

SECOND REGULAR SESSION

HOUSE BILL NO. 1557

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREGORY (96).

4165H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 188, RSMo, by adding thereto one new section relating to prohibiting public financial benefits to abortion facilities and their affiliates or associates.

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

Section A. Chapter 188, RSMo, is amended by adding thereto one new section, to be
2 known as section 188.212, to read as follows:

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

2 **(1) "Project", any work or undertaking to:**

3 **(a) Purchase or acquire by any means, or sell, transfer, or dispose of by any**
4 **means, any lands, buildings, structures, facilities, places, or premises;**

5 **(b) Build, house, rent to, lease to, sublease to, license to, or otherwise provide or**
6 **make available lands, buildings, structures, facilities, places, or premises for residential,**
7 **recreational, commercial, medical, industrial, nonprofit, governmental, or other public**
8 **or private use;**

9 **(c) Demolish or remove existing buildings, structures, facilities, places, or**
10 **premises to prepare a site for use; or**

11 **(d) Develop, construct, expand, erect, alter, reconstruct, rehabilitate, renovate,**
12 **repair, or otherwise improve or change lands, buildings, structures, facilities, places, or**
13 **premises;**

14 **(2) "Public financial benefit", any economic or financial benefit offered or**
15 **provided by the state or any of its political subdivisions by or through:**

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.

16 (a) Any money appropriated, or any other money or thing of value made
17 available by gift, donation, bequest, devise, contribution, advance, loan, grant, including
18 pass-through or pass-on grants or funds, or by any other means;

19 (b) Any tax reduction, diversion, credit, forgiveness, abatement, subsidy, or
20 other tax-relieving measure;

21 (c) Any tax increment financing or similar financial arrangement;

22 (d) Any monetary or nonmonetary benefit related to any bond, loan, or similar
23 financial arrangement;

24 (e) Any reduction, credit, forgiveness, abatement, subsidy, or other relief related
25 to any bond, loan, or similar financial arrangement; or

26 (f) The ability to form, own, direct, or receive any economic or financial benefit
27 from any special taxation district.

28 2. Notwithstanding any provision of law to the contrary, beginning August 28,
29 2022:

30 (1) No project for a proposed or existing abortion facility or affiliate or associate
31 of an abortion facility shall be eligible for a public financial benefit;

32 (2) Any lands, buildings, structures, facilities, places, or premises upon which a
33 project that received a public financial benefit has been completed shall be restricted in
34 perpetuity from being used by or for the benefit of an abortion facility or affiliate or
35 associate of an abortion facility. Such restriction shall be considered a covenant that
36 runs with the land; and

37 (3) The state or any of its political subdivisions that is offering or providing a
38 public financial benefit to a project shall notify the recipient or recipients of such benefit
39 of the restrictions set forth in this section.

40 3. Nothing in this section shall be construed to prohibit the state or any of its
41 political subdivisions from providing a service that is intended for the health, safety, or
42 welfare of the public at large and which may have the indirect effect of benefitting an
43 abortion facility or affiliate or associate of an abortion facility.

44 4. Any person who or entity that receives a public financial benefit for a project
45 and violates the provisions of this section shall:

46 (1) Forfeit all rights to retain or receive such benefit;

47 (2) Be subject to such action as the state or any of its political subdivisions deems
48 appropriate to effect and secure repayment of any benefit received, along with interest
49 and a ten percent penalty on the total amount of the benefit; and

50 (3) Not be eligible to retain or receive a public financial benefit from the state or
51 any of its political subdivisions for another otherwise eligible project.

52 **5. In any taxpayer suit to enforce the provisions of this section, a court of**
53 **competent jurisdiction may order injunctive or other equitable relief, recovery of**
54 **damages or other legal remedies, or both, as well as payment of reasonable attorney's**
55 **fees, costs, and expenses of the taxpayer. The relief and remedies set forth shall not be**
56 **deemed exclusive and shall be in addition to any other relief or remedies permitted by**
57 **law.**

58 **6. If the state auditor audits the state or any of its political subdivisions for an**
59 **alleged violation of the provisions of this section and has reasonable cause to believe or**
60 **suspect a violation has occurred, the state auditor shall notify the attorney general.**

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