

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 722
98TH GENERAL ASSEMBLY

1745S.04T

2015

AN ACT

To amend chapters 260 and 285, RSMo, by adding thereto two new sections relating to prohibited ordinances by political subdivisions.

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

Section A. Chapters 260 and 285, RSMo, are amended by adding thereto two new sections, to be known as sections 260.283 and 285.055, to read as follows:

260.283. 1. All merchants, itinerant vendors, and peddlers doing business in this state shall have the option to provide customers either a paper or a plastic bag for the packaging of any item or good purchased, provided such purchase is of a size and manner commensurate with the use of paper and plastic bags.

2. Notwithstanding any other provision of law, no political subdivision shall impose any ban, fee, or tax upon the use of either paper or plastic bags for packaging of any item or good purchased from a merchant, itinerant vendor, or peddler. No political subdivision shall prohibit a consumer from using a reusable bag for the packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.

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

(1) "Employee", an individual employed in this state by an employer;

(2) "Employer", any individual, sole proprietorship, partnership, limited liability company, corporation, or any other entity that is legally doing business in this state;

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.

5 provided, however, that employer shall not include any public employer as defined in
6 section 285.525;

7 (3) "Employment benefits", anything of value that an employee may receive from
8 an employer in addition to wages and salary. The term includes, but is not limited to,
9 health, disability, retirement, profit-sharing, and death benefits; group accidental death
10 and dismemberment benefits; paid or unpaid days off from work for holidays, sick leave,
11 vacation, and personal necessity; and terms of employment, attendance, or leave policies;

12 (4) "Political subdivision", any county, city, town, or village.

13 2. No political subdivision shall establish, mandate, or otherwise require an
14 employer to provide to an employee:

15 (1) A minimum or living wage rate; or

16 (2) Employment benefits;

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18 that exceed the requirements of federal or state laws, rules, or regulations. The provisions
19 of this subsection shall not preempt any state law or local minimum wage ordinance
20 requirements in effect on August 28, 2015.

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