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# Emergency Rules

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**Title 15—ELECTED OFFICIALS  
Division 30—Secretary of State  
Chapter 130—Professional Employer Organization Act**

**EMERGENCY RULE**

**15 CSR 30-130.070 Disciplinary Actions**

*PURPOSE: This rule describes the disciplinary action the secretary may take pursuant to section 285.750, RSMo, and the notice provided to initiate a disciplinary action.*

*EMERGENCY STATEMENT: The secretary of state determines that this emergency rule is necessary to preserve a compelling governmental interest.*

*This emergency rule is necessary to address statutory sections enacted in HB 1719 (2018), specifically sections 285.700 to 285.750, RSMo, which became law on August 28, 2018, and create a framework for the registration and regulation of professional employer organizations in Missouri. A professional employer organization provides comprehensive human resources (HR) solutions for businesses. A person engaged in the business of providing professional employer services shall be subject to registration and regulation under these sections regardless of its use of the term or conducting business as a professional employer organization, staff leasing company, registered staff leasing company, employee leasing company, administrative employer, or any other name.*

*The secretary of state needs this emergency rule to ensure that professional employer organizations are registered in accordance with the appropriate rules and regulations. This emergency rule describes the disciplinary action the secretary may take pursuant to section 285.750, RSMo, and the notice provided to initiate a disciplinary action.*

*The secretary of state finds there is a compelling governmental interest, which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The secretary of state believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed November 30, 2018, becomes effective December 10, 2018, and expires June 7, 2019.*

(1) Upon a decision to take disciplinary action for violation of section 285.750, RSMo, the secretary shall mail such professional employer organization (PEO) written notice, by certified mail, at the address on file with the secretary.

(2) The secretary shall notify a PEO, in writing, by certified mail that the secretary intends to take disciplinary action. The notice shall contain the following information:

- (A) The PEO's name and address;
- (B) The specific allegations for the disciplinary action; and
- (C) Instructions for requesting a hearing.

(3) If disciplinary action is taken against a PEO who registered through an assurance organization, the secretary may provide such notice to the assurance organization. Such notice shall constitute sufficient notice for section 285.750.3, RSMo.

*AUTHORITY: section 285.750, RSMo Supp. 2018. Emergency rule filed Nov. 30, 2018, effective Dec. 10, 2018, expires June 7, 2019. An emergency rule and a proposed rule covering this same material will be published in the January 2, 2019, issue of the Missouri Register.*