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# MISSOURI



# REGISTER

John R. Ashcroft  Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at [sos.mo.gov/adrules/pubsched](https://sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

The rules are codified in the *Code of State Regulations* in this system—

<b>Title</b>	<b>CSR</b>	<b>Division</b>	<b>Chapter</b>	<b>Rule</b>
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [sos.mo.gov/adrules/csr/csr](http://sos.mo.gov/adrules/csr/csr)

The *Register* address is [sos.mo.gov/adrules/moreg/moreg](http://sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 5 – DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 20 – Division of Learning Services  
Chapter 400 – Office of Educator Quality**

**EMERGENCY AMENDMENT**

**5 CSR 20-400.220 Application for Substitute Certificate of License to Teach.** The State Board of Education (board) is amending section (1).

*PURPOSE:* This amendment updates the number of required semester hours from sixty (60) semester hours to thirty-six (36) semester hours of college credit for a substitute certificate.

*EMERGENCY STATEMENT:* This emergency amendment is necessary due to schools experiencing and reporting severe staffing challenges. The number of candidates preparing to be teachers has been declining steadily over the past six (6) years, and the pandemic has exacerbated this crisis and created widespread teacher shortage issues. These issues have created an increased need for substitute teachers. As a result, the Department of Elementary and Secondary Education (department) finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating

*the emergency and complies with the protections extended in the Missouri and United States Constitutions. The department believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 30, 2022, becomes effective September 14, 2022, and expires March 12, 2023.*

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed [sixty (60)] **thirty-six (36)** semester hours or more of college level credit from a regionally-accredited academic degree granting institution recognized by the Department of Elementary and Secondary Education (department), or has a high school diploma, General Education Diploma (GED), or High School Equivalency Test (HiSET), and has successfully completed a minimum of twenty (20) clock hours of department-approved substitute teacher training that includes professionalism, honoring diversity, engaging students, foundational classroom management techniques, basic instructional strategies, supporting students with special needs, and working with at-risk youth may be granted a substitute Missouri certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).

*AUTHORITY:* sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and sections 168.021 **and 168.036**, RSMo Supp. [2021] 2022. This rule previously filed as 5 CSR 80-800.290. Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Jan. 26, 2000. Original rule filed July 30, 1999, effective Feb. 29, 2000. For intervening history, please consult the **Code of State Regulations**. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

*PUBLIC COST:* This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time that the emergency is effective.

*PRIVATE COST:* This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time that the emergency is effective.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

PROCLAMATION

WHEREAS, on May 30, 2022, the General Assembly adjourned pursuant to Article III, Section 20(a) of the Missouri Constitution; and

WHEREAS, agriculture is Missouri's top economic industry by contributing over \$93.7 billion, with over \$55 billion generated from agriculture inputs and \$34 billion in agriculture value-added products; and

WHEREAS, Missouri's agriculture industry employs nearly 460,000 citizens that support many of the state's top agricultural commodities including soybeans, corn, cattle and calves, hogs, and turkeys; and

WHEREAS, the Show-Me State is 2nd in the United States for number of farms with over 95,000 farms covering two-thirds of the state's total land acreage, nearly all of which are family owned and operated; and

WHEREAS, Missouri farmers not only feed Missourians, but also help feed the world by exporting commodities to other countries, providing critical aid while global fuel supply shortages occur surrounding the global Russia-Ukraine crisis; and

WHEREAS, in order to further support and promote agricultural opportunities in Missouri and support Missouri family farms, certainty and longevity are needed for our key agriculture programs to attract additional agricultural investment to Missouri; and

WHEREAS, all Missouri families are impacted by agriculture, and the costs of food, fuel, and other household goods have increased over 8.5% in the past twelve months, adding to the financial strain placed on farmers and families; and

WHEREAS, Missouri has taken a fiscally conservative approach to managing our state finances by balancing our budget every year, all while reducing individual income taxes in 2018, 2019, and 2022; and

WHEREAS, the current individual income tax top rate is 5.3%, and the fiscally disciplined decisions my administration and the General Assembly have made over the last several years have positioned us to provide additional relief to Missouri citizens by further reducing taxes; and

WHEREAS, Missouri families and farmers would greatly benefit from additional tax reductions to help them manage rising national and global prices.

NOW, THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m. on Tuesday, September 6, 2022; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation amending Section 135.305, RSMo to extend the expiration of the wood energy tax credit at least eight years after the expiration date of June 30, 2020;
2. To enact legislation amending Section 135.686, RSMo to extend the expiration of the meat processing facility investment tax credit act at least seven years after the expiration date of December 31, 2021, to amend the definition of “taxpayer” to include any individual or entity that owns a meat processing facility located in this state and employs a combined total of fewer than five hundred individuals in all meat processing facilities owned by the individual or entity in this country, and to remove the terms “and section 135.679” from subsection 4 to allow the meat facility investment tax credit to be capped at two million dollars per calendar year exclusive of the qualified beef tax credit;
3. To add a new section to Chapter 135, RSMo that creates a tax credit program for retail dealers of higher ethanol blend fuel equal to five cents per gallon, where such credits are nontransferable and nonrefundable, but may be carried forward up to five subsequent tax years. The total amount of credits that may be authorized in any fiscal year may not exceed five million dollars. The tax credit program shall expire at least six years after the program is authorized;
4. To add a new section to Chapter 135, RSMo that creates a tax credit program for retail dealers of biodiesel fuel equal to two cents per gallon of biodiesel blend of at least five percent but not more than ten percent, and five cents per gallon of biodiesel blend in excess of ten percent but not more than twenty percent. Such credits shall be nontransferable but may be refundable. The total amount of credits that may be authorized in any fiscal year shall not exceed sixteen million dollars. The tax credit program shall expire at least six years after the program is authorized;
5. To add a new section to Chapter 135, RSMo that creates a tax credit program for Missouri biodiesel producers equal to two cents per gallon of biodiesel fuel produced by the Missouri biodiesel producer. Such credits shall be nontransferable but may be refundable. The total amount of credits that may be authorized in any fiscal year shall not exceed four million dollars. The tax credit program shall expire at least six years after the program is authorized;
6. To add a new section to Chapter 135, RSMo that creates an urban farm tax credit program equal to fifty percent of the taxpayer’s eligible expenses for establishing or improving an urban farm that focuses on food production. The tax credit shall not exceed the amount of the taxpayer’s state tax liability in the tax year for which the credit is claimed, and the taxpayer shall not be allowed to claim a tax credit in excess of five thousand dollars for each urban farm or twenty-five thousand dollars for all taxpayers on any given urban farm. Such tax credits may be carried forward up to three subsequent tax years. The total amount of credits that may be authorized in any calendar year shall not exceed two hundred thousand dollars. The tax credit program shall expire at least six years after the program is authorized;

7. To enact legislation amending Section 137.1018, RSMo to extend the expiration of the rolling stock tax credit program at least eight years after the expiration date of August 28, 2020, and by further terminating the rolling stock tax credit program one year thereafter;
8. To enact legislation amending Section 143.011, RSMo to reduce the top rate of individual income tax beginning in calendar year 2023, so long as any reduction made in this Section, and when combined with the elimination of tax on taxable income under Section 143.021 and increasing the Missouri standard deduction under Section 143.131, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;
9. To enact legislation amending Section 143.021, RSMo to eliminate the tax on taxable income of up to four thousand dollars in increments of one thousand dollars beginning on or after January 1, 2023 and allowing the Director of the Missouri Department of Revenue to adjust the tax table accordingly, so long as any reduction made in this Section, and when combined with the reduction of the top rate of individual income tax under Section 143.011 and increasing the Missouri standard deduction under Section 143.131, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;
10. To enact legislation amending Section 143.131, RSMo to increase the Missouri standard deduction for every tax filer beginning January 1, 2023, with such amounts increasing for every filing status except married filing combined shall be the allowable federal standard deduction plus up to two thousand dollars, and increasing for the filing status of married filing combined shall be the allowable federal standard deduction plus up to four thousand dollars, so long as any reduction made in this Section, and when combined with the reduction of the top rate of individual income tax under Section 143.011 and the elimination of tax on taxable income under Section 143.021, as calculated by the Missouri Office of Administration, does not exceed an estimated net effect on the state general revenue fund of greater than seven hundred one million dollars when fully implemented;
11. To enact legislation amending Section 144.030, RSMo to exempt utility vehicles used for any agricultural use from state and local sales and use taxes;
12. To enact legislation amending Section 348.436, RSMo to extend the sunset on the Agricultural Product Utilization Contributor Tax Credit program and the New Generation Cooperative Incentive Tax Credit program at least seven years after the expiration date of December 31, 2021, or to repeal Section 348.436, RSMo in its entirety;
13. To add two new sections to Chapter 348, RSMo to create the Specialty Agricultural Crops Act allowing family farmers to obtain loans for acquiring farming resources while not being assessed loan interest for the first year of the qualified specialty agricultural crops loan. Lenders providing loans under the specialty agricultural crops act program shall be entitled to a tax credit equal to the amount of interest waived in the first year of the loan. The total amount of credits that may be authorized in any fiscal year shall not exceed three hundred thousand dollars. The Specialty Agricultural Crops Act program and associate credits shall expire at least six years after the program is authorized;



14. To enact legislation amending Section 348.500, RSMo of the Family Farms Act to modify the definition of "small farmer" to mean a farmer who is a Missouri resident and who has less than five hundred thousand dollars in gross sales per year, and by removing a provision from subsection 4 that limits small farmers from being eligible for only one family farm livestock loan per family and for only one type of livestock. The maximum amount of the family farm livestock loan for each type of livestock may also be amended to be one hundred fifty thousand dollars for beef cattle and dairy cattle, seventy thousand dollars for swine, and sixty thousand dollars for sheep and goats;
15. To add an emergency clause to all legislation enacted by the One Hundred First General Assembly of the State of Missouri in the First Extraordinary Session of the Second Regular Session;
16. To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require the advice and consent of the Senate; and
17. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22<sup>nd</sup> day of August, 2022.

MICHAEL L. PARSON  
GOVERNOR

ATTEST:

JOHN R. ASHCROFT  
SECRETARY OF STATE