



August 11, 2023

Capitol Report

Hi All,

Another productive week during the interim! I was able to attend the annual Summer Caucus meeting with my colleagues to discuss strategies for next legislative session and do some work from my office at the Capitol. We're a few months away from the start of session, and I am looking forward to continuing to fight for the 12th district.

Don't forget that this is an interactive process so I'd love to hear from you about issues that matter to you. Thanks for signing up for my reports!

Sincerely,



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This Week in Jefferson City

Ban on texting, cellphone use while driving set to take effect

Later this month, Missouri will finally shed its dubious status as one of the last states that doesn't prohibit all motorists from using a cell phone or texting while driving. But although a new law largely banning the use of electronic devices while behind the wheel takes effect Aug. 28, police will only be able to issue warnings for violations until Jan. 1, 2025.

For many years, Missouri has banned cell phone use while driving only for those operating a commercial vehicle, while texting has been prohibited for both commercial vehicle drivers and any motorist under age 21. However, Senate Bill 398, an omnibus bill containing various provisions relating to motor vehicles, makes the prohibitions on using a cell phone or texting while driving – excluding by means of a hands-free device – uniform for all drivers.

Under the new law, police will be prohibited from pulling over or detaining someone solely for using a cell phone or texting while driving. Instead, police can only cite someone for a violation if they pull them over for another traffic offense. The law also requires police to inform drivers that they have the right to decline a search of their cell phone or other device and prohibits the issuance of warrants to seize a phone or device in relation to an alleged violation of the law except in instances involving a car crash that results in serious bodily injury or death.

Once the grace period on enforcement expires in 2025 and police begin issuing tickets, the maximum penalty for a single violation during a two-year period will be a \$150 fine, with fines rising to \$250 for a second violation in that period and topping out at \$500 for subsequent violations.

While most violations will be considered infractions, those occurring in designated work zones or that involve property damage exceeding \$5,000 or serious injuries would be elevated to misdemeanors. A violation that results in someone's death will be a Class D felony.

SB 398 also preempts local governments from regulating the use of electronic devices while driving, with state law superseding any local ordinances or restrictions.

GOP legislators file lawsuit against abortion petition

The Republican effort to prevent a proposed constitutional amendment protecting abortion from making it on the statewide ballot next year took a new turn Aug. 7 when pair of GOP lawmakers filed a lawsuit claiming the fiscal summary accompanying the measure inadequately estimates the costs to taxpayers.

The arguments by state Sen. Mary Elizabeth Coleman, R-Arnold, and state Rep. Hannah Kelly, R-Mountain Grove, mirror those Attorney General Andrew Bailey made in his unsuccessful fight to force State Auditor Scott Fitzpatrick to rewrite the fiscal estimate his office prepared for the measure. Bailey wanted the fiscal note to falsely say ratifying the

abortion rights amendment would cost the state \$12.5 billion a year in lost revenue. Fitzpatrick said the measure would have no fiscal impact on the state, with one local government possibly incurring \$51,000 in costs.

The Missouri Supreme Court ended the dispute on July 20 when it ruled Bailey had no authority to order Fitzpatrick to make changes since the attorney general's role is limited to ensuring the fiscal estimate is in the proper legal form, which Fitzpatrick's was. However, the court didn't address the merits of whether Fitzpatrick's estimate is incorrect, which the two anti-abortion lawmakers assert in their lawsuit.

Abortion rights supporters are seeking to put the measure on the statewide ballot using the initiative petition process, which allows citizens to bypass lawmakers to put legislation directly before voters. State officials were supposed to have cleared the petition for circulation by no later than May 1, but because of Bailey's delays, final certification didn't happen until almost three months later, on July 26.

The petition's sponsors still haven't started gathering the minimum 172,000 signatures needed to qualify for the November 2024 ballot as they challenge slanted ballot language Ashcroft prepared for measure claiming it would "allow for dangerous, unregulated and unrestricted abortions" and "nullify longstanding Missouri law protecting the right to life." A Cole County judge has scheduled a Sept. 11 trial in that case. Regardless of which side prevails, appeals to the Missouri Court of Appeals and, ultimately, the state Supreme Court are expected

The case disputing the fiscal estimate likely will delay circulation even further. No hearing has yet been set in the matter, which is assigned to a different Cole County judge. The new case is Hannah Kelly, et al., v. Scott Fitzpatrick, et al.

Former House Speaker Jim Kreider dies of cancer at age 68

Jim Kreider, the last Democrat to serve as speaker of the Missouri House of Representatives, died Aug. 1 from cancer. He was 68 years old.

Born in Nuremberg, Germany, on June 24, 1955, Kreider grew up near the southwest Missouri town of Nixa. After graduating from Southwest Missouri State University in 1977 with a degree in agricultural business and economics, Kreider continued working the family's farm, which remains in operation.

Kreider became the first Democrat elected in Christian County since 1904 when he won election to the House in 1992. He quickly ascended in House leadership, serving as speaker pro tem, the chamber's No. 2 position, from 1997 through 2000 before being elected House speaker by his fellow lawmakers in 2001.

Kreider couldn't seek re-election in 2002 due to term limits and instead mounted an unsuccessful bid for a state Senate seat. Republicans won a majority of House seats that year, ending 48 years of continuous Democratic control of the chamber after Kreider's term ended.

After leaving elected office, Kreider became executive director of the Missouri Retired Teachers Association in 2003. He held the post until his retirement in 2021. According to the obituary posted by the Adams Funeral Home in Nixa, Kreider is survived by his wife Debbie Kreider, two daughters and four grandsons.

Upcoming Events

August 12, 2023

PCCCS - Kids Night Out

Platte County Community Center South

8875 Clark Ave, Parkville, MO 64152

4:30-8:00pm

August 12, 2023

Parkville Farmer's Market

Parkville Farmer's Market

S East St, Parkville, MO 64152

7am-12pm

August 20, 2023

Parkville Days

Historic Downtown Parkville

12 Main St, Parkville, MO 64152

12-5pm

Feel free to contact my office with your questions or requests.

573-751-9760

