

Capitol Report

March 9, 2023

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Dear Neighbor,

It was an interesting week at the Capitol beginning with the federal judge's order that nullified Missouri's Second Amendment Preservation Act aka SAPA. This state law was enacted in 2021 and declared many federal gun laws unenforceable in Missouri. During the House debate, I along with several other Democratic members argued the bill was unconstitutional because it violates the Supremacy Clause of the Constitution in which federal law supercedes state law. The law also allowed for citizens to sue police officers who assisted federal agents. I was very pleased with the judge's decision, but the Missouri Attorney General says he will appeal.

In other news, the House, in a narrow vote, approved allowing open enrollment for public schools. This makes it possible for students to transfer to neighboring school districts without paying tuition, I voted NO on the bill as I have concerns for the stability and student populations of Center 58, Hickman-Mills C1 and Raytown Quality Schools. I am also concerned with the newly released DESE MSIP6 scores, as these scores impact the accreditation status of many districts around the state and creates an opportunity for charter schools to expand beyond Kansas City and St. Louis Public School Districts. I have shared with my rural colleagues that their districts could be impacted most if charters begin to expand. The bill now goes to the senate.

Finally, the General Assembly will be on spring break next week. I anticipate the more controversial pieces of legislation including pro-gun legislation, anti-trans kids bills and teaching on Race in public schools will begin to move. As always, I will represent your interest to the best of my abilities as your state representative. I thank you for the trust you have placed in me and the support you have given me. Because next week is Spring Break, there will be no Capitol Report until March 23rd.

Thanks again!

Yours in Service,

Rich

House Legislative Dashboard



**THAT'S
UNCONSTITUTIONAL!**

Federal court strikes down attempt to nullify federal gun laws

A federal district judge on March 6 ruled that a 2021 state law declaring many federal gun laws unenforceable in Missouri “is invalidated as unconstitutional in its entirety” for violating the U.S. Constitution’s Supremacy Clause, which holds that federal laws trump contrary state laws.

The Republican-led General Assembly enacted House Bill 85 nearly two years ago over Democratic objections. In addition to purporting to nullify federal gun laws, the measure also authorizes those arrested or convicted of a federal gun crime to sue local police departments for civil fines of \$50,000 per occurrence for assisting federal agents and prohibits local governments from hiring, in any capacity, former federal officers who previously enforced gun laws.

Shortly after Republican Gov. Mike Parson signed HB 85 into law, Missouri police departments began withdrawing from joint enforcement task forces with federal agencies and stopped sharing information with federal officials. Critics say HB 85, dubbed the “Second Amendment Protection Act” by its supporters, has contributed to an increase in violent crime in Missouri by stifling criminal investigations. Police groups opposed the passage of HB 85.

Ruling in a legal challenge brought by the U.S. Department of Justice, U.S. District Judge Brian Wimes of the Western District of Missouri said HB 85 clearly interferes with federal officials’

ability to enforce federal firearms regulations, in violation of the Supremacy Clause, and is “invalid, null, void, and of no effect.”

“SAPA’s practical effects are counterintuitive to its stated purpose,” Wimes wrote. “While purporting to protect citizens, SAPA exposes citizens to greater harm by interfering with the Federal Government’s ability to enforce lawfully enacted firearms regulations designed by Congress for the purpose of protecting citizens within the limits of the Constitution.”

Wimes issued an order prohibiting “any and all implementation and enforcement of HB 85.” The order also said Missouri police may resume cooperating with federal investigations, participating in joint task forces and sharing information “without fear of HB 85’s penalties.”

Missouri Attorney General Andrew Bailey, a Republican, said he intends to appeal the case, *United States v. State of Missouri*, to the 8th U.S. Circuit Court of Appeals.



I recently visited with Judge Jalilah Otto and Judge James Kanatzar at the Jackson County Courthouse.



House approves allowing open enrollment for public schools

The House of Representatives on March 8 voted 85-69 to send controversial legislation to the Senate aimed at making it easier for students to transfer to neighboring public school districts without paying tuition. The bill received just three more “yes” votes than the constitutional minimum required to advance.

For the most part, Missouri law historically has required students to attend the local public school district in which they reside, although in some instances students can enroll in another district if they pay tuition. House Bill 253 would allow districts to voluntarily accept students who live elsewhere starting with the 2024-2025 school year. Although transferring students wouldn’t pay tuition, their share of per-pupil state funding would follow them to their new district.

Supporters of the bill say it would give students in struggling districts more options within the sphere of public schools and spark competition among districts. Opponents contend districts often struggle due to a lack of sufficient funding and that allowing students – and their state funding – to move to another district will only exacerbate the problem. They also warn there’s no guarantee lawmakers won’t later make the now-voluntary program mandatory or lift the existing bill’s cap on no more than 3 percent of a given district’s population transferring in a single school year.

Passage of the bill came one day after the Missouri Department of Elementary and Secondary Education released its latest periodic performance assessment of the state's public schools. Under a new and more stringent evaluation system, instead of just five school districts being deemed provisionally accredited – a step below full accreditation – now more than 100 are in the provisional category.



House votes to give lawmakers control of state road funds

The Missouri House of Representatives on March 7 voted 101-45 to advance a proposed constitutional amendment that would give lawmakers control over how state transportation revenue is allocated. If the measure also clears the Senate, it automatically would go on the November 2024 statewide ballot for voter ratification.

For nearly a century, the Missouri Constitution has insulated road and bridge construction decisions from legislative meddling by giving the six-member State Highways and Transportation Commission complete discretion over how state tax revenue earmarked for transportation is spent. House Joint

Resolution 37 would instead empower lawmakers to allocate that money is during the annual budget process.



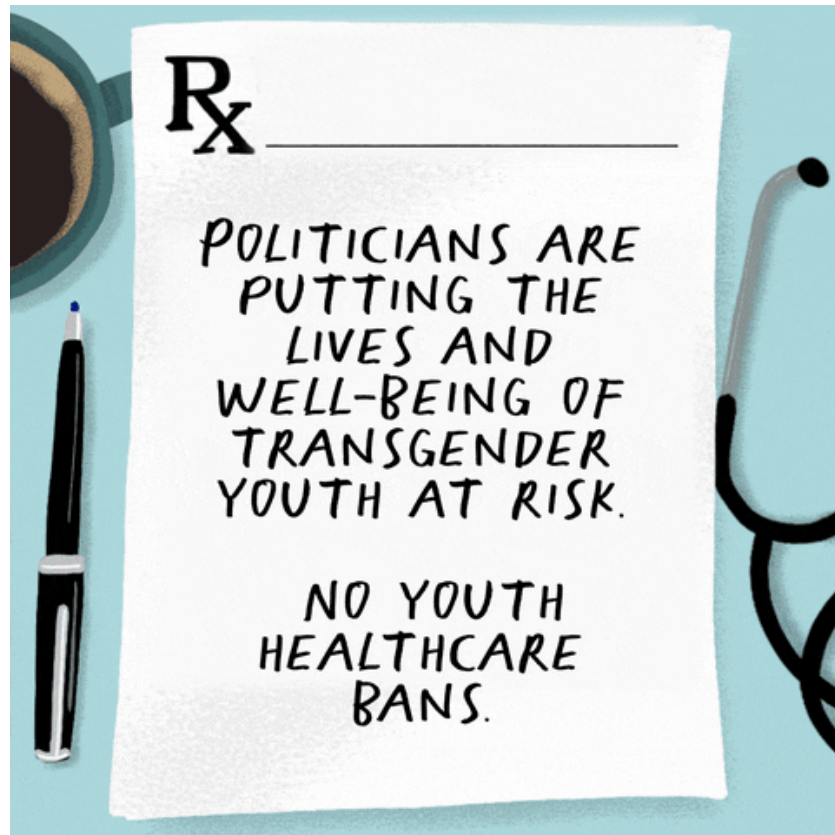
House advances bill imposing state control of STL police

The state of Missouri would take over the St. Louis Metropolitan Police Department under legislation the House of Representatives approved on March 7 by a vote of 113-40. **I voted NO.** The measure, House Bill 702, now advances to the Senate.

HB 702 supporters contend putting the department back under state control, as it had been from 1865 to 2013, is necessary to reduce violent crime in the city. Opponents of the bill note that when the state previously controlled the department there were several periods when crime was worse than it is now. Instead, opponents assert the main motivation is to prevent local officials in a city whose population is nearly half Black from holding police accountable.



Moms Demand Action is a grassroots movement of Americans fighting for public safety measures that can protect people from gun violence. I support them and appreciate all the support the Moms have given me during my time in the legislature.



Bill limiting medical care for transgender kids stalls in Senate

Legislation to restrict medical treatment for transgender children is stalled in the Missouri Senate – at least for now – after minority Democrats spent two days filibustering the measure and majority Republicans fractured on a compromise aimed at breaking the impasse. The situation resulted in the Senate unexpectedly adjourning on March 8, a day before lawmakers were scheduled to begin their annual spring recess. The Senate will reconvene March 20.

Senate Bill 49 is one of many Republican bills filed in the Missouri General Assembly this year targeting transgender children, their families and medical providers and is part of a national GOP push to suppress LGBTQ rights. The bill would prohibit doctors and other health care providers from providing any gender-affirming care to those under age 18. Those deemed in violation could face the loss of their state-issued medical license.

A bipartisan group of lawmakers had sought a compromise that would have somewhat softened the bill's restrictions, and for a while it appeared one had been reached. The deal fell apart, however, when conservative hardliners had second thoughts and refused to support it. The bill likely will come up again when lawmakers return for the final eight weeks of the 2023 legislative session.



House Members Members from Kansas City welcomed KCPD Chief Stacey Daniels to the Capitol.

PEACE FOR  UKRAINE

COMMUNITY NEWS AND HAPPENINGS





★ ★ **EARLY VOTING** ★ ★

 United Believers Community Church
5600 East 112 Terrace
Kansas City, MO 64137

First day- March 21st
Last day- April 1st

Weekdays, March 21-31:
10am - 6pm

Saturday, April 1:
8am - 12pm
(This is the only Saturday)

HOW DO I KNOW WHETHER A CHARITY IS LEGITIMATE OR A SCAM?

Visit ago.mo.gov/divisions/consumer/check-a-charity and enter the name of the charity in the box for information regarding that charity.

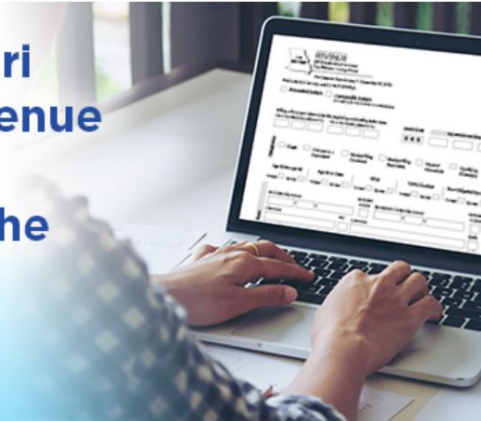
FILE A COMPLAINT

Visit ago.mo.gov/divisions/consumer/consumer-complaints or call the Consumer Protection Hotline at **(800) 392-8222**

Individual Income Tax Electronic Filing

The IRS and Missouri Department of Revenue are now accepting e-filed returns for the 2022 tax year

[Click here for more information](#)



Obtaining the status of your tax return

The Missouri Return Inquiry System provides information regarding the status of your Missouri tax return. After entering your information, you will also have the option of being notified by text or email when the status of your tax return changes. You may only view the status of 2018 or later year returns.

Sign up
to receive
automatic updates!

Receive text or email notifications each time the status of your return changes.

Access the
Missouri Return Inquiry System
to find out how.



What tax years and returns can I check on?

- 2018 and forward Missouri Individual Income Tax returns
- 2018 and forward Missouri Property Tax Credit (PTC) claims

What information do I need to get started?

- Social security number
- Filing status
- Anticipated refund or balance due

When will my return information be available?

- Up to 5 business days after filing electronically
- Up to 3 - 4 weeks after mailing your paper return

What information will I receive?

- Easy-to-read graphics indicating the status of your return
- Refund issue date, if applicable

RIGHT TO COUNSEL

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MISSOURI



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HOUSING COURT
EVICTION RATE

without RtC

99%

VS

with RtC

<20%

816-474-5112 | gkcassistanceprogram.org/EvictionDefense/

In Memoriam
never forgotten





Michael M. Burke

MAY 8, 1949 – MARCH 5, 2023

Kansas City lost a longtime dedicated civic leader and servant.
Mike Burke was one of the good guys and will be missed.

**The reward has been raised to
\$30,000 for Dominic**



**GREATER KANSAS CITY CRIME STOPPERS
816-474-TIPS HOTLINE**

**PRESS RELEASE
FOR IMMEDIATE RELEASE**

FROM: Det. Kevin Boehm, Crime Stoppers Coordinator

SUBJECT: Reward Increase – 9 Year Old Dominic Young Homicide

KANSAS CITY, MO --- The Kansas City, Missouri Police Department and the Greater KC Crime Stoppers TIPS Hotline continue to seek information in the January 20, 2018 homicide of 9 year old Dominic Young Jr. at 71 Highway and Emanuel Cleaver II Blvd.

Dominic Young Jr. was apparently hit by a stray gunshot while occupying a vehicle driven by his father and died as a result of his injuries. Dominic, his father and brother were en route to Grandview at the time. The vehicle driven by Dominic's father was hit by gunshots from other vehicles apparently engaged in a gunfight according to statements.

KCPD found a possible crime scene near the intersection where the father said the shooting happened. When the father arrived home in Grandview, Dominic was not responsive. Grandview police initially responded to the father's home and found the boy in critical condition. He was later pronounced dead at a hospital.

A number of community leaders and organizations including State Representative Richard Brown, Mayor Pro Tem Kevin McManus, former City Councilmen Scott Taylor, Scott Wagner, John Sharp; the City of KCMO and Concord Fortress of Hope Church (Pastor Ron Lindsay) have come forward to increase the existing reward in the case up to \$30,000.00. Those leaders are available for comment in regard to the case.

Anyone with information is urged to contact Crime Stoppers Greater Kansas City TIPS Hotline at 816-474-TIPS (8477), TIPS may also be submitted electronically at www.KCcrimestoppers.com, or by downloading our NEW mobile app, P3TIPS, on Google Play or the Apple iOS stores for FREE. Information leading to an arrest and/or filing of charges could be eligible for up to \$30,000.00 in reward money. ALL INFORMATION IS ANONYMOUS.



Remain Anonymous • Receive Cash Rewards

Tips Hotline

816-474-8477

Web Tips

www.KCcrimestoppers.com

Free Mobile App

www.P3Tips.com

* A program of the KC Metropolitan Crime Commission

My office in Jefferson City is available to assist you with questions you may have about state government or legislative issues. Please call, email or write anytime. If you are unable to reach me, my assistant, Donna Gentsch is ready to help you. If you are in Jefferson City, come by my Capitol office in room 134, and introduce yourself. The door is always open and I encourage you to visit.

Please forward this email to your friends and family who want to know how what is happening in Jefferson City will impact them here at home.



Rep. Richard Brown

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