

HOUSE BILL NO. 266

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MUNTZEL.

0149H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 253, RSMo, by adding thereto one new section relating to official state historical theater designations.

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

Section A. Chapter 253, RSMo, is amended by adding thereto one new section, to be known as section 253.417, to read as follows:

253.417. 1. There is hereby established the designation of "Official State Historical Theater".

2. As used in this section, the following terms mean:

(1) "State historic preservation council" or "council", as defined in section 253.408;

(2) "State historic preservation officer", "officer", or "director", as defined in section 253.408;

(3) "Theater", a building or outdoor area in which plays, musicals, and other dramatic performances are given.

3. The state historic preservation council and the state historic preservation officer shall administer the official state historical theater program including, but not limited to, creating application forms, establishing a time line for applications, announcements of theaters receiving the designation, and a nominal application fee to cover the costs of administering the program and the certificate in subsection 5.

4. The council and officer shall use the following criteria to determine which theaters should receive the state historical theater designation:

(1) The theater is a 501(c)(3) not-for-profit organization;

(2) The theater produces a minimum of three shows open to the public each year;

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 **(3) The extent to which the theater contributes to tourism in Missouri;**
19 **(4) The extent to which the theater promotes the arts in its community and**
20 **throughout Missouri; and**
21 **(5) The theater has been operational for a minimum of twenty-five years and has**
22 **produced at least one show each year for the last twenty-five years.**
- 23 **5. All theaters selected for the state historical theater designation shall receive a**
24 **certificate, suitable for framing, from the council.**
- 25 **6. After a theater has received the state historical theater designation, it shall be**
26 **required to reapply for the certification every three years to ensure that it still meets the**
27 **criteria for the state historical theater designation.**
- 28 **7. Each year, the council shall provide a list of theaters that have the state historical**
29 **theater designation to the division of tourism.**
- 30 **8. The director may promulgate all necessary rules and regulations for the**
31 **administration of this section. Any rule or portion of a rule, as that term is defined in**
32 **section 536.010, that is created under the authority delegated in this section shall become**
33 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
34 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**
35 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
36 **the effective date, or to disapprove and annul a rule are subsequently held**
37 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
38 **after August 28, 2019, shall be invalid and void.**

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