

FIRST REGULAR SESSION

HOUSE BILL NO. 117

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALSH MOORE.

0314H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 209.030, RSMo, and to enact in lieu thereof one new section relating to blind pensions.

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

Section A. Section 209.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 209.030, to read as follows:

209.030. 1. Every adult blind person, eighteen years of age or over, of good moral character who shall have been a resident of the state of Missouri for one year or more next preceding the time of making application for the pension herein provided and every adult blind person eighteen years of age or over who may have lost his or her sight while a bona fide resident of this state and who has been a continuous resident thereof since such loss of sight, shall be entitled to receive, when enrolled under the provisions of sections 209.010 to 209.160, an annual pension as provided for herein, payable in equal monthly installments, provided, that no such person shall be entitled to or be paid a blind pension who:

(1) Owns property or has an interest in property to the value of thirty thousand dollars or more, or if married and actually living with husband or wife, if the value of his or her interest in property, together with that of such husband or wife, exceeds said amount; provided that, the first one hundred thousand dollars in an individual's ABLE account under sections 209.600 to 209.645 shall be excluded from such asset limit; provided, further, that in determining the total value of property owned, the real estate occupied by the blind person or spouse as the home, shall be excluded;

(2) Obtains, maintains, or renews a valid driver's license in this or any other state or territory, unless such license has been relinquished to the department of revenue and the person

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.

18 provides satisfactory proof of such relinquishment to the department of social services. The
19 department of social services shall notify eligible blind persons with valid driver's licenses that
20 they shall surrender such licenses within sixty days of approval for a blind pension. Upon receipt
21 of a relinquished license under this subdivision, the department of revenue shall, if requested by
22 the person, issue a nondriver's license card compliant with the provisions of chapter 302 at no
23 charge to the person. The department of social services and the department of revenue shall
24 jointly establish procedures and shall share any information necessary to implement this
25 subdivision;

26 (3) Operates a motor vehicle with or without a valid driver's license;

27 (4) Has a sighted spouse resident in this state who upon the investigation of the family
28 support division may be found to be able to provide for the reasonable support of such applicant
29 if the sighted spouse's annual income is equal to or greater than five hundred percent of the
30 federal poverty level for each state fiscal year;

31 (5) Publicly solicits alms in any manner or through any artifice in any part of this state;

32 (6) Is maintained in a private or endowed institution or is an inmate of a public
33 institution, except as a patient in a public medical institution; provided[.] that, benefits shall not
34 be paid to a blind person under sixty-five years of age, who is a patient in an institution for
35 mental diseases or tuberculosis. In order to comply with federal laws and regulations and state
36 plans in making payments to or on behalf of mentally ill individuals sixty-five years of age, or
37 over, who are patients in a state mental institution, the family support division shall require
38 agreements or other arrangements with the institution to provide a framework for cooperation
39 and to assure that state plan requirements and federal laws and regulations relating to such
40 payment will be observed. In the event the federal laws or regulations will not permit approval
41 of the state plan for benefit payments to or on behalf of an individual who is sixty-five years of
42 age, or over, and is a patient in a state institution for mental diseases, this portion of this
43 subdivision shall be inoperative until approval of a state plan is obtained;

44 (7) Is otherwise not blind and not eligible for a blind pension under this chapter; or

45 (8) Pleads guilty or has been found to have violated section 209.140.

46 2. Any applicant for or any recipient of a blind pension who does not submit, without
47 good cause or as otherwise specified by the department of social services, to a vision test as
48 required under section 209.040 within thirty days of a request by the department shall not be
49 eligible for a blind pension and the department shall terminate payment after notice and an
50 opportunity for a hearing.

51 3. The applicant for or recipient of a blind pension shall inform the department of any
52 change of address or other contact information and any other change of circumstances that may
53 impact the applicant or recipient's eligibility for a blind pension within ten days of the change.

54 Any notice served on the applicant or recipient shall be sent by [~~certified~~] mail delivered by the
55 United States Postal Service at the applicant's or recipient's address of record and shall be
56 deemed service for all purposes under sections 209.010 to 209.160.

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