

SECOND REGULAR SESSION

HOUSE BILL NO. 2135

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

3654H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to open enrollment in public schools, with a referendum clause.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.1261, to read as follows:

167.1261. 1. No member of the task force established in this section shall be appointed and no responsibility or duty of the task force shall be performed unless, at the election at which the measure enacting this section was referred to the people of this state, at least seventy-five percent of the registered voters who voted in such election approved the measure.

2. There is hereby established the "Open Enrollment in Missouri Education Task Force".

3. The task force shall consist of the following members:

(1) Three members of the house of representatives, with two members to be appointed by the speaker of the house of representatives, at least one of whom is a member of the joint committee on education, and one member to be appointed by the minority leader of the house of representatives;

(2) Three members of the senate, with two members to be appointed by the president pro tempore of the senate, at least one of whom is a member of the joint committee on education, and one member to be appointed by the minority leader of the senate;

(3) The governor or the governor's designee;

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 **(4) The commissioner of education or the commissioner's designee;**
19 **(5) The commissioner of higher education or the commissioner's designee; and**
20 **(6) Twelve members who represent the interests of each of the following groups,**
21 **to be appointed by the governor:**
- 22 **(a) Public school superintendents;**
 - 23 **(b) Charter schools;**
 - 24 **(c) Community colleges;**
 - 25 **(d) Private colleges or universities;**
 - 26 **(e) Children with disabilities, including children with autism spectrum**
27 **disorders;**
 - 28 **(f) After-school programs;**
 - 29 **(g) Public school board members;**
 - 30 **(h) Public school teachers;**
 - 31 **(i) The business community in this state;**
 - 32 **(j) Private secular school entities;**
 - 33 **(k) Private parochial school entities; and**
 - 34 **(l) Home-schooled students.**
- 35 **4. The speaker of the house of representatives shall designate the chair of the**
36 **task force, and the president pro tempore of the senate shall designate the vice chair of**
37 **the task force.**
- 38 **5. Staff members of house research, house drafting, senate research, and the**
39 **joint committee on legislative research shall provide such legal, research, clerical,**
40 **technical, and bill drafting services as the task force may require in the performance of**
41 **its duties.**
- 42 **6. Members of the task force shall serve without compensation, but the members**
43 **and any staff assigned to the task force shall receive reimbursement for actual and**
44 **necessary expenses incurred in attending meetings of the task force or any**
45 **subcommittee thereof. All task force members shall be subject to the same conflict of**
46 **interest provisions in chapter 105 that are enforced by the Missouri ethics commission in**
47 **the same manner that elected or appointed officials and employees are subject to such**
48 **provisions.**
- 49 **7. The task force shall hold its first meeting within thirty days after the task**
50 **force members are appointed.**
- 51 **8. The mission of the task force shall be to:**
- 52 **(1) Evaluate current funding levels and methods for public elementary and**
53 **secondary education in this state;**

54 **(2) Evaluate any public funding for nonpublic elementary and secondary**
55 **education in this state;**

56 **(3) Study successful voucher programs by which public moneys may be used for**
57 **nonpublic elementary and secondary education in this state;**

58 **(4) Study programs and funding mechanisms that provide direct public funding**
59 **to elementary and secondary students in this state to be used for educational needs**
60 **chosen by parents and guardians of students;**

61 **(5) Make recommendations regarding the funding of public and nonpublic**
62 **elementary and secondary education in this state;**

63 **(6) Make recommendations regarding an open enrollment voucher system in**
64 **which elementary and secondary education students in this state may use public moneys**
65 **to attend public or private educational opportunities outside of the home school districts**
66 **of such students; and**

67 **(7) Make recommendations regarding providing direct public funding to**
68 **elementary and secondary education students in this state to be used for educational**
69 **needs chosen by parents and guardians of students.**

70 **9. The task force shall report a summary of its activities and any**
71 **recommendations for legislation to the general assembly within one year after the**
72 **task force members are appointed. The task force shall terminate on the one hundred**
73 **eightieth day after such report is submitted to the general assembly.**

74 **10. After the members of the task force are appointed, notwithstanding any**
75 **other provision of law to the contrary, no public moneys shall be distributed to any**
76 **entity that is not part of the system of free public schools established under state law**
77 **until the task force's legislative recommendations are enacted into law.**

Section B. This act is hereby submitted to the qualified voters of this state for
2 approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on the Tuesday immediately following the first Monday in August, 2022, pursuant
4 to the laws and constitutional provisions of this state for the submission of referendum
5 measures by the general assembly, and this act shall become effective when approved by a
6 majority of the votes cast thereon at such election and not otherwise.

Section C. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this act to the voters of this state, the official ballot language of this act shall be as follows:

4 "Shall the Missouri Statutes be amended to establish a task force to determine changes
5 to laws necessary to:

6 • Allow open enrollment of elementary and secondary education students; and

7 • Provide state moneys for educational opportunities outside of the system of free
8 public schools established in this state under state law?".

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