any criminal**
13 **history record information or lack of criminal history record information discovered on**
14 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**
15 **records related to any criminal history information discovered shall be accessible and**
available to the department of natural resources.

2 ~~[43.543. Any state agency listed in section 621.045, the division of~~
3 ~~professional registration of the department of commerce and insurance, the~~
4 ~~department of social services, the supreme court of Missouri, the state courts~~
5 ~~administrator, the department of elementary and secondary education, the~~
6 ~~department of natural resources, the Missouri lottery, the Missouri gaming~~
7 ~~commission, or any state, municipal, or county agency which screens persons~~
8 ~~seeking employment with such agencies or issuance or renewal of a license,~~
9 ~~permit, certificate, or registration of authority from such agencies; or any state,~~
10 ~~municipal, or county agency or committee, or state school of higher education~~
11 ~~which is authorized by state statute or executive order, or local or county~~
12 ~~ordinance to screen applicants or candidates seeking or considered for~~
13 ~~employment, assignment, contracting, or appointment to a position within~~
14 ~~state, municipal, or county government; or the Missouri peace officers~~
15 ~~standards and training, POST, commission which screens persons, not~~
16 ~~employed by a criminal justice agency, who seek enrollment or access into~~
17 ~~a certified POST training academy police school, or persons seeking a permit~~
18 ~~to purchase or possess a firearm for employment as a watchman, security~~
19 ~~personnel, or private investigator; or law enforcement agencies which screen~~
20 ~~persons seeking issuance or renewal of a license, permit, certificate, or~~
21 ~~registration to purchase or possess a firearm shall submit fingerprints to the~~
22 ~~Missouri state highway patrol, Missouri criminal records repository, for the~~
23 ~~purpose of checking the person's criminal history under section 43.540. The~~
24 ~~fingerprints shall be used to search the Missouri criminal records repository~~
25 ~~and the Federal Bureau of Investigation to be used for searching the federal~~
26 ~~criminal history files if necessary. The fingerprints shall be submitted on~~
27 ~~forms and in the manner prescribed by the Missouri state highway patrol. Fees~~
28 ~~assessed for the searches shall be paid by the applicant or in the manner~~
~~prescribed by the Missouri state highway patrol. Notwithstanding the~~

29 ~~provisions of section 610.120, all records related to any criminal history~~
30 ~~information discovered shall be accessible and available to the state,~~
31 ~~municipal, or county agency making the record request.]~~

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