

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 337

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SWAN.

1076H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to funding for senior services.

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

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be
2 known as section 192.385, to read as follows:

**192.385. 1. There is hereby established in the department of health and senior
2 services the "Senior Services Growth and Development Program" to provide additional
3 funding for senior services provided through the area agencies on aging in this state.**

**4 2. Beginning January 1, 2020, two and one-half percent, and beginning January 1,
5 2021, and each year thereafter, five percent of the premium tax collected under sections
6 148.320 and 148.370, excluding any moneys to be transferred to the state school moneys
7 fund as described in section 148.360, shall be deposited in the fund created in subsection
8 3 of this section.**

**9 3. (1) There is hereby created in the state treasury the "Senior Services Growth
10 and Development Program Fund", which shall consist of moneys collected under this
11 section. The director of the department of revenue shall collect the moneys described in
12 subsection 2 of this section and shall remit such moneys to the state treasurer for deposit
13 in the fund, less one percent for the cost of collection. In accordance with sections 30.170
14 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated**

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.

15 fund and moneys in the fund shall be used solely by the department of health and senior
16 services for enhancing senior services provided by area agencies on aging in this state.

17 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
18 remaining in the fund at the end of the biennium shall not revert to the credit of the
19 general revenue fund. This fund is not intended to supplant general revenue provided for
20 senior services.

21 (3) The state treasurer shall invest moneys in the fund in the same manner as other
22 funds are invested. Any interest and moneys earned on such investments shall be credited
23 to the fund.

24 4. The department of health and senior services shall disburse the moneys from the
25 fund to the area agencies on aging in accordance with the funding formula used by the
26 department to disburse other federal and state moneys to the area agencies on aging.

27 5. At least fifty percent of all moneys distributed under this section shall be applied
28 by area agencies on aging to the development and expansion of senior center programs,
29 facilities, and services.

30 6. All area agencies on aging shall report, either individually or as an association,
31 annually to the department of health and senior services, the department of insurance,
32 financial institutions and professional registration, and the general assembly on the
33 distribution and use of moneys under this section. The board of directors and the advisory
34 board of each area agency on aging shall be responsible for ensuring the proper use and
35 distribution of such moneys.

36 7. The department of health and senior services may promulgate rules to implement
37 the provisions of this section. Any rule or portion of a rule, as that term is defined in
38 section 536.010 that is created under the authority delegated in this section shall become
39 effective only if it complies with and is subject to all of the provisions of chapter 536, and,
40 if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of
41 the powers vested with the general assembly pursuant to chapter 536, to review, to delay
42 the effective date, or to disapprove and annul a rule are subsequently held
43 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
44 after August 28, 2019, shall be invalid and void.

✓