

SECOND REGULAR SESSION

HOUSE REVISION BILL NO. 1

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEATON.

4991H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 21.851, 32.088, 67.5125, 86.353, 99.918, 99.1000, 99.1205, 100.260, 100.710, 100.840, 103.003, 103.005, 103.047, 103.083, 103.089, 103.095, 103.141, 103.175, 103.178, 104.352, 105.721, 130.034, 135.204, 135.276, 135.277, 135.279, 135.281, 135.283, 135.284, 135.313, 135.530, 135.545, 135.546, 135.680, 135.682, 135.710, 135.766, 135.800, 135.980, 136.450, 142.1000, 143.173, 143.732, 143.1008, 143.1009, 143.1013, 143.1014, 143.1017, 143.1027, 143.1100, 160.405, 161.825, 161.1055, 167.225, 167.950, 171.034, 172.287, 173.196, 173.236, 173.680, 173.2510, 178.697, 184.350, 184.351, 184.352, 184.353, 184.355, 184.357, 184.359, 184.362, 184.384, 190.450, 191.211, 191.425, 191.828, 191.831, 191.950, 191.1075, 191.1080, 191.1085, 192.926, 199.020, 208.244, 208.471, 208.482, 208.627, 210.154, 210.1030, 215.263, 217.147, 217.151, 227.817, 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.955, 260.960, 260.965, 301.140, 301.190, 301.213, 301.562, 313.270, 319.140, 320.092, 320.093, 332.304, 332.305, 334.153, 334.1135, 338.320, 374.007, 393.1072, 394.120, 414.407, 454.433, 454.470, 454.490, 454.849, 476.1000, 488.426, 559.117, 595.202, 620.467, 620.570, 620.1020, 620.1910, 620.2020, 620.2100, 620.2600, 630.717, 633.420, and 640.030, RSMo, and section 167.910 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session, and to enact in lieu thereof fifty-one new sections for the sole purpose of repealing expired, terminated, sunset, and obsolete statutes.

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

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.

Section A. Sections 21.851, 32.088, 67.5125, 86.353, 99.918, 99.1000, 99.1205, 2 100.260, 100.710, 100.840, 103.003, 103.005, 103.047, 103.083, 103.089, 103.095, 103.141, 3 103.175, 103.178, 104.352, 105.721, 130.034, 135.204, 135.276, 135.277, 135.279, 135.281, 4 135.283, 135.284, 135.313, 135.530, 135.545, 135.546, 135.680, 135.682, 135.710, 135.766, 5 135.800, 135.980, 136.450, 142.1000, 143.173, 143.732, 143.1008, 143.1009, 143.1013, 6 143.1014, 143.1017, 143.1027, 143.1100, 160.405, 161.825, 161.1055, 167.225, 167.950, 7 171.034, 172.287, 173.196, 173.236, 173.680, 173.2510, 178.697, 184.350, 184.351, 8 184.352, 184.353, 184.355, 184.357, 184.359, 184.362, 184.384, 190.450, 191.211, 9 191.425, 191.828, 191.831, 191.950, 191.1075, 191.1080, 191.1085, 192.926, 199.020, 10 208.244, 208.471, 208.482, 208.627, 210.154, 210.1030, 215.263, 217.147, 217.151, 11 227.817, 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 12 260.940, 260.945, 260.950, 260.955, 260.960, 260.965, 301.140, 301.190, 301.213, 13 301.562, 313.270, 319.140, 320.092, 320.093, 332.304, 332.305, 334.153, 334.1135, 14 338.320, 374.007, 393.1072, 394.120, 414.407, 454.433, 454.470, 454.490, 454.849, 15 476.1000, 488.426, 559.117, 595.202, 620.467, 620.570, 620.1020, 620.1910, 620.2020, 16 620.2100, 620.2600, 630.717, 633.420, and 640.030, RSMo, and section 167.910 as enacted 17 by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 18 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular 19 session, are repealed and fifty-one new sections enacted in lieu thereof, to be known as 20 sections 86.353, 99.918, 99.1000, 100.260, 103.003, 103.005, 103.047, 103.083, 103.089, 21 103.095, 103.141, 104.352, 105.721, 130.034, 135.204, 135.530, 135.800, 160.405, 167.225, 22 167.950, 173.2510, 178.697, 184.350, 184.351, 184.352, 184.353, 184.355, 184.357, 23 184.359, 184.362, 191.211, 191.828, 191.831, 208.244, 208.471, 217.151, 301.140, 24 301.190, 301.562, 313.270, 320.092, 394.120, 414.407, 454.433, 454.470, 454.490, 25 488.426, 620.570, 620.1020, 620.2020, and 630.717, to read as follows:

86.353. The right of any person to a benefit, any other right accrued or accruing to 2 any person under the provisions of sections 86.200 to 86.366 and the moneys created pursuant 3 to sections 86.200 to 86.366 are not subject to execution, garnishment, attachment or any 4 other process whatsoever and are unassignable except as in sections 86.200 to 86.366 5 specifically provided. Notwithstanding the foregoing, nothing in this section shall prevent the 6 board of trustees from honoring the terms of a court order requiring the retirement system to 7 pay all or any portion of the retirement benefit otherwise payable to a retired or disabled 8 member to a third party to satisfy the member's obligation to pay child support or 9 maintenance. Any relief association created pursuant to section 86.500 shall be exempt from 10 the tax imposed by sections 143.011 to ~~[143.1013]~~ **143.1006**.

11 EXPLANATION: Section 143.1013 sunset in 2017. Upon passage and repeal of Section 12 143.1013 in this bill, the intersectional reference becomes obsolete.

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13 99.918. As used in sections 99.915 to 99.980, unless the context clearly requires
2 otherwise, the following terms shall mean:

3 (1) "Authority", the downtown economic stimulus authority for a municipality,
4 created pursuant to section 99.921;

5 (2) "Baseline year", the calendar year prior to the adoption of an ordinance by the
6 municipality approving a development project; provided, however, if economic activity taxes
7 or state sales tax revenues, from businesses other than any out-of-state business or businesses
8 locating in the development project area, decrease in the development project area in the year
9 following the year in which the ordinance approving a development project is approved by a
10 municipality, the baseline year may, at the option of the municipality approving the
11 development project, be the year following the year of the adoption of the ordinance
12 approving the development project. When a development project area is located within a
13 county for which public and individual assistance has been requested by the governor
14 pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance
15 Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to
16 section 44.100 due to a natural disaster of major proportions that occurred after May 1, 2003,
17 but prior to May 10, 2003, and the development project area is a central business district that
18 sustained severe damage as a result of such natural disaster, as determined by the state
19 emergency management agency, the baseline year may, at the option of the municipality
20 approving the development project, be the calendar year in which the natural disaster
21 occurred or the year following the year in which the natural disaster occurred, provided that
22 the municipality adopts an ordinance approving the development project within one year after
23 the occurrence of the natural disaster;

24 (3) "Blighted area", the same meaning as defined pursuant to section 99.805;

25 (4) "Central business district", the area at or near the historic core that is locally
26 known as the "downtown" of a municipality that has a median household income of sixty-two
27 thousand dollars or less, according to the United States Census Bureau's American
28 Community Survey, based on the most recent of five-year period estimate data in which the
29 final year of the estimate ends in either zero or five. In addition, at least fifty percent of
30 existing buildings in this area will have been built in excess of thirty-five years prior or vacant
31 lots that had prior structures built in excess of thirty-five years prior to the adoption of the
32 ordinance approving the redevelopment plan. The historical land use emphasis of a central
33 business district prior to redevelopment will have been a mixed use of business, commercial,
34 financial, transportation, government, and multifamily residential uses;

35 (5) "Collecting officer", the officer of the municipality responsible for receiving and
36 processing payments in lieu of taxes, economic activity taxes other than economic activity

37 taxes which are local sales taxes, and other local taxes other than local sales taxes, and, for
38 local sales taxes and state taxes, the director of revenue;

39 (6) "Conservation area", any improved area within the boundaries of a redevelopment
40 area located within the territorial limits of a municipality in which fifty percent or more of the
41 structures in the area have an age of thirty-five years or more, and such an area is not yet a
42 blighted area but is detrimental to the public health, safety, morals, or welfare and may
43 become a blighted area because of any one or more of the following factors: dilapidation;
44 obsolescence; deterioration; illegal use of individual structures; presence of structures below
45 minimum code standards; abandonment; excessive vacancies; overcrowding of structures and
46 community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities;
47 excessive land coverage; deleterious land use or layout; depreciation of physical maintenance;
48 and lack of community planning;

49 (7) "Development area", an area designated by a municipality in respect to which the
50 municipality has made a finding that there exist conditions which cause the area to be
51 classified as a blighted area or a conservation area, which area shall have the following
52 characteristics:

53 (a) It includes only those parcels of real property directly and substantially benefitted
54 by the proposed development plan;

55 (b) It can be renovated through one or more development projects;

56 (c) It is located in the central business district;

57 (d) It has generally suffered from declining population or property taxes for the
58 twenty-year period immediately preceding the area's designation as a development area or has
59 structures in the area fifty percent or more of which have an age of thirty-five years or more;

60 (e) It is contiguous, provided, however that a development area may include up to
61 three noncontiguous areas selected for development projects, provided that each
62 noncontiguous area meets the requirements of paragraphs (a) to (g) herein;

63 (f) The development area shall not exceed ten percent of the entire area of the
64 municipality; and

65 (g) The development area shall not include any property that is located within the one
66 hundred year flood plain, as designated by the Federal Emergency Management Agency flood
67 delineation maps, unless such property is protected by a structure that is inspected and
68 certified by the United States Army Corps of Engineers. This subdivision shall not apply to
69 property within the one hundred year flood plain if the buildings on the property have been or
70 will be flood proofed in accordance with the Federal Emergency Management Agency's
71 standards for flood proofing and the property is located in a home rule city with more than
72 one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand
73 six hundred inhabitants. Only those buildings certified as being flood proofed in accordance

74 with the Federal Emergency Management Agency's standards for flood proofing by the
75 authority shall be eligible for the state sales tax increment and the state income tax increment.
76 Subject to the limitation set forth in this subdivision, the development area can be enlarged or
77 modified as provided in section 99.951;

78 (8) "Development plan", the comprehensive program of a municipality to reduce or
79 eliminate those conditions which qualified a development area as a blighted area or a
80 conservation area, and to thereby enhance the tax bases of the taxing districts which extend
81 into the development area through the reimbursement, payment, or other financing of
82 development project costs in accordance with sections 99.915 to 99.980 and through the
83 exercise of the powers set forth in sections 99.915 to 99.980. The development plan shall
84 conform to the requirements of section 99.942;

85 (9) "Development project", any development project within a development area
86 which constitutes a major initiative in furtherance of the objectives of the development plan,
87 and any such development project shall include a legal description of the area selected for
88 such development project;

89 (10) "Development project area", the area located within a development area selected
90 for a development project;

91 (11) "Development project costs" include such costs to the development plan or a
92 development project, as applicable, which are expended on public property, buildings, or
93 rights-of-ways for public purposes to provide infrastructure to support a development project.
94 Such costs shall only be allowed as an initial expense which, to be recoverable, must be
95 included in the costs of a development plan or development project, except in circumstances
96 of plan amendments approved by the Missouri development finance board and the department
97 of economic development. Such infrastructure costs include, but are not limited to, the
98 following:

99 (a) Costs of studies, appraisals, surveys, plans, and specifications;

100 (b) Professional service costs, including, but not limited to, architectural, engineering,
101 legal, marketing, financial, planning, or special services;

102 (c) Property assembly costs, including, but not limited to, acquisition of land and
103 other property, real or personal, or rights or interests therein, demolition of buildings, and the
104 clearing and grading of land;

105 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public
106 buildings and fixtures;

107 (e) Costs of construction of public works or improvements;

108 (f) Financing costs, including, but not limited to, all necessary expenses related to the
109 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or

110 more development projects, and which may include capitalized interest on any such
111 obligations and reasonable reserves related to any such obligations;

112 (g) All or a portion of a taxing district's capital costs resulting from any development
113 project necessarily incurred or to be incurred in furtherance of the objectives of the
114 development plan, to the extent the municipality by written agreement accepts and approves
115 such infrastructure costs;

116 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes
117 diverted by approval of a development project;

118 (i) State government costs, including, but not limited to, the reasonable costs incurred
119 by the department of economic development, the department of revenue and the office of
120 administration in evaluating an application for and administering state supplemental
121 downtown development financing for a development project; and

122 (j) Endowment of positions at an institution of higher education which has a
123 designation as a Carnegie Research I University including any campus of such university
124 system, subject to the provisions of section 99.958. In addition, economic activity taxes and
125 payment in lieu of taxes may be expended on or used to reimburse any reasonable or
126 necessary costs incurred or estimated to be incurred in furtherance of a development plan or a
127 development project;

128 (12) "Economic activity taxes", the total additional revenue from taxes which are
129 imposed by the municipality and other taxing districts, and which are generated by economic
130 activities within each development project area, which are not related to the relocation of any
131 out-of-state business into the development project area, which exceed the amount of such
132 taxes generated by economic activities within such development project area in the baseline
133 year plus, in development project areas where the baseline year is the year following the year
134 in which the development project is approved by the municipality pursuant to subdivision (2)
135 of this section, the total revenue from taxes which are imposed by the municipality and other
136 taxing districts which is generated by economic activities within the development project area
137 resulting from the relocation of an out-of-state business or out-of-state businesses to the
138 development project area pursuant to section 99.919; but excluding personal property taxes,
139 taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and
140 motels, licenses, fees, or special assessments. If a retail establishment relocates within one
141 year from one facility to another facility within the same county and the municipality or
142 authority finds that the retail establishment is a direct beneficiary of development financing,
143 then for purposes of this definition, the economic activity taxes generated by the retail
144 establishment shall equal the total additional revenues from taxes which are imposed by the
145 municipality and other taxing districts which are generated by the economic activities within
146 the development project area which exceed the amount of taxes which are imposed by the

147 municipality and other taxing districts which are generated by economic activities within the
 148 development project area generated by the retail establishment in the baseline year;

149 (13) "Gambling establishment", an excursion gambling boat as defined in section
 150 313.800 and any related business facility including any real property improvements which are
 151 directly and solely related to such business facility, whose sole purpose is to provide goods or
 152 services to an excursion gambling boat and whose majority ownership interest is held by a
 153 person licensed to conduct gambling games on an excursion gambling boat or licensed to
 154 operate an excursion gambling boat as provided in sections 313.800 to 313.850;

155 (14) "Major initiative", a development project within a central business district that:

156 (a) Promotes tourism, cultural activities, arts, entertainment, education, research,
 157 arenas, multipurpose facilities, libraries, ports, mass transit, museums, or conventions, the
 158 estimated cost of which is in excess of the amount set forth below for the municipality, as
 159 applicable; or

160 (b) Promotes business location or expansion, the estimated cost of which is in excess
 161 of the amount set forth below for the municipality, and is estimated to create at least as many
 162 new jobs as set forth below within three years of such location or expansion:

Population of Municipality	Estimated Project Cost	New Jobs Created
300,000 or more	\$10,000,000	at least 100
100,000 to 299,999	\$5,000,000	at least 50
50,001 to 99,999	\$1,000,000	at least 10
50,000 or less	\$500,000	at least 5;

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 169 (15) "Municipality", any city, village, incorporated town, or any county of this state
 170 established on or prior to January 1, 2001, or a census-designated place in any county
 171 designated by the county for purposes of sections 99.915 to 99.1060;

172 (16) "New job", ~~[any job defined as a new job pursuant to subdivision (11) of section~~
 173 ~~400.710]~~ **a job in a new or expanding eligible industry not including jobs of recalled**
 174 **workers, replacement jobs, or jobs that formerly existed in the eligible industry in the**
 175 **state;**

176 (17) "Obligations", bonds, loans, debentures, notes, special certificates, or other
 177 evidences of indebtedness issued by the municipality or authority, or other public entity
 178 authorized to issue such obligations pursuant to sections 99.915 to 99.980 to carry out a
 179 development project or to refund outstanding obligations;

180 (18) "Ordinance", an ordinance enacted by the governing body of any municipality or
 181 an order of the governing body of such a municipal entity whose governing body is not
 182 authorized to enact ordinances;

183 (19) "Other net new revenues", the amount of state sales tax increment or state
184 income tax increment or the combination of the amount of each such increment as determined
185 under section 99.960;

186 (20) "Out-of-state business", a business entity or operation that has been located
187 outside of the state of Missouri prior to the time it relocates to a development project area;

188 (21) "Payment in lieu of taxes", those revenues from real property in each
189 development project area, which taxing districts would have received had the municipality
190 not adopted a development plan and the municipality not adopted development financing, and
191 which would result from levies made after the time of the adoption of development financing
192 during the time the current equalized value of real property in such development project area
193 exceeds the total equalized value of real property in such development project area during the
194 baseline year until development financing for such development project area expires or is
195 terminated pursuant to sections 99.915 to 99.980;

196 (22) "Special allocation fund", the fund of the municipality or its authority required to
197 be established pursuant to section 99.957 which special allocation fund shall contain at least
198 four separate segregated accounts into which payments in lieu of taxes are deposited in one
199 account, economic activity taxes are deposited in a second account, other net new revenues
200 are deposited in a third account, and other revenues, if any, received by the authority or the
201 municipality for the purpose of implementing a development plan or a development project
202 are deposited in a fourth account;

203 (23) "State income tax increment", up to fifty percent of the estimate of the income
204 tax due the state for salaries or wages paid to new employees in new jobs at a business located
205 in the development project area and created by the development project. The estimate shall
206 be a percentage of the gross payroll which percentage shall be based upon an analysis by the
207 department of revenue of the practical tax rate on gross payroll as a factor in overall taxable
208 income;

209 (24) "State sales tax increment", up to one-half of the incremental increase in the state
210 sales tax revenue in the development project area. In no event shall the incremental increase
211 include any amounts attributable to retail sales unless the Missouri development finance
212 board and the department of economic development are satisfied based on information
213 provided by the municipality or authority, and such entities have made a finding that a
214 substantial portion of all but a de minimus portion of the sales tax increment attributable to
215 retail sales is from new sources which did not exist in the state during the baseline year. The
216 incremental increase for an existing facility shall be the amount by which the state sales tax
217 revenue generated at the facility exceeds the state sales tax revenue generated at the facility in
218 the baseline year. The incremental increase in development project areas where the baseline
219 year is the year following the year in which the development project is approved by the

220 municipality pursuant to subdivision (2) of this section shall be the state sales tax revenue
221 generated by out-of-state businesses relocating into a development project area. The
222 incremental increase for a Missouri facility which relocates to a development project area
223 shall be the amount by which the state sales tax revenue of the facility exceeds the state sales
224 tax revenue for the facility in the calendar year prior to relocation;

225 (25) "State sales tax revenues", the general revenue portion of state sales tax revenues
226 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,
227 taxes deposited to the school district trust fund in accordance with section 144.701, sales and
228 use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes
229 earmarked by law;

230 (26) "Taxing district's capital costs", those costs of taxing districts for capital
231 improvements that are found by the municipal governing bodies to be necessary and to
232 directly result from a development project; and

233 (27) "Taxing districts", any political subdivision of this state having the power to levy
234 taxes.

99.1000. As used in sections 99.1000 to 99.1060, unless the context clearly requires
2 otherwise, the following terms shall mean:

3 (1) "Authority", the rural economic stimulus authority for a municipality, created
4 pursuant to section 99.1006;

5 (2) "Baseline year", the calendar year prior to the adoption of an ordinance by the
6 municipality approving a development project;

7 (3) "Collecting officer", the officer of the municipality responsible for receiving and
8 processing payments in lieu of taxes, economic activity taxes other than economic activity
9 taxes which are local sales taxes, and other local taxes other than local sales taxes, and, for
10 local sales taxes and state taxes, the director of revenue;

11 (4) "Development area", an area designated by a municipality which area shall have
12 the following characteristics:

13 (a) It includes only those parcels of real property directly and substantially benefitted
14 by the proposed development plan;

15 (b) It can be renovated through one or more development projects;

16 (c) It is contiguous, provided, however that a development area may include up to
17 three noncontiguous areas selected for development projects, provided that each
18 noncontiguous area meets the requirements of paragraphs (a) and (b) of this subdivision; and

19 (d) The development area shall not exceed ten percent of the entire area of the
20 municipality.

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22 Subject to the limitation set forth in this subdivision, the development area can be enlarged or
23 modified as provided in section 99.1036;

24 (5) "Development facility", a facility producing either a good derived from an
25 agricultural commodity or using a process to produce a good derived from an agricultural
26 product;

27 (6) "Development plan", the comprehensive program of a municipality and to thereby
28 enhance the tax bases of the taxing districts which extend into the development area through
29 the reimbursement, payment, or other financing of development project costs in accordance
30 with sections 99.1000 to 99.1060 and through the exercise of the powers set forth in sections
31 99.1000 to 99.1060. The development plan shall conform to the requirements of section
32 99.1027;

33 (7) "Development project", any development project within a development area
34 which creates a renewable fuel production facility or eligible new generation processing
35 entity, and any such development project shall include a legal description of the area selected
36 for such development project;

37 (8) "Development project area", the area located within a development area selected
38 for a development project;

39 (9) "Development project costs" include such costs to the development plan or a
40 development project, as applicable, which are expended on public property, buildings, or
41 rights-of-ways for public purposes to provide infrastructure to support a development project.
42 Such costs shall only be allowed as an initial expense which, to be recoverable, must be
43 included in the costs of a development plan or development project, except in circumstances
44 of plan amendments approved by the Missouri agricultural and small business development
45 authority and the department of economic development. Such infrastructure costs include,
46 but are not limited to, the following:

47 (a) Costs of studies, appraisals, surveys, plans, and specifications;

48 (b) Professional service costs, including, but not limited to, architectural, engineering,
49 legal, marketing, financial, planning, or special services;

50 (c) Property assembly costs, including, but not limited to, acquisition of land and
51 other property, real or personal, or rights or interests therein, demolition of buildings, and the
52 clearing and grading of land;

53 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public
54 buildings and fixtures;

55 (e) Costs of construction of public works or improvements;

56 (f) Financing costs, including, but not limited to, all necessary expenses related to the
57 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or

58 more development projects, and which may include capitalized interest on any such
59 obligations and reasonable reserves related to any such obligations;

60 (g) All or a portion of a taxing district's capital costs resulting from any development
61 project necessarily incurred or to be incurred in furtherance of the objectives of the
62 development plan, to the extent the municipality by written agreement accepts and approves
63 such infrastructure costs;

64 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes
65 diverted by approval of a development project;

66 (i) State government costs, including, but not limited to, the reasonable costs incurred
67 by the department of economic development, the agricultural and small business development
68 authority, and the department of revenue in evaluating an application for and administering
69 state supplemental rural development financing for a development project; and

70 (j) Endowment of positions at an institution of higher education which has a
71 designation as a Carnegie Research I University including any campus of such university
72 system, subject to the provisions of section 99.1043;

73 (10) "Economic activity taxes", the total additional revenue from taxes which are
74 imposed by the municipality and other taxing districts, and which are generated by economic
75 activities within each development project area which exceed the amount of such taxes
76 generated by economic activities within such development project area in the baseline year;
77 but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of
78 hotels and motels, licenses, fees, or special assessments. If a retail establishment relocates
79 within one year from one facility to another facility within the same county and the
80 municipality or authority finds that the retail establishment is a direct beneficiary of
81 development financing, then for purposes of this definition, the economic activity taxes
82 generated by the retail establishment shall equal the total additional revenues from taxes
83 which are imposed by the municipality and other taxing districts which are generated by
84 economic activities within the development project area which exceed the amount of taxes
85 which are imposed by the municipality and other taxing districts which are generated by
86 economic activities within the development project area generated by the retail establishment
87 in the baseline year;

88 (11) "Eligible new generation processing entity", as defined in section 348.432;

89 (12) "Major initiative", a development project that:

90 (a) Promotes the development of a facility producing either a good derived from an
91 agricultural commodity or using a process to produce a good derived from an agricultural
92 product, the estimated cost of which is in excess of the amount set forth below for the
93 municipality, as applicable; or

94 (b) Promotes business location or expansion, the estimated cost of which is in excess
 95 of the amount set forth below for the municipality, and is estimated to create at least as many
 96 new jobs as set forth below within three years of such location or expansion:

Population of Municipality	Estimated Project Cost	New Jobs Created
99,999 or less	\$3,000,000	at least 30;

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 100 (13) "Municipality", any city, village, incorporated town, or any county of this state
 101 established on or prior to January 1, 2001;

102 (14) "New job", ~~any job defined as a new job pursuant to subdivision (11) of section~~
 103 ~~100.710] a job in a new or expanding eligible industry not including jobs of recalled~~
 104 **workers, replacement jobs, or jobs that formerly existed in the eligible industry in the**
 105 **state;**

106 (15) "Obligations", bonds, loans, debentures, notes, special certificates, or other
 107 evidences of indebtedness issued by the municipality or authority, or other public entity
 108 authorized to issue such obligations pursuant to sections 99.1000 to 99.1060 to carry out a
 109 development project or to refund outstanding obligations;

110 (16) "Ordinance", an ordinance enacted by the governing body of any municipality or
 111 an order of the governing body of such a municipal entity whose governing body is not
 112 authorized to enact ordinances;

113 (17) "Other net new revenues", the amount of state sales tax increment or state
 114 income tax increment or the combination of the amount of each such increment as determined
 115 under section 99.1045;

116 (18) "Payment in lieu of taxes", those revenues from real property in each
 117 development project area, which taxing districts would have received had the municipality
 118 not adopted a development plan and the municipality not adopted development financing, and
 119 which would result from levies made after the time of the adoption of development financing
 120 during the time the current equalized value of real property in such development project area
 121 exceeds the total equalized value of real property in such development project area during the
 122 baseline year until development financing for such development project area expires or is
 123 terminated pursuant to sections 99.1000 to 99.1060;

124 (19) "Renewable fuel production facility", a facility producing an energy source
 125 which is derived from a renewable, domestically grown, organic compound capable of
 126 powering machinery, including an engine or power plant, and any by-product derived from
 127 such energy source;

128 (20) "Special allocation fund", the fund of the municipality or its authority required to
 129 be established pursuant to section 99.1042 which special allocation fund shall contain at least

130 four separate segregated accounts into which payments in lieu of taxes are deposited in one
131 account, economic activity taxes are deposited in a second account, other net new revenues
132 are deposited in a third account, and other revenues, if any, received by the authority or the
133 municipality for the purpose of implementing a development plan or a development project
134 are deposited in a fourth account;

135 (21) "State income tax increment", the estimate of the income tax due the state for
136 salaries or wages paid to new employees in new jobs at a business located in the development
137 project area and created by the development project. The estimate shall be a percentage of the
138 gross payroll which percentage shall be based upon an analysis by the department of revenue
139 of the practical tax rate on gross payroll as a factor in overall taxable income. In no event
140 shall the percentage exceed two percent;

141 (22) "State sales tax increment", the incremental increase in the state sales tax
142 revenue in the development project area. In no event shall the incremental increase include
143 any amounts attributable to retail sales unless the Missouri agricultural and small business
144 development authority and the department of economic development are satisfied based on
145 the information provided by the municipality or authority, and such entities have made a
146 finding that a substantial portion of all but a de minimus portion of the sales tax increment
147 attributable to retail sales is from new sources which did not exist in the state during the
148 baseline year. In addition, the incremental increase for an existing facility shall be the amount
149 by which the state sales tax revenue generated at the facility exceeds the state sales tax
150 revenue generated at the facility in the baseline year. The incremental increase for a Missouri
151 facility which relocates to a development project area shall be the amount by which the state
152 sales tax revenue of the facility exceeds the state sales tax revenue for the facility in the
153 calendar year prior to relocation;

154 (23) "State sales tax revenues", the general revenue portion of state sales tax revenues
155 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,
156 taxes deposited to the school district trust fund in accordance with section 144.701, sales and
157 use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes
158 earmarked by law;

159 (24) "Taxing districts", any political subdivision of this state having the power to levy
160 taxes; and

161 (25) "Taxing district's capital costs", those costs of taxing districts for capital
162 improvements that are found by the municipal governing bodies to be necessary and to
163 directly result from a development project.

164 EXPLANATION: Sections 100.710 and 100.840 expired 1-01-2020 (see section 135.284).
165 Upon passage and repeal of Sections 100.710 and 100.840 in this bill, the intersectional
166 references in these sections become obsolete.

167

100.260. 1. There are hereby created four special funds, to be known as the
2 "Industrial Development and Reserve Fund", the "Industrial Development Guarantee Fund",
3 the "Export Finance Fund", and the "Jobs Now Fund", into which the following may be
4 deposited as and when received and designated for deposit in one of such funds:

5 (1) Any moneys appropriated by the general assembly for use by the board in
6 carrying out the powers set forth in sections 100.250 to 100.297;

7 (2) Any moneys made available through the issuance of revenue bonds under the
8 provisions of sections 100.250 to 100.295;

9 (3) Any moneys received from grants or which are given, donated, or contributed to
10 the fund from any source;

11 (4) Any moneys received in repayment of loans or from application fees, reserve
12 participation fees, guarantee fees and premium payments as provided for under sections
13 100.250 to 100.297;

14 (5) Any moneys received as interest on deposits or as income on approved
15 investments of the fund;

16 (6) Any moneys obtained from the issuance of revenue bonds or notes by the board;

17 (7) Any moneys that were in the industrial development fund authorized by this
18 section, the economic development reserve authorized by section 620.215, or the industrial
19 revenue bond guarantee fund authorized by section 620.240, respectively, as of September 28,
20 1985; and

21 (8) Any moneys obtained from any other available source.

22 2. The development and reserve fund, the guarantee fund, the jobs now fund, and the
23 export finance fund shall be administered by the board as provided in sections 100.250 to
24 100.297. Separate accounts may be created within the development and reserve fund and the
25 guarantee fund for moneys specifically appropriated, donated or otherwise received for
26 industrial development purposes. The board may also create such other separate accounts
27 within any of such funds as deemed necessary or appropriate by the board to carry out the
28 duties and purposes of sections 100.250 to 100.297. All such separate accounts may be
29 administered by a corporate trustee on behalf of the board upon the terms and conditions
30 established by the board.

31 3. Moneys in the jobs now fund, the development and reserve fund, the guarantee
32 fund, and the export finance fund shall be invested by the board in the manner prescribed by
33 the board and any interest earned on invested moneys shall accrue to the benefit of the
34 respective fund.

35 4. None of the funds and accounts of the board shall be considered a state fund, and
36 money deposited therein may not be appropriated therefrom, nor shall any money deposited
37 therein be subject to the provisions of section 33.080.

38 5. The commissioner of administration shall annually calculate the increased amount
39 of revenue to the state treasury due to the provisions of sections 135.155, 135.286, [~~135.546,~~]
40 and subsection 7 of section 620.1039, as enacted or modified by this act and shall allocate up
41 to twelve million dollars of such revenue to the jobs now fund.

42 EXPLANATION: Section 135.546 contains an expiration for the tax credit under section
43 135.545. Upon the passage and repeal of Section 135.546 in the bill, the intersectional
44 reference in this section becomes obsolete.

45

103.003. As used in [~~sections 103.003 to 103.175~~] **this chapter**, the following terms
2 mean:

3 (1) "Actuarial reserves", the necessary funding required to pay all the medical
4 expenses for services provided to members of the plan but for which the claims have not yet
5 been received by the claims administrator;

6 (2) "Actuary", a member of the American Academy of Actuaries or who is an
7 enrolled actuary under the Employee Retirement Income Security Act of 1974;

8 (3) "Agency", a state-sponsored institution of higher learning, political subdivision or
9 governmental entity or instrumentality;

10 (4) "Alternative delivery health care program", a plan of covered benefits that pays
11 medical expenses through an alternate mechanism rather than on a fee-for-service basis. This
12 includes, but is not limited to, health maintenance organizations and preferred provider
13 organizations, all of which shall include chiropractic physicians licensed under chapter 331,
14 in the provider networks or organizations;

15 (5) "Board", the board of trustees of the Missouri consolidated health care plan;

16 (6) "Claims administrator", an agency contracted to process medical claims submitted
17 from providers or members of the plan and their dependents;

18 (7) "Coordination of benefits", to work with another group-sponsored health care plan
19 which also covers a member of the plan to ensure that both plans pay their appropriate amount
20 of the health care expenses incurred by the member;

21 (8) "Covered benefits", a schedule of covered services, including chiropractic
22 services, which are payable under the plan;

23 (9) "Employee", any person employed full time by the state or a participating member
24 agency, or a person eligible for coverage by a state-sponsored retirement system or a
25 retirement system sponsored by a participating member agency of the plan;

26 (10) "Evidence of good health", medical information supplied by a potential member
27 of the plan that is reviewed to determine the financial risk the person represents to the plan
28 and the corresponding determination of whether or not he or she should be accepted into the
29 plan;

30 (11) "Health care plan", any group medical benefit plan providing coverage on an
31 expense-incurred basis, any HMO, any group service or indemnity contract issued by a health
32 plan of any type or description;

33 (12) "Medical benefits coverages" shall include services provided by chiropractic
34 physicians as well as physicians licensed under chapter 334;

35 (13) "Medical expenses", costs for services performed by a provider and covered
36 under the plan;

37 (14) "Missouri consolidated health care plan benefit fund account", the benefit trust
38 fund account containing all payroll deductions, payments, and income from all sources for the
39 plan;

40 (15) "Officer", an elected official of the state of Missouri;

41 (16) "Participating higher education entity", a state-sponsored institution of higher
42 learning;

43 (17) "Participating member agency", a political subdivision or governmental entity
44 that has elected to join the plan and has been accepted by the board;

45 (18) "Plan year", a twelve-month period designated by the board which is used to
46 calculate the annual rate categories and the appropriate coverage;

47 (19) "Provider", a physician, hospital, pharmacist, psychologist, chiropractic
48 physician or other licensed practitioner who or which provides health care services within
49 the respective scope of practice of such practitioner pursuant to state law and regulation;

50 (20) "Retiree", a person who is not an employee and is receiving or is entitled to
51 receive an annuity benefit from a state-sponsored retirement system or a retirement system of
52 a participating member agency of the plan or becomes eligible for retirement benefits because
53 of service with a participating member agency.

103.005. For the purpose of covering medical expenses of the officers, employees and
2 retirees, the eligible dependents of officers, employees and retirees and to the surviving
3 spouses and children of deceased officers, employees and retirees of the state and
4 participating member agencies of the state, there is hereby created and established a health
5 care plan which shall be a body corporate, which shall be under the management of the board
6 of trustees herein described, and shall be known as the "Missouri Consolidated Health Care
7 Plan". Notwithstanding any provision of law to the contrary, such plan may sue and be sued,
8 transact business, contract, invest funds and hold cash, securities and other property and shall
9 be vested with such other powers as may be necessary or proper to enable it, its officers,

10 employees, and agents to carry out fully and effectively all the purposes of ~~[sections 103.003~~
11 ~~to 103.175]~~ **this chapter**.

103.047. Each trustee shall be entitled to one vote. Six trustees shall constitute a
2 quorum for the transaction of business and any official action of the board shall be based on
3 the majority vote of the trustees present. Unless otherwise expressly provided in ~~[sections~~
4 ~~103.003 to 103.175]~~ **this chapter**, a meeting need not be called or held to make any decision
5 on a matter before the board. Each member must be sent by the executive director a copy of
6 the matter to be decided with full information on the question from the files of the plan. The
7 concurring decisions of six trustees may decide the issue by signing a document declaring
8 their decision and sending the written document to the executive director within fifteen days
9 after the document and information was mailed to the trustee. If any trustee is not in
10 agreement with the six trustees, the matter is to be passed on at a regular board meeting or a
11 special meeting called for that purpose.

103.083. The board shall provide or contract, or both, on its own behalf, for medical
2 benefits coverage and services for persons covered under ~~[sections 103.003 to 103.175]~~ **this**
3 **chapter** and enrolled in the plan. The board may contract for medical benefits coverage with
4 alternative delivery health care programs where available. Medical expenses shall also
5 include expenses for comparable benefits for employees who rely solely on spiritual means
6 through prayer for healing.

103.089. Participants in the program of medical benefits coverage provided by
2 ~~[sections 103.003 to 103.175]~~ **this chapter** who are eligible for Medicare benefits and who
3 are not eligible for the program of medical benefits coverage provided under sections 103.083
4 to 103.098 to be their primary plan of coverage benefits shall be provided substantially
5 similar benefits provided participants who are not eligible for Medicare benefits. Medical
6 benefits coverage provided under ~~[sections 103.003 to 103.175]~~ **this chapter** shall be
7 coordinated with Medicare benefits for participants covered by part A or part B, or both, of
8 Medicare benefits, or for participants eligible for but not covered by part A or part B, or both,
9 of Medicare benefits, reduced by an amount determined by the claims administrator to
10 provide a benefit equivalent to the amount which would be provided on a coordination of
11 benefit basis for such participants if such participants were covered by part A or part B, or
12 both, of Medicare benefits. As used in sections 103.083 to 103.098, the term "Medicare
13 benefits" shall include those medical benefits provided by Title XVIII, A and B, Public Law
14 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.)
15 and amendments thereto. Any participating member agency having employees or eligible
16 retirees not covered by Medicare shall authorize the plan at its option to enroll those
17 individuals for medical benefits as provided by Title XVIII, A and B, Public Law 89-97, 1965
18 amendments to the federal Social Security Act whenever they become eligible for such

19 benefits and the plan shall pay the premium for such enrollment on behalf of that person. The
20 Medicare premium amounts shall be included in the rate established by the actuary for
21 providing medical benefits coverage to such a participating member agency. Anyone not
22 authorizing this Medicare enrollment shall be denied coverage.

103.095. Notwithstanding any other provision of law to the contrary, any member of
2 the general assembly and any elected state official holding a statewide elective state office,
3 who ceases to hold elective office, or any person employed by the elected official or
4 employed by a member of the general assembly, whose employment is terminated because
5 such elected official or member of the general assembly ceases to hold elective office, may
6 elect to continue insurance benefits to cover medical expenses provided under [~~sections~~
7 ~~103.003 to 103.175~~] **this chapter**, by paying the cost of such benefits as determined by the
8 board. If an eligible person does not elect to continue the coverage within thirty-one days
9 from the last day of the month in which the eligible person ceases to be an employee, he may
10 not later elect to be covered under this section.

103.141. The persons in each participating member agency eligible for coverage by
2 the plan shall include, subject to the limitations contained in [~~sections 103.003 to 103.175~~]
3 **this chapter**:

4 (1) All employees, retirees, former employees entitled to a retirement benefit because
5 of service with the participating member agency, employees eligible for a disability benefit
6 from the participating member agency, employees on a leave of absence, and their
7 dependents;

8 (2) All persons, and their dependents, who become employees of a participating
9 member agency on or after the date such agency becomes covered under the plan, and who
10 wish to enroll in the plan; and

11 (3) All persons who become eligible for retirement benefits because of service with
12 the participating member agency, persons who become eligible for a disability benefit from
13 the participating member agency, and their unemancipated dependents, on or after the date
14 such participating member agency becomes covered under the plan, and who have been
15 continuously covered by the benefits under [~~sections 103.003 to 103.175~~] **this chapter** for at
16 least the shorter of:

17 (a) Two years prior to the date of disability of the employee or his eligibility for
18 normal or early retirement; or

19 (b) From the initial date of eligibility for the benefits provided by [~~sections 103.003 to~~
20 ~~103.175~~] **this chapter**.

104.352. 1. Each employee described in paragraph (b) of subdivision (21) of section
2 104.010 shall be entitled to the same insurance benefits provided under [~~sections 103.003 to~~
3 ~~103.175~~] **chapter 103** to employees described in paragraph (a) of subdivision (21) of section

4 104.010 to cover the medical expenses of such employees and their spouses and children.
5 Such insurance benefits shall be made available to employees described in paragraph (b) of
6 subdivision (21) of section 104.010 upon their initial employment as such employees in the
7 same manner provided for employees described in paragraph (a) of subdivision (21) of
8 section 104.010, and shall be continued during any period of time, not to exceed one year, in
9 which such employees are not paid for full-time employment, so long as such employees pay
10 the same amount for such insurance benefits as is required of employees described in
11 paragraph (a) of subdivision (21) of section 104.010 who continue receiving such insurance
12 benefits during a leave of absence without pay from their employment with the state. Any
13 employee described in paragraph (b) of subdivision (21) of section 104.010 who is
14 reemployed by the general assembly or either house thereof, or by any member of the general
15 assembly while acting in his official capacity as a member, by the thirteenth legislative day of
16 the session of the general assembly immediately following the session of the general
17 assembly in which such employee was last so employed, without having elected to
18 discontinue the insurance benefits described in this subsection, shall be entitled to continue
19 such insurance benefits without having to prove insurability for himself or any of his covered
20 dependents for whom he has paid for such coverage continuously since last employed as an
21 employee described in paragraph (b) of subdivision (21) of section 104.010. Any employee
22 described in paragraph (b) of subdivision (21) of section 104.010 who is not reemployed by
23 the general assembly or either house thereof, or by any member of the general assembly while
24 acting in his official capacity as a member, by the thirteenth legislative day of the session of
25 the general assembly immediately following the session of the general assembly in which
26 such employee was last so employed, shall be deemed terminated as an employee as of such
27 thirteenth legislative day, and the insurance benefits provided for such employee under this
28 subsection and ~~[sections 103.003 to 103.175]~~ **chapter 103** shall be terminated as provided for
29 employees described in paragraph (a) of subdivision (21) of section 104.010 whose
30 employment is terminated. During each month of service in which an employee described in
31 paragraph (b) of subdivision (21) of section 104.010 is employed, the state shall make any
32 contribution required by ~~[sections 103.003 to 103.175]~~ **chapter 103** for such employee.

33 2. Any employee described in paragraph (b) of subdivision (21) of section 104.010
34 who is actively employed on or after September 28, 1992, shall be deemed vested for
35 purposes of determining eligibility for benefits under sections 104.320 to 104.620 after being
36 so employed for at least sixty months.

37 EXPLANATION: The report under Section 103.175 was due by 12-15-2003. Upon passage
38 and repeal of Section 103.175 in this bill, the intersectional references in these sections
39 become obsolete.

105.721. 1. The commissioner of administration may, in his discretion, direct that
2 any or all of the moneys appropriated to the state legal expense fund be expended to procure
3 one or more policies of insurance to insure against all or any portion of the potential liabilities
4 of the state of Missouri or its agencies, officers, and employees.

5 2. Until July 1, 1996, the commissioner of administration may procure one or more
6 policies of insurance or reinsurance to insure against all potential losses from liabilities
7 incurred by the state legal expense fund under paragraphs (d) and (e) of subdivision (3) of
8 subsection 2 of section 105.711. ~~[On or before January 1, 1996, the commissioner of
9 administration shall prepare and distribute a report regarding the cost effectiveness of insuring
10 against potential losses to the state under paragraphs (d) and (e) of subdivision (3) of
11 subsection 2 of section 105.711, by the direct purchase of an insurance policy or policies as
12 compared to self-insuring against such losses through appropriations to the state legal
13 expense fund under section 105.711. The report shall be submitted to the governor, the
14 speaker of the house of representatives, the president pro tempore of the senate, and upon
15 request to any member of the general assembly.]~~

16 3. After consultation with the state courts administrator, the commissioner of
17 administration shall procure such surety bonds as are required by statute and such surety
18 bonds as he deems necessary to protect the state against loss from the acts or omissions of any
19 person within the judiciary that receives compensation from the state. No other bond for such
20 person shall be required for the protection of the state. A copy of any bond procured pursuant
21 to this section shall be filed with the secretary of state.

22 EXPLANATION: The report required under subsection 2 of this section was due by 1-01-
23 1996.

24

130.034. 1. Contributions as defined in section 130.011, received by any committee
2 shall not be converted to any personal use.

3 2. Contributions may be used for any purpose allowed by law including, but not
4 limited to:

5 (1) Any ordinary expenses incurred relating to a campaign;

6 (2) Any ordinary and necessary expenses incurred in connection with the duties of a
7 holder of elective office;

8 (3) Any expenses associated with the duties of candidacy or of elective office
9 pertaining to the entertaining of or providing social courtesies to constituents, professional
10 associations, or other holders of elective office;

11 (4) The return of any contribution to the person who made the contribution to the
12 candidate or holder of elective office;

13 (5) To contribute to a political organization or candidate committee as allowed by
14 law;

15 (6) To establish a new committee as defined by this chapter;

16 (7) To make an unconditional gift which is fully vested to any charitable, fraternal or
17 civic organizations or other associations formed to provide for some good in the order of
18 benevolence, if such candidate, former candidate or holder of elective office or such person's
19 immediate family gain no direct financial benefit from the unconditional gift[;]

20 ~~(8) Except when such candidate, former candidate or holder of elective office dies~~
21 ~~while the committee remains in existence, the committee may make an unconditional gift to a~~
22 ~~fund established for the benefit of the spouse and children of the candidate, former candidate~~
23 ~~or holder of elective office. The provisions of this subdivision shall expire October 1, 1997].~~

24 3. Upon the death of the candidate, former candidate or holder of elective office who
25 received such contributions, all contributions shall be disposed of according to this section
26 and any funds remaining after final settlement of the candidate's decedent's estate, or if no
27 estate is opened, then twelve months after the candidate's death, will escheat to the state of
28 Missouri to be deposited in the general revenue fund.

29 4. No contributions, as defined in section 130.011, received by a candidate, former
30 candidate or holder of elective office shall be used to make restitution payments ordered of
31 such individual by a court of law or for the payment of any fine resulting from conviction of a
32 violation of any local, state or federal law.

33 5. Committees described in subdivision (17) of section 130.011 shall make
34 expenditures only for the purpose of determining whether an individual will be a candidate.
35 Such expenditures include polling information, mailings, personal appearances, telephone
36 expenses, office and travel expenses but may not include contributions to other candidate
37 committees.

38 6. Any moneys in the exploratory committee fund may be transferred to the candidate
39 committee upon declaration of candidacy for the position being explored. Such funds shall be
40 included for the purposes of reporting and limitation. In the event that candidacy is not
41 declared for the position being explored, the remaining exploratory committee funds shall be
42 returned to the contributors on a pro rata basis. In no event shall the amount returned exceed
43 the amount given by each contributor nor be less than ten dollars.

44 7. Funds held in candidate committees, campaign committees, debt service
45 committees, and exploratory committees shall be liquid such that these funds shall be
46 readily available for the specific and limited purposes allowed by law. These funds may be
47 invested only in short-term treasury instruments or short-term bank certificates with durations
48 of one year or less, or that allow the removal of funds at any time without any additional
49 financial penalty other than the loss of interest income. Continuing committees, political

50 party committees, and other committees such as out-of-state committees not formed for the
51 benefit of any single candidate or ballot issue shall not be subject to the provisions of this
52 subsection. This subsection shall not be interpreted to restrict the placement of funds in an
53 interest-bearing checking account.

54 EXPLANATION: Subdivision (8) of subsection 2 of this section expired 10-01-1997.
55

135.204. The repeal and reenactment of sections 99.918, 99.1082, 135.205, 135.207,
2 135.230, 135.530, 135.903, 135.953, [~~215.263,~~] and 620.1023 of section A of this act shall
3 become effective on April 1, 2011, or when the United States Census Bureau's American
4 Community Survey, based on the most recent of five-year period estimate data in which the
5 final year of the estimate period ends in zero becomes available, which first occurs. The
6 commissioner of the office of administration shall notify the revisor of statutes when the
7 updated United States Census Bureau data has been released.

8 EXPLANATION: Section 215.263 became obsolete when sections 215.261 and 215.262
9 were repealed in 2015. Upon passage and repeal of Section 215.263 in this bill, the
10 intersectional reference in this section becomes obsolete.

11

135.530. For the purposes of sections 100.010, [~~100.710, 100.850,~~] 135.110, 135.200,
2 135.258, [~~135.313,~~] 135.403, 135.405, 135.503, 135.530, [~~135.545,~~] 215.030, 348.300,
3 348.302, and 620.1400 to 620.1460, "distressed community" means either a Missouri
4 municipality within a metropolitan statistical area which has a median household income of
5 under seventy percent of the median household income for the metropolitan statistical area,
6 according to the United States Census Bureau's American Community Survey, based on the
7 most recent of five-year period estimate data in which the final year of the estimate ends in
8 either zero or five, or a United States census block group or contiguous group of block groups
9 within a metropolitan statistical area which has a population of at least two thousand five
10 hundred, and each block group having a median household income of under seventy percent
11 of the median household income for the metropolitan area in Missouri, according to the
12 United States Census Bureau's American Community Survey, based on the most recent of
13 five-year period estimate data in which the final year of the estimate ends in either zero or
14 five. In addition the definition shall include municipalities not in a metropolitan statistical
15 area, with a median household income of under seventy percent of the median household
16 income for the nonmetropolitan areas in Missouri according to the United States Census
17 Bureau's American Community Survey, based on the most recent of five-year period estimate
18 data in which the final year of the estimate ends in either zero or five or a census block group
19 or contiguous group of block groups which has a population of at least two thousand five
20 hundred with each block group having a median household income of under seventy percent

21 of the median household income for the nonmetropolitan areas of Missouri, according to the
22 United States Census Bureau's American Community Survey, based on the most recent of
23 five-year period estimate data in which the final year of the estimate ends in either zero or
24 five. In metropolitan statistical areas, the definition shall include areas that were designated
25 as either a federal empowerment zone; or a federal enhanced enterprise community; or a state
26 enterprise zone that was originally designated before January 1, 1986, but shall not include
27 expansions of such state enterprise zones done after March 16, 1988.

28 EXPLANATION: Sections 100.710 and 100.840 expired 1-01-2020 (see section 135.284).
29 The authority for the tax credit under Section 135.313 terminated in 2012. The authority for
30 the tax credit under Section 135.545 terminated in 2017. The intersectional references in these
31 sections become obsolete upon the passage and repeal of Sections 100.710, 100.840, 135.313,
32 and 135.545 in this bill.

33

135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may
2 be cited as the "Tax Credit Accountability Act of 2004".

3 2. As used in sections 135.800 to 135.830, the following terms mean:

4 (1) "Administering agency", the state agency or department charged with
5 administering a particular tax credit program, as set forth by the program's enacting
6 statute; where no department or agency is set forth, the department of revenue;

7 (2) "Agricultural tax credits", the agricultural product utilization contributor tax credit
8 created pursuant to section 348.430, the new generation cooperative incentive tax credit
9 created pursuant to section 348.432, the family farm breeding livestock loan tax credit created
10 under section 348.505, the qualified beef tax credit created under section 135.679, and the
11 wine and grape production tax credit created pursuant to section 135.700;

12 (3) "Business recruitment tax credits", the business facility tax credit created pursuant
13 to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created
14 pursuant to sections 135.200 to 135.270, the business use incentives for large-scale
15 development programs created pursuant to sections 100.700 to 100.850, the development tax
16 credits created pursuant to sections 32.100 to 32.125, the rebuilding communities tax credit
17 created pursuant to section 135.535, the film production tax credit created pursuant to section
18 135.750, the enhanced enterprise zone created pursuant to sections 135.950 to 135.970, and
19 the Missouri quality jobs program created pursuant to sections 620.1875 to 620.1900;

20 (4) "Community development tax credits", the neighborhood assistance tax credit
21 created pursuant to sections 32.100 to 32.125[;] **and** the family development account tax
22 credit created pursuant to sections 208.750 to 208.775[;] ~~the dry fire hydrant tax credit created~~
23 ~~pursuant to section 320.093, and the transportation development tax credit created pursuant to~~
24 ~~section 135.545];~~

25 (5) "Domestic and social tax credits", the youth opportunities tax credit created
26 pursuant to section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of
27 domestic violence created pursuant to section 135.550, the senior citizen or disabled person
28 property tax credit created pursuant to sections 135.010 to 135.035, the adoption tax credit
29 created pursuant to sections 135.325 to 135.339, the champion for children tax credit created
30 pursuant to section 135.341, the maternity home tax credit created pursuant to section
31 135.600, the surviving spouse tax credit created pursuant to section 135.090, the residential
32 treatment agency tax credit created pursuant to section 135.1150, the pregnancy resource
33 center tax credit created pursuant to section 135.630, the food pantry tax credit created
34 pursuant to section 135.647, the residential dwelling access tax credit created pursuant to
35 section 135.562, the developmental disability care provider tax credit created under section
36 135.1180, the shared care tax credit created pursuant to section 192.2015, the health, hunger,
37 and hygiene tax credit created pursuant to section 135.1125, and the diaper bank tax credit
38 created pursuant to section 135.621;

39 (6) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections
40 135.400 to 135.429, the certified capital company tax credit created pursuant to sections
41 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to
42 348.318, the new enterprise creation tax credit created pursuant to sections 620.635 to
43 620.653, the research tax credit created pursuant to section 620.1039, the small business
44 incubator tax credit created pursuant to section 620.495, ~~the guarantee fee tax credit created~~
45 ~~pursuant to section 135.766,~~ and the new generation cooperative tax credit created pursuant
46 to sections 32.105 to 32.125;

47 (7) "Environmental tax credits", ~~the charcoal producer tax credit created pursuant to~~
48 ~~section 135.313,~~ the wood energy tax credit created pursuant to sections 135.300 to 135.311
49 ~~and the alternative fuel stations tax credit created pursuant to section 135.710~~];

50 (8) "Financial and insurance tax credits", the bank franchise tax credit created
51 pursuant to section 148.030, the bank tax credit for S corporations created pursuant to section
52 143.471, the exam fee tax credit created pursuant to section 148.400, the health insurance
53 pool tax credit created pursuant to section 376.975, the life and health insurance guaranty tax
54 credit created pursuant to section 376.745, the property and casualty guaranty tax credit
55 created pursuant to section 375.774, and the self-employed health insurance tax credit created
56 pursuant to section 143.119;

57 (9) "Housing tax credits", the neighborhood preservation tax credit created pursuant
58 to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to
59 sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to
60 sections 32.105 to 32.125;

61 (10) "Recipient", the individual or entity who both:

62 (a) Is the original applicant for a tax credit; and

63 (b) Who directly receives a tax credit or the right to transfer a tax credit under a tax
64 credit program, regardless as to whether the tax credit has been used or redeemed; a recipient
65 shall not include the transferee of a transferable tax credit;

66 (11) "Redevelopment tax credits", the historic preservation tax credit created pursuant
67 to sections 253.545 to 253.559, the brownfield redevelopment program tax credit created
68 pursuant to sections 447.700 to 447.718, the community development corporations tax credit
69 created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant
70 to subsection 6 of section 100.286, the bond guarantee tax credit created pursuant to section
71 100.297, **and** the disabled access tax credit created pursuant to section 135.490~~], the new
72 markets tax credit created pursuant to section 135.680, and the distressed areas land
73 assemblage tax credit created pursuant to section 99.1205];~~

74 (12) "Tax credit program", any of the tax credit programs included in the definitions
75 of agricultural tax credits, business recruitment tax credits, community development tax
76 credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits,
77 housing tax credits, redevelopment tax credits, and training and educational tax credits;

78 (13) "Training and educational tax credits", the Missouri works new jobs tax credit
79 and Missouri works retained jobs credit created pursuant to sections 620.800 to 620.809.

80 EXPLANATION: The authority for the tax credits under Section 99.1205 terminated in
81 2019. The authority for the tax credit under Section 135.313 terminated in 2012. The
82 authority for the tax credit under Section 135.545 terminated in 2017. The authority for the
83 tax credit under Section 135.680 terminated in 2022. The authority for the tax credit under
84 Section 135.710 sunset in 2017. The authority for the tax credit under Section 135.766
85 terminated in 2009. The authority for the tax credit under Section 320.093 terminated in
86 2017. Intersectional references in this section become obsolete upon passage and repeal of
87 sections 99.1205, 135.313, 135.545, 135.680, 135.710, and 320.093 in this bill.

88

160.405. 1. A person, group or organization seeking to establish a charter school
2 shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is
3 not a school board, the applicant shall give a copy of its application to the school board of the
4 district in which the charter school is to be located and to the state board of education, within
5 five business days of the date the application is filed with the proposed sponsor. The school
6 board may file objections with the proposed sponsor, and, if a charter is granted, the school
7 board may file objections with the state board of education. The charter shall include a
8 legally binding performance contract that describes the obligations and responsibilities of the
9 school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and
10 shall address the following:

- 11 (1) A mission and vision statement for the charter school;
- 12 (2) A description of the charter school's organizational structure and bylaws of the
13 governing body, which will be responsible for the policy, financial management, and
14 operational decisions of the charter school, including the nature and extent of parental,
15 professional educator, and community involvement in the governance and operation of the
16 charter school;
- 17 (3) A financial plan for the first three years of operation of the charter school
18 including provisions for annual audits;
- 19 (4) A description of the charter school's policy for securing personnel services, its
20 personnel policies, personnel qualifications, and professional development plan;
- 21 (5) A description of the grades or ages of students being served;
- 22 (6) The school's calendar of operation, which shall include at least the equivalent of a
23 full school term as defined in section 160.011;
- 24 (7) A description of the charter school's pupil performance standards and academic
25 program performance standards, which shall meet the requirements of subdivision (6) of
26 subsection 4 of this section. The charter school program shall be designed to enable each
27 pupil to achieve such standards and shall contain a complete set of indicators, measures,
28 metrics, and targets for academic program performance, including specific goals on
29 graduation rates and standardized test performance and academic growth;
- 30 (8) A description of the charter school's educational program and curriculum;
- 31 (9) The term of the charter, which shall be five years and may be renewed;
- 32 (10) Procedures, consistent with the Missouri financial accounting manual, for
33 monitoring the financial accountability of the charter, which shall meet the requirements of
34 subdivision (4) of subsection 4 of this section;
- 35 (11) Preopening requirements for applications that require that charter schools meet
36 all health, safety, and other legal requirements prior to opening;
- 37 (12) A description of the charter school's policies on student discipline and student
38 admission, which shall include a statement, where applicable, of the validity of attendance of
39 students who do not reside in the district but who may be eligible to attend under the terms of
40 judicial settlements and procedures that ensure admission of students with disabilities in a
41 nondiscriminatory manner;
- 42 (13) A description of the charter school's grievance procedure for parents or
43 guardians;
- 44 (14) A description of the agreement and time frame for implementation between the
45 charter school and the sponsor as to when a sponsor shall intervene in a charter school, when
46 a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and
47 when a sponsor will not renew a charter under subsection 9 of this section;

48 (15) Procedures to be implemented if the charter school should close, as provided in
49 subdivision (6) of subsection 16 of section 160.400 including:

50 (a) Orderly transition of student records to new schools and archival of student
51 records;

52 (b) Archival of business operation and transfer or repository of personnel records;

53 (c) Submission of final financial reports;

54 (d) Resolution of any remaining financial obligations;

55 (e) Disposition of the charter school's assets upon closure; and

56 (f) A notification plan to inform parents or guardians of students, the local school
57 district, the retirement system in which the charter school's employees participate, and the
58 state board of education within thirty days of the decision to close;

59 (16) A description of the special education and related services that shall be available
60 to meet the needs of students with disabilities; and

61 (17) For all new or revised charters, procedures to be used upon closure of the charter
62 school requiring that unobligated assets of the charter school be returned to the department of
63 elementary and secondary education for their disposition, which upon receipt of such assets
64 shall return them to the local school district in which the school was located, the state, or any
65 other entity to which they would belong.

66

67 Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the
68 requirements of this subsection.

69 2. Proposed charters shall be subject to the following requirements:

70 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and
71 procedures for review and granting of a charter approval, and be approved by the state board
72 of education by January thirty-first prior to the school year of the proposed opening date of
73 the charter school;

74 (2) A charter may be approved when the sponsor determines that the requirements of
75 this section are met, determines that the applicant is sufficiently qualified to operate a charter
76 school, and that the proposed charter is consistent with the sponsor's charter sponsorship
77 goals and capacity. The sponsor's decision of approval or denial shall be made within ninety
78 days of the filing of the proposed charter;

79 (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing
80 as to the reasons for its denial and forward a copy to the state board of education within five
81 business days following the denial;

82 (4) If a proposed charter is denied by a sponsor, the proposed charter may be
83 submitted to the state board of education, along with the sponsor's written reasons for its
84 denial. If the state board determines that the applicant meets the requirements of this section,

85 that the applicant is sufficiently qualified to operate the charter school, and that granting a
86 charter to the applicant would be likely to provide educational benefit to the children of the
87 district, the state board may grant a charter and act as sponsor of the charter school. The state
88 board shall review the proposed charter and make a determination of whether to deny or grant
89 the proposed charter within sixty days of receipt of the proposed charter, provided that any
90 charter to be considered by the state board of education under this subdivision shall be
91 submitted no later than March first prior to the school year in which the charter school intends
92 to begin operations. The state board of education shall notify the applicant in writing as the
93 reasons for its denial, if applicable; and

94 (5) The sponsor of a charter school shall give priority to charter school applicants that
95 propose a school oriented to high-risk students and to the reentry of dropouts into the school
96 system. If a sponsor grants three or more charters, at least one-third of the charters granted by
97 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their
98 student body and address the needs of dropouts or high-risk students through their proposed
99 mission, curriculum, teaching methods, and services. For purposes of this subsection, a
100 "high-risk" student is one who is at least one year behind in satisfactory completion of course
101 work or obtaining high school credits for graduation, has dropped out of school, is at risk of
102 dropping out of school, needs drug and alcohol treatment, has severe behavioral problems,
103 has been suspended from school three or more times, has a history of severe truancy, is a
104 pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting
105 incarceration, is a refugee, is homeless or has been homeless sometime within the preceding
106 six months, has been referred by an area school district for enrollment in an alternative
107 program, or qualifies as high risk under department of elementary and secondary education
108 guidelines. Dropout shall be defined through the guidelines of the school core data report.
109 The provisions of this subsection do not apply to charters sponsored by the state board of
110 education.

111 3. If a charter is approved by a sponsor, the charter application shall be submitted to
112 the state board of education, along with a statement of finding by the sponsor that the
113 application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a
114 monitoring plan under which the charter sponsor shall evaluate the academic performance,
115 including annual performance reports, of students enrolled in the charter school. The state
116 board of education shall approve or deny a charter application within sixty days of receipt of
117 the application. The state board of education may deny a charter on grounds that the
118 application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349
119 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter
120 sponsor. Any denial of a charter application made by the state board of education shall be in
121 writing and shall identify the specific failures of the application to meet the requirements of

122 sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided
123 within ten business days to the sponsor.

124 4. A charter school shall, as provided in its charter:

125 (1) Be nonsectarian in its programs, admission policies, employment practices, and
126 all other operations;

127 (2) Comply with laws and regulations of the state, county, or city relating to health,
128 safety, and state minimum educational standards, as specified by the state board of education,
129 including the requirements relating to student discipline under sections 160.261, 167.161,
130 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under
131 sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of
132 school records under section 167.020, the minimum amount of school time required under
133 section 171.031, and the employee criminal history background check and the family care
134 safety registry check under section 168.133;

135 (3) Except as provided in sections 160.400 to 160.425 and as specifically provided in
136 other sections, be exempt from all laws and rules relating to schools, governing boards and
137 school districts;

138 (4) Be financially accountable, use practices consistent with the Missouri financial
139 accounting manual, provide for an annual audit by a certified public accountant, publish audit
140 reports and annual financial reports as provided in chapter 165, provided that the annual
141 financial report may be published on the department of elementary and secondary education's
142 internet website in addition to other publishing requirements, and provide liability insurance
143 to indemnify the school, its board, staff and teachers against tort claims. A charter school that
144 receives local educational agency status under subsection 6 of this section shall meet the
145 requirements imposed by the Elementary and Secondary Education Act for audits of such
146 agencies and comply with all federal audit requirements for charters with local educational
147 agency status. For purposes of an audit by petition under section 29.230, a charter school
148 shall be treated as a political subdivision on the same terms and conditions as the school
149 district in which it is located. For the purposes of securing such insurance, a charter school
150 shall be eligible for the Missouri public entity risk management fund pursuant to section
151 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

152 (5) Provide a comprehensive program of instruction for at least one grade or age
153 group from early childhood through grade twelve, as specified in its charter;

154 (6) (a) Design a method to measure pupil progress toward the pupil academic
155 standards adopted by the state board of education pursuant to section 160.514, establish
156 baseline student performance in accordance with the performance contract during the first
157 year of operation, collect student performance data as defined by the annual performance
158 report throughout the duration of the charter to annually monitor student academic

159 performance, and to the extent applicable based upon grade levels offered by the charter
160 school, participate in the statewide system of assessments, comprised of the essential skills
161 tests and the nationally standardized norm-referenced achievement tests, as designated by the
162 state board pursuant to section 160.518, complete and distribute an annual report card as
163 prescribed in section 160.522, which shall also include a statement that background checks
164 have been completed on the charter school's board members, and report to its sponsor, the
165 local school district, and the state board of education as to its teaching methods and any
166 educational innovations and the results thereof. No charter school shall be considered in the
167 Missouri school improvement program review of the district in which it is located for the
168 resource or process standards of the program.

169 (b) For proposed high-risk or alternative charter schools, sponsors shall approve
170 performance measures based on mission, curriculum, teaching methods, and services.
171 Sponsors shall also approve comprehensive academic and behavioral measures to determine
172 whether students are meeting performance standards on a different time frame as specified in
173 that school's charter. Student performance shall be assessed comprehensively to determine
174 whether a high-risk or alternative charter school has documented adequate student progress.
175 Student performance shall be based on sponsor-approved comprehensive measures as well as
176 standardized public school measures. Annual presentation of charter school report card data
177 to the department of elementary and secondary education, the state board, and the public shall
178 include comprehensive measures of student progress.

179 (c) Nothing in this subdivision shall be construed as permitting a charter school to be
180 held to lower performance standards than other public schools within a district; however, the
181 charter of a charter school may permit students to meet performance standards on a different
182 time frame as specified in its charter. The performance standards for alternative and special
183 purpose charter schools that target high-risk students as defined in subdivision (5) of
184 subsection 2 of this section shall be based on measures defined in the school's performance
185 contract with its sponsors;

186 (7) Comply with all applicable federal and state laws and regulations regarding
187 students with disabilities, including sections 162.670 to 162.710, the Individuals with
188 Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation
189 Act of 1973 (29 U.S.C. Section 794) or successor legislation;

190 (8) Provide along with any request for review by the state board of education the
191 following:

192 (a) Documentation that the applicant has provided a copy of the application to the
193 school board of the district in which the charter school is to be located, except in those
194 circumstances where the school district is the sponsor of the charter school; and

195 (b) A statement outlining the reasons for approval or denial by the sponsor,
196 specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

197 5. (1) Proposed or existing high-risk or alternative charter schools may include
198 alternative arrangements for students to obtain credit for satisfying graduation requirements in
199 the school's charter application and charter. Alternative arrangements may include, but not be
200 limited to, credit for off-campus instruction, embedded credit, work experience through an
201 internship arranged through the school, and independent studies. When the state board of
202 education approves the charter, any such alternative arrangements shall be approved at such
203 time.

204 (2) The department of elementary and secondary education shall conduct a study of
205 any charter school granted alternative arrangements for students to obtain credit under this
206 subsection after three years of operation to assess student performance, graduation rates,
207 educational outcomes, and entry into the workforce or higher education.

208 6. The charter of a charter school may be amended at the request of the governing
209 body of the charter school and on the approval of the sponsor. The sponsor and the governing
210 board and staff of the charter school shall jointly review the school's performance,
211 management and operations during the first year of operation and then every other year after
212 the most recent review or at any point where the operation or management of the charter
213 school is changed or transferred to another entity, either public or private. The governing
214 board of a charter school may amend the charter, if the sponsor approves such amendment, or
215 the sponsor and the governing board may reach an agreement in writing to reflect the charter
216 school's decision to become a local educational agency. In such case the sponsor shall give
217 the department of elementary and secondary education written notice no later than March first
218 of any year, with the agreement to become effective July first. The department may waive the
219 March first notice date in its discretion. The department shall identify and furnish a list of its
220 regulations that pertain to local educational agencies to such schools within thirty days of
221 receiving such notice.

222 7. Sponsors shall annually review the charter school's compliance with statutory
223 standards including:

224 (1) Participation in the statewide system of assessments, as designated by the state
225 board of education under section 160.518;

226 (2) Assurances for the completion and distribution of an annual report card as
227 prescribed in section 160.522;

228 (3) The collection of baseline data during the first three years of operation to
229 determine the longitudinal success of the charter school;

230 (4) A method to measure pupil progress toward the pupil academic standards adopted
231 by the state board of education under section 160.514; and

- 232 (5) Publication of each charter school's annual performance report.
- 233 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and
234 timely notice of contract violations or performance deficiencies and mandate intervention
235 based upon findings of the state board of education of the following:
- 236 a. The charter school provides a high school program which fails to maintain a
237 graduation rate of at least seventy percent in three of the last four school years unless the
238 school has dropout recovery as its mission;
- 239 b. The charter school's annual performance report results are below the district's
240 annual performance report results based on the performance standards that are applicable to
241 the grade level configuration of both the charter school and the district in which the charter
242 school is located in three of the last four school years; and
- 243 c. The charter school is identified as a persistently lowest achieving school by the
244 department of elementary and secondary education.
- 245 (b) A sponsor shall have a policy to revoke a charter during the charter term if there
246 is:
- 247 a. Clear evidence of underperformance as demonstrated in the charter school's annual
248 performance report in three of the last four school years; or
- 249 b. A violation of the law or the public trust that imperils students or public funds.
- 250 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which
251 may include placing the charter school on probationary status for no more than twenty-four
252 months, provided that no more than one designation of probationary status shall be allowed
253 for the duration of the charter contract, at any time if the charter school commits a serious
254 breach of one or more provisions of its charter or on any of the following grounds: failure to
255 meet the performance contract as set forth in its charter, failure to meet generally accepted
256 standards of fiscal management, failure to provide information necessary to confirm
257 compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349
258 within forty-five days following receipt of written notice requesting such information, or
259 violation of law.
- 260 (2) The sponsor may place the charter school on probationary status to allow the
261 implementation of a remedial plan, which may require a change of methodology, a change in
262 leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.
- 263 (3) At least sixty days before acting to revoke a charter, the sponsor shall notify the
264 governing board of the charter school of the proposed action in writing. The notice shall state
265 the grounds for the proposed action. The school's governing board may request in writing a
266 hearing before the sponsor within two weeks of receiving the notice.
- 267 (4) The sponsor of a charter school shall establish procedures to conduct
268 administrative hearings upon determination by the sponsor that grounds exist to revoke a

269 charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are
270 subject to an appeal to the state board of education, which shall determine whether the charter
271 shall be revoked.

272 (5) A termination shall be effective only at the conclusion of the school year, unless
273 the sponsor determines that continued operation of the school presents a clear and immediate
274 threat to the health and safety of the children.

275 (6) A charter sponsor shall make available the school accountability report card
276 information as provided under section 160.522 and the results of the academic monitoring
277 required under subsection 3 of this section.

278 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter
279 school sponsored by such sponsor is in material compliance and remains in material
280 compliance with all material provisions of the charter and sections 160.400 to 160.425 and
281 167.349. Every charter school shall provide all information necessary to confirm ongoing
282 compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a
283 timely manner to its sponsor.

284 (2) The sponsor's renewal process of the charter school shall be based on the thorough
285 analysis of a comprehensive body of objective evidence and consider if:

286 (a) The charter school has maintained results on its annual performance report that
287 meet or exceed the district in which the charter school is located based on the performance
288 standards that are applicable to the grade-level configuration of both the charter school and
289 the district in which the charter school is located in three of the last four school years;

290 (b) The charter school is organizationally and fiscally viable determining at a
291 minimum that the school does not have:

292 a. A negative balance in its operating funds;

293 b. A combined balance of less than three percent of the amount expended for such
294 funds during the previous fiscal year; or

295 c. Expenditures that exceed receipts for the most recently completed fiscal year;

296 (c) The charter is in compliance with its legally binding performance contract and
297 sections 160.400 to 160.425 and section 167.349; and

298 (d) The charter school has an annual performance report consistent with a
299 classification of accredited for three of the last four years and is fiscally viable as described in
300 paragraph (b) of this subdivision. If such is the case, the charter school may have an
301 expedited renewal process as defined by rule of the department of elementary and secondary
302 education.

303 (3) (a) Beginning August first during the year in which a charter is considered for
304 renewal, a charter school sponsor shall demonstrate to the state board of education that the
305 charter school is in compliance with federal and state law as provided in sections 160.400 to

306 160.425 and section 167.349 and the school's performance contract including but not limited
307 to those requirements specific to academic performance.

308 (b) Along with data reflecting the academic performance standards indicated in
309 paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the
310 state board of education for review.

311 (c) Using the data requested and the revised charter application under paragraphs (a)
312 and (b) of this subdivision, the state board of education shall determine if compliance with all
313 standards enumerated in this subdivision has been achieved. The state board of education at
314 its next regularly scheduled meeting shall vote on the revised charter application.

315 (d) If a charter school sponsor demonstrates the objectives identified in this
316 subdivision, the state board of education shall renew the school's charter.

317 10. A school district may enter into a lease with a charter school for physical
318 facilities.

319 11. A governing board or a school district employee who has control over personnel
320 actions shall not take unlawful reprisal against another employee at the school district because
321 the employee is directly or indirectly involved in an application to establish a charter school.
322 A governing board or a school district employee shall not take unlawful reprisal against an
323 educational program of the school or the school district because an application to establish a
324 charter school proposes the conversion of all or a portion of the educational program to a
325 charter school. As used in this subsection, "unlawful reprisal" means an action that is taken
326 by a governing board or a school district employee as a direct result of a lawful application to
327 establish a charter school and that is adverse to another employee or an educational program.

328 12. Charter school board members shall be subject to the same liability for acts while
329 in office as if they were regularly and duly elected members of school boards in any other
330 public school district in this state. The governing board of a charter school may participate, to
331 the same extent as a school board, in the Missouri public entity risk management fund in the
332 manner provided under sections 537.700 to 537.756.

333 13. Any entity, either public or private, operating, administering, or otherwise
334 managing a charter school shall be considered a quasi-public governmental body and subject
335 to the provisions of sections 610.010 to 610.035.

336 14. The chief financial officer of a charter school shall maintain:

337 (1) A surety bond in an amount determined by the sponsor to be adequate based on
338 the cash flow of the school; or

339 (2) An insurance policy issued by an insurance company licensed to do business in
340 Missouri on all employees in the amount of five hundred thousand dollars or more that
341 provides coverage in the event of employee theft.

342 15. The department of elementary and secondary education shall calculate an annual
343 performance report for each charter school and shall publish it in the same manner as annual
344 performance reports are calculated and published for districts and attendance centers.

345 ~~[16. The joint committee on education shall create a committee to investigate facility
346 access and affordability for charter schools. The committee shall be comprised of equal
347 numbers of the charter school sector and the public school sector and shall report its findings
348 to the general assembly by December 31, 2016.]~~

349 EXPLANATION: The report under subsection 16 was due 12-31-2016.

350

167.225. 1. ~~[As used in subsections 1 to 4 of this section, the following terms mean:~~

2 ~~(1) "Braille", the system of reading and writing through touch;~~

3 ~~(2) "Student", any student who has an impairment in vision that, even with correction,
4 adversely affects a child's educational performance and who is determined eligible for special
5 education services under the Individuals with Disabilities Education Act.~~

6 ~~2. All students shall receive instruction in Braille reading and writing as part of their
7 individualized education plan unless the individual education program team determines, after
8 an evaluation of a student's reading and writing skills, needs, and appropriate reading and
9 writing media, including an evaluation of the student's future needs for instruction in Braille
10 or the use of Braille, that instruction in Braille or the use of Braille is not appropriate. No
11 student shall be denied instruction in Braille reading and writing solely because the student
12 has some remaining vision.~~

13 ~~3. Instruction in Braille reading and writing shall be sufficient to enable each student
14 to communicate effectively and efficiently at a level commensurate with the student's sighted
15 peers of comparable grade level and intellectual functioning. The student's individualized
16 education plan shall specify:~~

17 ~~(1) How Braille will be implemented as the primary mode for learning through
18 integration with normal classroom activities. If Braille will not be provided to a child who is
19 blind, the reason for not incorporating it in the individualized education plan shall be
20 documented therein;~~

21 ~~(2) The date on which Braille instruction will commence;~~

22 ~~(3) The level of competency in Braille reading and writing to be achieved by the end
23 of the period covered by the individualized education plan; and~~

24 ~~(4) The duration of each session.~~

25 ~~4. As part of the certification process, teachers certified in the education of blind and
26 visually impaired children shall be required to demonstrate competence in reading and
27 writing Braille. The department of elementary and secondary education shall adopt
28 assessment procedures to assess such competencies which are consistent with standards~~

29 ~~adopted by the National Library Service for the Blind and Physically Handicapped, Library of~~
30 ~~Congress, Washington, D.C.~~

31 ~~5.]~~ (1) Subsections ~~[5 to 9]~~ **1 to 5** of this section shall be known and may be cited as
32 the "Blind Students' Rights to Independence, Training, and Education Act" or the "BRITE
33 Act".

34 (2) As used in subsections ~~[5 to 9]~~ **1 to 5** of this section, the following terms mean:

35 (a) "Accessible assistive technology device", an assistive technology device, as
36 defined in 20 U.S.C. Section 1401, as amended, that provides blind or visually impaired
37 students the benefits of an educational program in an equally effective and integrated manner
38 as that provided to nondisabled students;

39 (b) "Adequate instruction", the quality teaching of blind or visually impaired students,
40 as it pertains to general education and necessary blindness skills, in alignment with the U.S.
41 Department of Education's definition of free appropriate public education, as defined in 20
42 U.S.C. Section 1401, as amended;

43 (c) "Blind or visually impaired student":

44 a. A child who:

45 (i) Has an individualized education program (IEP) or an individualized family service
46 plan (IFSP), as such terms are defined in 20 U.S.C. Section 1401, as amended, or a 504 plan
47 created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as
48 amended; and

49 (ii) Is identified as having the disability of visual impairment (including blindness)
50 within the definition of child with a disability in 20 U.S.C. Section 1401, as amended; or

51 b. An individual who is deaf-blind under the federal Individuals with Disabilities
52 Education Act (IDEA), as amended, or other federal law;

53 (d) "Braille", the system of reading and writing through touch;

54 (e) "Expanded core curriculum", a disability-specific curriculum that compensates for
55 vision loss, is foundational to all other learning, and that covers the nine essential areas of
56 compensatory access, sensory efficiency, assistive technology, orientation and mobility, social
57 interaction, recreation and leisure, independent living, self-determination, and career
58 education;

59 (f) "Grade level instruction", instruction that aligns with state-designated content
60 standards and curricula for students of the same age or level of maturity, based on the
61 development of intellectual, emotional, physical, and behavioral capacity that is typical for
62 the student's age or age group;

63 (g) "Local educational agency" or "LEA", the same definition as in 20 U.S.C. Section
64 1401, as amended;

65 (h) "Nonvisual access", the ability of a blind or visually impaired student to use all
66 functions of a device, without using the student's vision, in an equally effective, equally
67 integrated manner and with equivalent ease of use as the student's sighted peers;

68 (i) "Nonvisual skills", skills that are taught in such a way that the student does not
69 need to use any vision;

70 (j) "State educational agency", the same definition as in 20 U.S.C. Section 1401, as
71 amended;

72 (k) "Technology-mediated learning environments and methods", the settings in which
73 electronic and information technology including, but not limited to, the following is used:

74 a. Computer-based applications and simulations;

75 b. Personal and mobile computing devices such as smartphones or tablets;

76 c. Web-based platforms;

77 d. Online or distance-learning programs;

78 e. Video games; and

79 f. Exhibits or installations that feature digital media, wearable technology, or other
80 tools that support participants' engagement with new knowledge, skills, or practices;

81 (l) "U.S. Access Board", the independent federal agency created in 1973 that
82 promotes equality for people with disabilities through leadership in accessible design and the
83 development of accessibility guidelines and standards.

84 ~~[6-]~~ 2. (1) Each blind or visually impaired student shall receive instruction in Braille
85 reading and writing as part of such student's individualized education program (IEP) or
86 individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an
87 evaluation of the student's reading and writing skills, needs, and appropriate reading and
88 writing media including, but not limited to, an evaluation of the student's needs for instruction
89 in Braille or the use of Braille, that instruction in Braille or the use of Braille is not
90 appropriate. No blind or visually impaired student shall be denied instruction in Braille
91 reading and writing solely because the student has some vision. During the evaluation and
92 IEP process, consideration shall be given regarding appropriate Braille instruction based on a
93 potential vision loss due to a degenerative medical diagnosis.

94 (2) In conjunction with the U.S. Department of Education's Braille presumption
95 requirement in the federal Individuals with Disabilities Education Act (IDEA), as amended,
96 instruction in Braille reading and writing shall be sufficient to enable each blind or visually
97 impaired student to communicate effectively and efficiently at a level commensurate with the
98 student's same age and with the student's nondisabled peers of comparable intellectual ability.
99 The blind or visually impaired student's individualized education program (IEP) or
100 individualized family support plan (IFSP) shall specify:

101 (a) The results obtained from an evaluation of the blind or visually impaired student's
102 reading and writing skills, needs, and appropriate reading and writing media including, but
103 not limited to, an evaluation of the blind or visually impaired student's needs for instruction in
104 Braille or the use of Braille including, but not limited to, consideration regarding appropriate
105 Braille instruction based on a potential vision loss due to a degenerative medical diagnosis;

106 (b) How Braille will be implemented, if needed as determined by the IEP team, as a
107 primary mode for learning through integration with other classroom activities;

108 (c) The length of the period of instruction and the frequency and duration of each
109 instructional session as determined by the IEP team, which shall, as closely as appropriate
110 based on individual needs, be identical to the level of instruction provided to nondisabled
111 peers; and

112 (d) The level of competency in Braille reading and writing to be achieved by the end
113 of the period.

114 (3) Use, and provision, of Braille materials for reading and writing shall be addressed
115 in 504 plans for blind or visually impaired students created under Section 504 of the federal
116 Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

117 ~~[7-]~~ 3. In conjunction with academic achievement and functional performance
118 requirements of 34 CFR 300.320(a)(2)(i), as amended, instruction in expanded core
119 curriculum shall be provided to blind or visually impaired students to support progress in the
120 general education curriculum.

121 ~~[8-]~~ 4. (1) Each blind or visually impaired student shall receive instruction in
122 assistive technology as part of the student's individualized education program (IEP) or
123 individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an
124 evaluation of a student's needs, that instruction in assistive technology is not appropriate. No
125 student shall be denied instruction in assistive technology solely because the student has some
126 vision.

127 (2) In conjunction with accessible assistive technology requirements of the federal
128 Individuals with Disabilities Education Act (IDEA) in 20 U.S.C. Section 1412(a)(12)(B)(i),
129 as amended, the blind or visually impaired student shall receive grade-level instruction that
130 will equip the blind or visually impaired student with the appropriate technology-mediated
131 learning environments and methods to perform on the same level of proficiency expected of
132 peers of comparable intellectual ability and grade level. The blind or visually impaired
133 student's IEP or IFSP shall specify:

134 (a) The results obtained from an assessment of the blind or visually impaired student's
135 skills, needs, and appropriate accessible assistive technology including, but not limited to, an
136 evaluation of the future needs for accessible assistive technology training or the use of
137 accessible assistive technology;

138 (b) How accessible assistive technology will be implemented as a primary mode for
139 learning through integration with other classroom activities;

140 (c) The frequency and duration of each instructional session;

141 (d) The level of mastery of the accessible assistive technology specified by the blind
142 or visually impaired student's assessment to be achieved by the end of the period; and

143 (e) Acknowledgment that either:

144 a. The blind or visually impaired student may transport the accessible assistive
145 technology to and from school without the need for payment, family assumption of liability
146 for loss or damage, or any other cost to the blind or visually impaired student or the family; or

147 b. If the accessible assistive technology remains at school, the LEA will provide
148 duplicate accessible assistive technology in the blind or visually impaired student's home
149 without requiring payment, family assumption of liability for loss or damage, or any other
150 cost to the blind or visually impaired student or the family.

151 (3) Use, and provision, of accessible assistive technology shall be addressed in 504
152 plans for blind or visually impaired students created under Section 504 of the federal
153 Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

154 ~~[9-]~~ 5. (1) Each blind or visually impaired student shall receive instruction in
155 orientation and mobility as part of the student's individualized education program (IEP) or
156 individualized family support plan (IFSP) unless the IEP or IFSP team determines, after an
157 evaluation of a student's needs, that instruction in orientation and mobility is not appropriate.
158 No student shall be denied instruction in orientation and mobility solely because the student
159 has some vision.

160 (2) In conjunction with orientation and mobility services requirements of 34 CFR
161 300.34(c)(7), as amended, blind or visually impaired students shall receive orientation and
162 mobility instruction to equip each blind or visually impaired student with the age-appropriate
163 tools, techniques, and nonvisual skills to navigate in and around the student's home, schools,
164 communities, and other environments as applicable, and as expected of peers of comparable
165 intellectual ability and grade level. The blind or visually impaired student's IEP or IFSP shall
166 specify:

167 (a) The results obtained from an evaluation of the blind or visually impaired student's
168 orientation and mobility needs including, but not limited to, an evaluation of the blind or
169 visually impaired student's future needs for instruction in orientation and mobility;

170 (b) How orientation and mobility will be integrated into the home, school, and
171 community;

172 (c) The date on which orientation and mobility instruction will commence;

173 (d) The frequency and duration of each instructional session; and

174 (e) The level of mastery of orientation and mobility skills to be achieved by the end of
175 the period.

176 (3) Orientation and mobility equipment, accommodations, and modifications shall be
177 addressed in 504 plans for blind or visually impaired students created under Section 504 of
178 the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.

179 (4) An orientation and mobility evaluation shall be conducted by a person who is
180 appropriately certified by the National Blindness Professional Certification Board (NBPCB)
181 with a National Orientation and Mobility Certification (NOMC), or through the Academy for
182 Certification of Vision Rehabilitation and Education Professionals (ACVREP) as a Certified
183 Orientation and Mobility Specialist (COMS), or who holds a nationally recognized
184 certification related to orientation and mobility.

185 (5) The orientation and mobility evaluations described in subdivision (4) of this
186 subsection shall occur in familiar and unfamiliar environments, during the daytime and
187 nighttime, and around the home, school, and community as determined age appropriate by the
188 blind or visually impaired student's IEP or IFSP.

189 ~~[40.]~~ 6. (1) As part of the state educational agency's certification and renewal
190 process, educators hired to teach Braille shall be certified teachers of students with visual
191 impairments, hold a current and valid National Certification in Unified English Braille
192 (NCUEB) working under the supervision of a reading specialist, or hold a nationally
193 recognized certification related to Braille instruction.

194 (2) As part of the state educational agency's certification and renewal process,
195 educators hired to teach accessible assistive technology shall be certified teachers of students
196 with visual impairments, hold a valid and current Certified Assistive Technology Instructional
197 Specialist for People with Visual Impairments (CATIS), or hold a valid and current National
198 Certification in Access Technology for the Blind (NCATB) or other nationally recognized
199 certification related to assistive technology instruction for individuals with visual
200 impairments.

201 (3) As part of the state educational agency's certification and renewal process,
202 specialists hired to teach orientation and mobility shall hold a valid and current National
203 Orientation and Mobility Certification (NOMC) or hold a current and valid Certified
204 Orientation and Mobility Specialist (COMS) certification or other nationally recognized
205 certification related to orientation and mobility instruction for individuals with visual
206 impairments.

207 ~~[41.]~~ 7. (1) LEAs shall deliver services to blind or visually impaired students in a
208 manner that at all times abides by requirements of the federal Individuals with Disabilities
209 Education Act (IDEA), Title II of the Americans with Disabilities Act, and the Rehabilitation
210 Act of 1973, as amended, including during declared local, state, or national emergencies.

211 (2) LEAs shall seek and obtain proof of currently available certified professionals
 212 from any company, agency, or individual the LEA intends to contract with for services
 213 outlined in subsections ~~[5 to 9]~~ **1 to 5** of this section.

214 (3) LEAs shall not impose any preclusions or limitations on a student to receive
 215 instruction in orientation and mobility services in and around the home, school, or community
 216 setting including during daytime and nighttime hours.

217 (4) LEAs may require annual written parental consent to conduct effective instruction
 218 when such services are provided before or after regular school hours or when such services
 219 are provided away from the educational institution or the blind or visually impaired student's
 220 residence.

221 (5) If an LEA prohibits an orientation and mobility instructor from using the
 222 instructor's preferred mode of transportation to transport blind or visually impaired students to
 223 and from outside environments, the LEA shall provide an equally effective transportation
 224 alternative for that purpose without cost to the orientation and mobility instructor. If the blind
 225 or visually impaired student's family provides transportation for the student, the LEA shall
 226 reimburse the expense.

227 ~~[12.]~~ **8.** (1) If an LEA requires an eye report, the LEA shall bear all costs associated
 228 with obtaining such report. LEAs shall not delay an evaluation for eligibility based on the
 229 absence or delay of such report.

230 (2) All electronic and information technology developed, procured, maintained, or
 231 used by LEAs shall be compliant with the U.S. Access Board's Section 508 standards, as
 232 amended.

233 (3) LEAs shall anticipate the need for nonvisual accessibility and adopt policies and
 234 procedures to reduce or eliminate common barriers experienced by blind or visually impaired
 235 students, parents, educators, administrators, and other staff.

236 ~~[13. Subsections 1 to 4 of this section shall apply in all school years ending before~~
 237 ~~July 1, 2022. Subsections 5 to 12 of]~~ **9.** This section shall apply in school year 2022-23 and
 238 all subsequent school years.

239 EXPLANATION: Subsections 1 to 4 of this section apply only to school years ending before
 240 July 1, 2022.

241

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary
 2 education shall develop guidelines for the appropriate screening of students for dyslexia and
 3 related disorders and the necessary classroom support for students with dyslexia and related
 4 disorders. ~~[Such guidelines shall be consistent with the findings and recommendations of the~~
 5 ~~task force created under section 633.420.]~~

6 (2) In the 2018-19 school year and subsequent years, each public school, including
7 each charter school, shall conduct dyslexia screenings for students in the appropriate year
8 consistent with the guidelines developed by the department of elementary and secondary
9 education.

10 (3) In the 2018-19 school year and subsequent years, the school board of each district
11 and the governing board of each charter school shall provide reasonable classroom support
12 consistent with the guidelines developed by the department of elementary and secondary
13 education.

14 2. In the 2018-19 school year and subsequent years, the practicing teacher assistance
15 programs established under section 168.400 shall offer and include two hours of in-service
16 training provided by each local school district for all practicing teachers in such district
17 regarding dyslexia and related disorders. Each charter school shall also offer all of its
18 teachers two hours of training on dyslexia and related disorders. Districts and charter schools
19 may seek assistance from the department of elementary and secondary education in
20 developing and providing such training. Completion of such training shall count as two
21 contact hours of professional development under section 168.021.

22 3. For purposes of this section, the following terms mean:

23 (1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties
24 with accurate and fluent word recognition and poor spelling and decoding abilities that
25 typically result from a deficit in the phonological component of language, often unexpected in
26 relation to other cognitive abilities and the provision of effective classroom instruction, and of
27 which secondary consequences may include problems in reading comprehension and reduced
28 reading experience that can impede growth of vocabulary and background knowledge.
29 Nothing in this definition shall require a student with dyslexia to obtain an individualized
30 education program (IEP) unless the student has otherwise met the federal conditions
31 necessary;

32 (2) "Dyslexia screening", a short test conducted by a teacher or school counselor to
33 determine whether a student likely has dyslexia or a related disorder in which a positive result
34 does not represent a medical diagnosis but indicates that the student could benefit from
35 approved support;

36 (3) "Related disorders", disorders similar to or related to dyslexia, such as
37 developmental auditory imperception, dysphasia, specific developmental dyslexia,
38 developmental dysgraphia, and developmental spelling disability;

39 (4) "Support", low-cost and effective best practices, such as oral examinations and
40 extended test-taking periods, used to support students who have dyslexia or any related
41 disorder.

42 4. The state board of education shall promulgate rules and regulations for each public
43 school to screen students for dyslexia and related disorders and to provide the necessary
44 classroom support for students with dyslexia and related disorders. Any rule or portion of a
45 rule, as that term is defined in section 536.010, that is created under the authority delegated in
46 this section shall become effective only if it complies with and is subject to all of the
47 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
48 are nonseverable and if any of the powers vested with the general assembly pursuant to
49 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
50 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
51 proposed or adopted after August 28, 2016, shall be invalid and void.

52 5. Nothing in this section shall require the MO HealthNet program to expand the
53 services that it provides.

54 EXPLANATION: Section 633.420 expired in 2018. Upon passage and repeal of Section
55 633.420 in this bill, the reference in this section becomes obsolete.

56

173.2510. 1. This section shall be known and may be cited as the "15 to Finish Act".

2 2. The coordinating board for higher education, in cooperation with public
3 institutions of higher education in this state, shall develop policies that promote the on-time
4 completion of degree programs by students. The policies shall include, but not be limited to:

5 (1) Defining on-time completion for specific levels of postsecondary credentials;

6 (2) Providing financial incentives to students during their senior year of
7 undergraduate study who are on pace to graduate in no more than eight semesters; and

8 (3) Reducing, when feasible and permitted by accreditation or occupational licensure,
9 the number of credit hours required to earn a degree.

10 ~~[3. By December 1, 2017, the department of higher education and workforce~~
11 ~~development shall provide a report to the governor and the general assembly describing the~~
12 ~~actions taken to implement these provisions.]~~

13 EXPLANATION: The report under subsection 3 of this section was due by 12-01-2017.

14

178.697. 1. Funding for sections 178.691 to 178.699 shall be made available
2 pursuant to section 163.031 and shall be subject to appropriations made for this purpose.

3 2. Costs of contractual arrangements shall be the obligation of the school district of
4 residence of each preschool child. Costs of contractual arrangements shall not exceed an
5 amount equal to an amount reimbursable to the school districts under the provisions of
6 sections 178.691 to 178.699.

7 3. Payments for participants for programs outlined in section 178.693 shall be
8 uniform for all districts or public agencies.

9 ~~[4. Families with children under the age of kindergarten entry shall be eligible to~~
 10 ~~receive annual development screenings and parents shall be eligible to receive prenatal visits~~
 11 ~~under sections 178.691 to 178.699. Priority for service delivery of approved parent education~~
 12 ~~programs under sections 178.691 to 178.699, which includes, but is not limited to, home~~
 13 ~~visits, group meetings, screenings, and service referrals, shall be given to high needs families~~
 14 ~~in accordance with criteria set forth by the department of elementary and secondary~~
 15 ~~education. Local school districts may establish cost sharing strategies to supplement funding~~
 16 ~~for such program services. The provisions of this subsection shall expire on December 31,~~
 17 ~~2015, unless reauthorized by an act of the general assembly.]~~

18 EXPLANATION: Subsection 4 of this section expired 12-31-2015.

19

184.350. 1. Whenever qualified voters representing five percent of the votes cast at
 2 the last preceding election for governor in any constitutional charter city not located within a
 3 county and qualified voters representing five percent of the votes cast at the last preceding
 4 election for governor in a constitutional charter county adjoining such city shall file verified
 5 petitions for the establishment of a metropolitan zoological park and museum district,
 6 comprising a zoological subdistrict, and art museum subdistrict or a St. Louis Science Center
 7 subdistrict with the respective election officials of such city and county, respectively,
 8 requesting such election officials to submit a proposition for the establishment of a
 9 metropolitan zoological park and museum district comprised of a zoological subdistrict, and
 10 art museum subdistrict and a St. Louis Science Center subdistrict at the next general or
 11 primary election for the election of state officers or special election for the submission of such
 12 proposition, such election officials shall communicate to their corresponding counterparts and
 13 the chief executive officers of the respective city and county the fact a verified petition has
 14 been filed. At such time that both election officials have received the verified petitions
 15 described above, then such officials shall submit the above described proposition or
 16 propositions to the qualified voters of such city and county at the next general or primary
 17 election for the election of state officers or special election. Such election officials shall give
 18 legal notice at least sixty days prior to such general or primary election or special election in
 19 at least two newspapers that such proposition or propositions shall be submitted at the next
 20 general or primary election or special election held for submission of this proposition.

21 2. Such proposition shall be submitted to the voters in substantially the following
 22 form at such election:

23 Shall there be established a Metropolitan Zoological Park and Museum
 24 District comprising the City of _____ and the County of _____
 25 which district shall consist of all or any one of the following
 26 subdistricts:

27 a. Zoological Subdistrict with a tax rate not in excess of four cents on
 28 each \$100 of assessed valuation of all taxable property within the
 29 district.

30 FOR AGAINST

31 b. Art Museum Subdistrict with a tax rate not in excess of four cents
 32 on each \$100 of assessed valuation of taxable property within the
 33 district.

34 FOR AGAINST

35 c. St. Louis Science Center Subdistrict with a tax rate not in excess of
 36 one cent on each \$100 of assessed valuation of taxable property within
 37 the district.

38 FOR AGAINST

39 3. In the event that a majority of the voters voting on such propositions in such city
 40 and the majority of voters voting on such propositions in such county at said election cast
 41 votes "FOR" one or more of the propositions, then the district shall be deemed established
 42 and the tax rate, as established by the board, for such subdistrict shall be deemed in full force
 43 and effect as of the first day of the year following the year of said election. The results of the
 44 aforesaid election shall be certified by the election officials of such city and county,
 45 respectively, to the respective chief executive officers of such city and county not less than
 46 thirty days after the day of election. In the event one or more of the propositions shall fail to
 47 receive a majority of the votes "FOR" in either the city or the county, then such proposition
 48 shall not be resubmitted at any election held within one year of the date of the election the
 49 proposition was rejected. Any such resubmissions of one or more of such propositions shall
 50 substantially comply with the provisions of sections 184.350 to ~~[184.384]~~ **184.382**.

51 4. All costs of the election shall be paid as provided by sections 115.063 and 115.065.

184.351. 1. The board of directors of any metropolitan zoological park and museum
 2 district, as established pursuant to the provisions of sections 184.350 to ~~[184.384]~~ **184.382**, on
 3 behalf of the district may request the election officials of any city and county containing all or
 4 part of such district to submit a proposition to increase the maximum tax rate for the St. Louis
 5 Science Center subdistrict set in section 184.350, to the qualified voters of such district at any
 6 general or primary or special election. Such election officials shall give legal notice as
 7 provided in chapter 115.

8 2. Such proposition shall be submitted to the voters in substantially the following
 9 form at such election:

10 Shall the Zoological Park and Museum District of the City of _____
 11 and County of _____ be authorized to increase the St. Louis Science

12 Center Subdistrict to a tax rate not in excess of six cents on each \$100
13 of assessed valuation of taxable property within the district for the
14 purpose of operating, maintaining and otherwise financially supporting
15 the subdistrict? The tax rate shall be set annually by the board based on
16 the budget submitted by the St. Louis Science Center and approved by
17 the board. This rate shall replace the present tax rate of _____ cent for
18 the St. Louis Science Center Subdistrict.

19 Yes No

20 3. In the event that a majority of the voters voting on such proposition in such city and
21 the majority of voters voting on such proposition in such county at such election cast votes
22 "YES" for the proposition, then the tax rate for such subdistrict shall be deemed in full force
23 and effect as of the first day of the second month following the election. The results of the
24 aforesaid election shall be certified by the election officials of such city and county,
25 respectively, to the respective chief executive officers of such city and county not less than
26 thirty days after the day on which such election was held. All costs of the election shall be
27 paid as provided by sections 115.063 and 115.065. In the event the proposition shall fail to
28 receive a majority of the votes "YES" in either the city or the county, then such proposition
29 shall not be resubmitted at any election held within one year of the date of the election at
30 which such proposition was rejected.

184.352. The following terms whenever used or referred to in sections 184.350 to
2 ~~[184.384]~~ **184.382** shall unless a different intent clearly appears from the context be construed
3 to have the following meaning:

4 (1) "African-American history museum and cultural subdistrict" shall consist of a
5 political subdistrict which shall provide for the collection, preservation, and exhibition of
6 items relating to the history and culture of African-Americans, more specifically for
7 interpretation through core exhibits that may include wax sculptures, photographs, paintings,
8 and other artistic expressions; and further for the collection of costumes, archaeological
9 anthropological material, artifacts, and memorabilia; and for the maintenance of archives,
10 including manuscripts, personal records, and other material that relates to the African-
11 American experience to American history; and to provide for the preservation of American
12 music traditions, including ragtime, jazz, blues, and gospel; and to provide technical
13 assistance and advisory service for historic research or which may contract with another
14 person with the capability of providing such services;

15 (2) "Art museum subdistrict" shall consist of such institutions and places for the
16 purpose of collection and exhibition of pictures, statuary and other works of art and whatever
17 else may be of artistic interest and appropriate for exhibition in an art gallery or museum for

18 instruction in art and in general for the promotion by all proper means of aesthetic or artistic
19 education;

20 (3) "Board", the governing body of the metropolitan zoological park and museum
21 district;

22 (4) "Botanical garden subdistrict" shall consist of a political subdistrict which shall
23 provide for the collection and exhibition of displays of things relating to plants or botany, for
24 the promotion of plant life and related subjects, educational and research activities, for the
25 maintenance of a botanical library, and for the promotion by all proper means of public
26 interest in plant life and botany; or which may contract with another person with the
27 capability of providing such services;

28 (5) "City", a constitutional charter city not located within a county;

29 (6) "Commission", the governing body of each of the respective subdistricts as may
30 be authorized as provided in section 184.350, 184.351, or 184.353;

31 (7) "County", a constitutional charter county adjoining a constitutional charter city;

32 (8) "District", the metropolitan zoological park and museum district;

33 (9) "Missouri history museum subdistrict" shall consist of a political subdistrict
34 which shall provide for the collection, preservation, and exhibition of items relating to the
35 history of the entire state of Missouri and of the Louisiana Purchase Territory, and more
36 specifically for the collection and display of photographs, paintings, costumes, archaeological
37 and anthropological material, artifacts and memorabilia pertaining to the political,
38 commercial and cultural history of the region, including extensive artifacts, memorabilia,
39 historical documents concerning the first solo transatlantic flight, for the promotion of
40 archaeological and historical studies, for the maintenance of a history library and archives,
41 including manuscripts documenting the first United States-sponsored exploratory expedition
42 of the Louisiana Purchase Territory as well as papers of the president who authorized the
43 Louisiana Purchase, and for the promotion by all proper means of public interest in the
44 history of Missouri and the region in which it is located, and, as otherwise provided by law
45 and in cooperation with the department of natural resources of the state of Missouri, to
46 provide technical assistance and advisory services for the collection, preservation, and
47 exhibition of recordings, instruments, and memorabilia of ragtime, jazz and blues music
48 including ragtime pianos and ragtime piano sheet music to be housed and maintained at the
49 Scott Joplin house state historic site; or which may contract with another person having all of
50 the historical materials listed herein as well as the capability of providing all of the services
51 listed herein;

52 (10) "Recreation and amateur sports subdistrict" shall consist of a political subdistrict
53 which shall provide for and assist in the planning, development, financing, maintenance,
54 improvement and construction of facilities and venues to be publicly owned and operated by

55 political subdivisions, public school districts, universities and colleges, or not-for-profit
56 corporations chartered to attract, promote and manage major national and international
57 amateur sports events, competitions and programs for the use of the general public. Such
58 subdistrict shall structure its procedures for procuring supplies, services and construction to
59 achieve the result that a minimum of twenty percent in the aggregate of the total dollar value
60 of annual procurements is made directly or indirectly from certified socially and
61 economically disadvantaged small business concerns;

62 (11) "St. Louis Science Center subdistrict" shall consist of such institutions and
63 places for the purpose of collection and exhibition of displays of items of natural historical,
64 industrial, transport and scientific interest, the instruction and recreation of the people, for the
65 promotion of the study of science, industrial, transport and natural history and kindred
66 subjects and for the promotion by all proper means of public interest in natural history,
67 transport, industry and science;

68 (12) "Special election", an election held on the first Tuesday of April or whenever
69 propositions are submitted to the voters of the whole district;

70 (13) "Symphony orchestra subdistrict" shall consist of a political subdistrict which
71 shall provide for regular performances of a symphony orchestra with not less than ninety full-
72 time symphonic musicians, own its own concert hall in which a substantial number of its
73 concerts shall be held, and provide for the promotion by all proper means of public interest in
74 music; or which may contract with another person with the capability of providing such
75 services and which owns its own concert hall;

76 (14) "Transport museum subdistrict" shall consist of a political subdistrict which shall
77 provide for institutions and places for the edification of the public in the history and science
78 of transportation, communications and powering, and more specifically for the preservation
79 and display of artifacts related to man's efforts to transport materials, people, and ideas and to
80 create, transmit, and utilize power, and for the provision of a library of publications and other
81 records containing history and technology related to transportation, communications and
82 powering, and facilities for the study of such efforts; or which may contract with another
83 person with the capability of providing such services;

84 (15) "Zoological subdistrict" shall consist of such institutions and places for the
85 collection and exhibition of animals and animal life, for the instruction and recreation of the
86 people, for the promotion of zoology and kindred subjects, for the encouragement of
87 zoological study and research and for the increase of public interest in wild animals and in the
88 protection of wild animal life.

184.353. 1. (1) The board of directors of any metropolitan zoological park and
2 museum district, as established according to the provisions of sections 184.350 to ~~184.384~~
3 **184.382**, on behalf of the district may request the election officials of any city and county

4 containing all or part of such district to submit the following described proposition to the
5 qualified voters of such district at any general, primary or special election. Such election
6 officials shall give legal notice at least sixty days prior to such general, primary or special
7 election in at least two newspapers that such proposition shall be submitted at any general,
8 primary or special election held for submission of the proposition.

9 (2) Such proposition shall be submitted to the voters in substantially the following
10 form at such election:

11 Shall the Metropolitan Zoological Park and Museum District of the
12 City of _____ and County of _____ be authorized to provide for a
13 Botanical Garden Subdistrict and be authorized to provide the
14 Botanical Garden Subdistrict with a tax rate not in excess of four cents
15 on each \$100 of assessed valuation of taxable property within the
16 district?

17 Yes No

18 (3) In the event that a majority of all the voters voting on such proposition in such city
19 and a majority of voters voting on such proposition in such county cast "YES" votes on the
20 proposition, then the botanical garden subdistrict shall be deemed established and the tax rate,
21 as established by the board for such subdistrict, shall be deemed in full force and effect as of
22 the first day of the second month following the election. The results of the election shall be
23 certified by the election officials of such city and county, respectively, to the respective chief
24 executive officers of such city and county not less than thirty days after the day of the
25 election. The cost of the election shall be paid as provided by sections 115.063 and 115.065.
26 In the event the proposition shall fail to receive a majority of the "YES" votes in either the
27 city or the county, then the proposition shall not be resubmitted at any election held prior to
28 the next general or primary election in such city or county in the following year. Any such
29 resubmission shall subsequently comply with the provisions of sections 184.350 to ~~[184.384]~~
30 **184.382**.

31 (4) If the botanical garden subdistrict shall be established, then its commissioners, or
32 any person with whom its commissioners contract, may establish and charge fees for
33 admission to the premises of the botanical garden subdistrict, or to the premises of any person
34 with whom its commissioners contract, not to exceed one dollar for adults and fifty cents for
35 children under sixteen years of age. Any increase in the fees shall be presented prior to
36 implementation for approval or disapproval to the board of the metropolitan zoological park
37 and museum district of which the botanical garden subdistrict is a member.

38 2. (1) The board of directors of any metropolitan zoological park and museum
39 district, as established according to the provisions of sections 184.350 to ~~[184.384]~~ **184.382**,
40 on behalf of the district may request the election officials of any city and county containing all

41 or part of such district to submit the following described proposition to the qualified voters of
42 such district at any general, primary or special election. Such election officials shall give
43 legal notice at least sixty days prior to such general, primary or special election in at least two
44 newspapers that such proposition shall be submitted at any general, primary or special
45 election held for submission of the proposition.

46 (2) Such proposition shall be submitted to the voters in substantially the following
47 form at such election:

48 Shall the Metropolitan Zoological Park and Museum District of the
49 City of _____ and County of _____ be authorized to provide for a
50 Transport Museum Subdistrict and be authorized to provide the
51 Transport Museum Subdistrict with a tax rate not in excess of four
52 cents on each \$100 of assessed valuation of taxable property within the
53 district?

54 Yes No

55 (3) In the event that a majority of all the voters voting on such proposition in such city
56 and a majority of voters voting on such proposition in such county cast "YES" votes on the
57 proposition, then the transport museum subdistrict shall be deemed established and the tax
58 rate, as established by the board for such subdistrict, shall be deemed in full force and effect
59 as of the first day of the second month following the election. The results of the election shall
60 be certified by the election officials of such city and county, respectively, to the respective
61 chief executive officers of such city and county not less than thirty days after the day of the
62 election. The cost of the election shall be paid as provided by sections 115.063 and 115.065.
63 In the event the proposition shall fail to receive a majority of the "YES" votes in either the
64 city or the county, then the proposition shall not be resubmitted at any election held prior to
65 the next general or primary election in such city or county in the following year. Any such
66 resubmission shall subsequently comply with the provisions of sections 184.350 to ~~184.384~~
67 **184.382**.

68 (4) If the transport museum subdistrict shall be established, then its commissioners, or
69 any person with whom its commissioners contract, may establish and charge fees for
70 admission to the premises of the transport museum subdistrict, or to the premises of any
71 person with whom its commissioners contract, not to exceed one dollar for adults and fifty
72 cents for children under sixteen years of age. Any increase in the fees shall be presented prior
73 to implementation for approval or disapproval to the board of the metropolitan zoological
74 park and museum district of which the transport museum subdistrict is a member.

75 3. (1) The board of directors of any metropolitan zoological park and museum
76 district, as established according to the provisions of sections 184.350 to ~~184.384~~ **184.382**,
77 on behalf of the district may request the election officials of any city and county containing all

78 or part of such district to submit the following described proposition to the qualified voters of
79 such district at any general, primary or special election. Such election officials shall give
80 legal notice at least sixty days prior to such general, primary or special election in at least two
81 newspapers that such proposition shall be submitted at any general, primary or special
82 election held for submission of the proposition.

83 (2) Such proposition shall be submitted to the voters in substantially the following
84 form at such election:

85 Shall the Metropolitan Zoological Park and Museum District of the
86 City of _____ and the County of _____ be authorized to provide for
87 a Missouri History Museum Subdistrict and be authorized to provide
88 the Missouri History Museum Subdistrict with a tax rate not in excess
89 of four cents on each \$100 of assessed valuation of taxable property
90 within the district?

91 Yes No

92 (3) In the event that a majority of all the voters voting on such proposition in such city
93 and a majority of voters voting on such proposition in such county cast "YES" votes on the
94 proposition, then the Missouri history museum subdistrict shall be deemed established and the
95 tax rate, as established by the board for such subdistrict, shall be deemed in full force and
96 effect as of the first day of the second month following the election. The results of the
97 election shall be certified by the election officials of such city and county, respectively, to the
98 respective chief executive officers of such city and county not less than thirty days after the
99 day of the election. The cost of the election shall be paid as provided by sections 115.063 and
100 115.065. In the event the proposition shall fail to receive a majority of the "YES" votes in
101 either the city or the county, then the proposition shall not be resubmitted at any election held
102 prior to the next general or primary or special election in such city or county in the following
103 year. Any such resubmission shall subsequently comply with the provisions of sections
104 184.350 to ~~184.384~~ **184.382**.

105 4. (1) The board of directors of any metropolitan zoological park and museum
106 district, as established according to the provisions of sections 184.350 to 184.354, on behalf
107 of the district may request the election officials of any city and county containing all or part of
108 such district to submit the following described proposition to the qualified voters of such
109 district at any general, primary or special election. Such election officials shall give legal
110 notice at least sixty days prior to such general, primary or special election in at least two
111 newspapers that such proposition shall be submitted at any general, primary or special
112 election held for submission of the proposition.

113 (2) Such proposition shall be submitted to the voters in substantially the following
114 form at such election:

115 Shall the Metropolitan Zoological Park and Museum District of the
116 City of _____ and County of _____ be authorized to provide for a
117 Symphony Orchestra Subdistrict and be authorized to provide the
118 Symphony Orchestra Subdistrict with a tax rate not in excess of four
119 cents on each \$100 of assessed valuation of taxable property within the
120 district?

121 Yes No

122 (3) In the event that a majority of all the voters voting on such proposition in such city
123 and a majority of voters voting on such proposition in such county cast "YES" votes on the
124 proposition, then the symphony orchestra subdistrict shall be deemed established and the tax
125 rate, as established by the board for such subdistrict, shall be deemed in full force and effect
126 as of the first day of the second month following the election. The results of the election shall
127 be certified by the election officials of such city and county not less than thirty days after the
128 day of election. The cost of the election shall be paid as provided by sections 115.063 and
129 115.065. In the event the proposition shall fail to receive a majority of the "YES" votes in
130 either the city or the county, then the proposition shall not be resubmitted at any election held
131 prior to the next general or primary in such city or county in the following year. Any such
132 resubmission shall subsequently comply with the provisions of sections 184.350 to [~~184.384~~]
133 **184.382.**

134 (4) If the symphony orchestra subdistrict shall be established, then its commissioners,
135 or any person with whom its commissioners contract, may charge such prices from time to
136 time for tickets for performances conducted under the auspices of the subdistrict or as they or
137 such person deem proper; provided, however, that no fewer than fifty tickets for each such
138 performance conducted at the principal concert hall of such subdistrict or such person shall be
139 made available without charge for distribution to members of the general public and no fewer
140 than fifty tickets shall be made available without charge for distribution to students in public
141 and private elementary, secondary schools and colleges and universities in the metropolitan
142 zoological park and museum district and all performances of the symphony orchestra
143 conducted at the principal concert hall of the symphony orchestra within the district shall be
144 offered for broadcast live on a public or commercial AM or FM radio station located in and
145 generally receivable in the district or on a public or commercial broadcast television station
146 located in or generally receivable in the district. The symphony orchestra subdistrict shall
147 institute a fully staffed educational music appreciation program to benefit all of the citizens of
148 the taxing district at a nominal charge.

149 (5) Immediately following the effective date of the symphony orchestra subdistrict
150 tax rate any person receiving funds from said tax rate shall become ineligible for program
151 assistance funding from the Missouri state council on the arts.

152 5. The board of directors of any metropolitan zoological park and museum district, as
153 established according to the provisions of sections 184.350 to ~~[184.384]~~ **184.382**, on behalf of
154 the district may request the election officials of any city and county containing all or part of
155 such district to submit the following described proposition to the qualified voters of such
156 district at any general, primary or special election. Such election officials shall give legal
157 notice at least sixty days prior to such general, primary or special election in at least two
158 newspapers that such proposition shall be submitted at any general, primary or special
159 election held for submission of the proposition. Such proposition shall be submitted to the
160 voters in substantially the following form at such election:

161 Shall a Recreational and Amateur Sports Subdistrict be authorized and
162 provided for by the Metropolitan Zoological Park and Museum District
163 of the City of _____ and the County of _____ and such subdistrict be
164 authorized to establish a tax rate not in excess of four cents on each
165 \$100 of assessed valuation of taxable property within the district for a
166 period not to exceed nine years?

167 Yes

No

168

169 In the event that a majority of all the voters voting on such proposition in such city and a
170 majority of voters voting on such proposition in such county cast "YES" votes on the
171 proposition, then the recreation and amateur sports subdistrict shall be deemed established
172 and the tax rate, as established by the board for such subdistrict, shall be deemed in full force
173 and effect as of the first day of the second month following the election for a period not to
174 exceed nine years. The results of the election shall be certified by the election officials of
175 such city and county, respectively, to the respective chief executive officers of such city and
176 county not less than thirty days after the day of the election. The cost of the election shall be
177 paid as provided by sections 115.063 and 115.065. In the event the proposition shall fail to
178 receive a majority of the "YES" votes in either the city or the county, then the proposition
179 shall not be resubmitted at any election held prior to the next general or primary or special
180 election in such city or county in the following year. Any such resubmission shall
181 subsequently comply with the provisions of sections 184.350 to ~~[184.384]~~ **184.382**.

182 6. (1) The board of directors of any metropolitan zoological park and museum
183 district, as established according to the provisions of sections 184.350 to ~~[184.384]~~ **184.382**,
184 on behalf of the district may request the election officials of any city and county containing all
185 or part of such district to submit the following described proposition to the qualified voters of

186 such district at any general, primary or special election. Such election officials shall give
 187 legal notice at least sixty days prior to such general, primary or special election in at least two
 188 newspapers that such proposition shall be submitted at any general, primary or special
 189 election held for submission of the proposition.

190 (2) Such proposition shall be submitted to the voters in substantially the following
 191 form at such election:

192 Shall the Metropolitan Zoological Park and Museum District of the
 193 City of _____ and County of _____ be authorized to provide for an
 194 African-American History Museum and Cultural Subdistrict and be
 195 authorized to provide the African-American history museum and
 196 cultural subdistrict with a tax rate not in excess of four cents on each
 197 \$100 of assessed valuation of taxable property within the district?

198 Yes No

199 (3) In the event that a majority of all the voters voting on such proposition in such city
 200 and a majority of voters voting on such proposition in such county cast "YES" votes on the
 201 proposition, then the African-American history museum and cultural subdistrict shall be
 202 deemed established and the tax rate, as established by the board for such subdistrict, shall be
 203 deemed in full force and effect as of the first day of the second month following the election.
 204 The results of the election shall be certified by the election officials of such city and county,
 205 respectively, to the respective chief executive officers of such city and county not less than
 206 thirty days after the day of the election. The cost of the election shall be paid as provided by
 207 sections 115.063 and 115.065. In the event the proposition shall fail to receive a majority of
 208 the "YES" votes in either the city or the county, then the proposition shall not be resubmitted
 209 at any election held prior to the next general or primary election in such city or county in the
 210 following year. Any such resubmission shall subsequently comply with the provisions of
 211 sections 184.350 to ~~184.384~~ **184.382**.

212 (4) If the African-American history museum and cultural subdistrict shall be
 213 established, then its commissioners, or any person with whom its commissioners contract,
 214 may establish and charge fees for admission to the premises of the African-American history
 215 museum and cultural subdistrict, or to the premises of any person with whom its
 216 commissioners contract, not to exceed one dollar for adults and fifty cents for children under
 217 sixteen years of age. Any increase in the fees shall be presented prior to implementation for
 218 approval or disapproval to the board of the metropolitan zoological park and museum district
 219 of which the African-American history museum and cultural subdistrict is a member.

184.355. 1. Any special purpose subdistrict formed under the provisions of sections
 2 184.350 to ~~184.384~~ **184.382** after July 1, 1981, may be dissolved in the following manner:
 3 Upon the filing with the governing body of the subdistrict of a petition containing the

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(1) Shall the Metropolitan Zoological Park and Museum District of the City of _____ and County of _____ be authorized to increase the tax rate for the zoological park subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict? The tax rate shall be set annually by the board based on the budget submitted by the zoological park subdistrict and approved by the board. This tax rate shall replace the present tax rate of _____ cents for the zoological park subdistrict.

Yes No

(2) Shall the Metropolitan Zoological Park and Museum District of the City of _____ and County of _____ be authorized to increase the tax rate for the art museum subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the art museum subdistrict and approved by the board. This tax rate shall replace the present tax rate of _____ cents for the art museum subdistrict.

Yes No

(3) Shall the Metropolitan Zoological Park and Museum District of the City of _____ and County of _____ be authorized to increase the tax rate for the botanical garden subdistrict up to the maximum tax rate of six cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the botanical garden subdistrict and approved by the board. This tax rate shall replace the present tax rate of _____ cents for the botanical garden subdistrict.

Yes No

(4) Shall the Metropolitan Zoological Park and Museum District of the City of _____ and County of _____ be authorized to increase the tax rate for the Missouri history museum subdistrict up to the maximum

49 tax rate of six cents, or any percent thereof, on each \$100 of assessed
 50 valuation of taxable property within the district for the purpose of
 51 operating, maintaining, and otherwise financially supporting the
 52 subdistrict and approved by the board? The tax rate shall be set
 53 annually by the board based on the budget submitted by the Missouri
 54 history museum subdistrict and approved by the board. This tax rate
 55 shall replace the present tax rate of _____ cents for the Missouri
 56 history museum subdistrict.

57 Yes No

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59 In the event that a majority of the voters voting on such proposition or propositions in such
 60 city and the majority of the voters voting on such proposition or propositions in such county
 61 cast votes "YES" on the proposition or propositions, then the tax rate for such subdistrict shall
 62 be deemed in full force and effect as of the first day of the second month following the
 63 election. The results of the aforesaid election shall be certified by the election officials of
 64 such city and county, respectively, to the respective chief executive officers of such city and
 65 county not less than thirty days after the day on which such election was held. The cost of the
 66 election shall be paid as provided by sections 115.063 and 115.065. In the event the
 67 proposition or propositions shall fail to receive a majority of the votes "YES" in either the city
 68 or the county, then the proposition or propositions shall not be resubmitted at any election
 69 held within one year of the date of the election the proposition or propositions were rejected.

184.359. 1. Notwithstanding any of the provisions of chapter 137, the board of
 2 directors of any metropolitan zoological park and museum district, as established according to
 3 the provisions of sections 184.350 to [~~184.384~~] **184.382**, on behalf of such district, may
 4 request the election officials of any city and county containing all or part of such district to
 5 submit to the qualified voters of such district at any municipal, special, primary or general
 6 election or elections a referendum or referendums to permit or restore, in part, or, in whole,
 7 the tax rate or rates authorized for any subdistrict of such district from time to time under the
 8 provisions of sections 184.350 to [~~184.384~~] **184.382**.

9 2. Such proposal or proposals shall be submitted to the voters in substantially the
 10 following form at such election or elections:

11 Shall the Metropolitan Zoological Park and Museum District of the
 12 City of _____ and the County of _____ be authorized to increase the
 13 tax rate for the _____ Subdistrict to _____ cents on each \$100 of
 14 assessed valuation of taxable property within the District? This tax rate
 15 shall replace the present tax rate of _____ for the _____ Subdistrict.

16 Yes No

17 3. The proposed tax rate shall not exceed the maximum tax rate authorized by the
18 voters from time to time pursuant to sections 184.350 to ~~[184.384]~~ **184.382**, prior to reduction
19 or reductions in such rate following any reassessment pursuant to chapter 137.

20 4. In the event that a majority of the voters voting thereon in such city and a majority
21 of the voters voting thereon in such county cast votes in favor of the proposal or proposals,
22 then the tax rate or rates for such subdistrict or subdistricts shall be deemed in full force and
23 effect as of the first day of the second month following the election. The results of the
24 election shall be certified by the election officials of such city and county, respectively, to
25 such district not less than thirty days after the day of the election. The cost of the election
26 shall be paid as provided by sections 115.063 and 115.065. In the event any proposal shall
27 fail to receive a majority of the "YES" votes in either the city or the county, then such
28 proposal shall not be resubmitted at any election held within one year of the date of the
29 election on which such proposal was rejected.

30 5. Such proposal or proposals to the qualified voters of the district may be submitted
31 by a verified resolution of the district board of directors to the respective election officials of
32 the city and county wherein the district is located.

184.362. The use and enjoyment of such institutions and places, museums and parks
2 of any and all of the subdistricts established under sections 184.350 to ~~[184.384]~~ **184.382**
3 shall be forever free and open to the public at such times as may be provided by the
4 reasonable rules and regulations adopted by the respective commissions in order to render the
5 use of the said subdistrict's facilities of the greatest benefit and efficiently to the greatest
6 number. The respective commissions may exclude from the use of the said facilities any and
7 all persons who willfully violate such rules. In addition said commission shall make and
8 adopt such bylaws, rules and regulations for its own guidance and for the election of its
9 members and for the administration of the subdistrict as it may deem expedient and as may
10 not be inconsistent with the provisions of the law. The respective commissions may contract
11 for, or exact, a charge from any person in connection with the use, enjoyment, purchase,
12 license or lease of any property, facility, activity, exhibit, function, or personnel of the
13 respective subdistricts. Said commission shall have exclusive control of the expenditures of
14 all moneys collected by the district to the credit of the subdistrict's fund. The commission of
15 any subdistrict established by the voters under the authority of section 184.350 shall have
16 exclusive control of the construction and maintenance of any subdistrict buildings built or
17 maintained in whole or in part with moneys of said fund and of the supervision, care and
18 custody of the grounds, rooms or buildings constructed, leased or set apart for the purposes of
19 the subdistrict under the authority conferred in this law. The commission of any subdistrict

20 established by the voters under the authority of section 184.350 shall have the power to
21 appoint a director and necessary assistants, to fix their compensation and shall also have
22 power to remove such appointees. All employees, appointees and officers of publicly owned
23 and operated museums and zoological parks shall on the establishment of a subdistrict related
24 thereto become employees of the subdistrict and such appointees' and employees' seniority,
25 pension, salaries, wages and fringe benefits shall be equal to or better than that existing at the
26 time of the establishment of the subdistrict insofar as may be possible. The respective
27 commissions shall whenever the need arises transmit to the district a complete survey and
28 report of the subdistrict's need for construction, reconstruction and repair of improvements,
29 buildings and other facilities and shall include all information and data necessary for the
30 purpose of ascertaining the cost of such improvements and shall further certify to the district
31 the need for incurring additional indebtedness as provided in sections 184.364 to 184.376
32 herein.

33 EXPLANATION: Section 184.384 became obsolete in 1986. Upon passage and repeal of
34 Section 184.384 in this bill, the intersectional references in these sections become obsolete.
35

191.211. State expenditures for new programs and initiatives enacted by sections
2 [~~103.178,~~] 143.999, 188.230, 191.231, 191.825 to 191.839, 208.177, 208.178, 208.179 and
3 208.181, 211.490, 285.240, 337.093, 374.126, 376.891 to 376.894, 431.064, 660.016,
4 660.017 and 660.018, and the state expenditures for the new initiatives and expansion of
5 programs enacted by revising sections 105.711 and 105.721, 191.520, 191.600, 198.090,
6 208.151, 208.152 and 208.215, as provided by H.B. 564, 1993, shall be funded exclusively by
7 federal funds and the funding sources established in sections 149.011, 149.015, 149.035,
8 149.061, 149.065, 149.160, 149.170, 149.180, 149.190 and 149.192, and no future general
9 revenue shall be appropriated to fund such new programs or expansions.

191.828. 1. The following departments shall conduct on-going evaluations of the
2 effect of the initiatives enacted by the following sections:

3 (1) The department of commerce and insurance shall evaluate the effect of revising
4 section 376.782 and sections 143.999, 208.178, 374.126, and 376.891 to 376.894;

5 (2) The department of health and senior services shall evaluate the effect of revising
6 sections 105.711 and 191.600 and enacting section 191.411, and sections 167.600 to 167.621,
7 191.231, 208.177, 431.064, and 660.016. In collaboration with the state board of registration
8 for the healing arts, the state board of nursing, and the state board of pharmacy, the
9 department of health and senior services shall also evaluate the effect of revising section
10 195.070, section 334.100, and section 335.016, and of sections 334.104 and 334.112, and
11 section 338.095 and 338.198;

12 (3) The department of social services shall evaluate the effect of revising section
13 198.090, and sections 208.151, 208.152 and 208.215, and section 383.125, and of sections
14 167.600 to 167.621, 208.177, 208.178, 208.179, 208.181, and 211.490;

15 (4) The office of administration shall evaluate the effect of revising sections 105.711
16 and 105.721;

17 (5) ~~The Missouri consolidated health care plan shall evaluate the effect of section~~
18 ~~103.178; and~~

19 (6) The department of mental health shall evaluate the effect of section 191.831 as it
20 relates to substance abuse treatment and of section 191.835.

21 2. The department of revenue and office of administration shall make biannual reports
22 to the general assembly and the governor concerning the income received into the health
23 initiatives fund and the level of funding required to operate the programs and initiatives
24 funded by the health initiatives fund at an optimal level.

191.831. 1. There is hereby established in the state treasury a "Health Initiatives
2 Fund", to which shall be deposited all revenues designated for the fund under subsection 8 of
3 section 149.015, and subsection 3 of section 149.160, and section 167.609, and all other funds
4 donated to the fund or otherwise deposited pursuant to law. The state treasurer shall
5 administer the fund. Money in the fund shall be appropriated to provide funding for
6 implementing the new programs and initiatives established by sections 105.711 and 105.721.
7 The moneys in the fund may further be used to fund those programs established by sections
8 191.411 and 191.600, sections 208.151 and 208.152, and sections ~~[103.178,]~~ 143.999,
9 167.600 to 167.621, 188.230, 191.211, 191.231, 191.825 to 191.839, 192.013, 208.177,
10 208.178, 208.179 and 208.181, 211.490, 285.240, 337.093, 374.126, 376.891 to 376.894,
11 431.064, 660.016, 660.017 and 660.018; in addition, not less than fifteen percent of the
12 proceeds deposited to the health initiative fund pursuant to sections 149.015 and 149.160
13 shall be appropriated annually to provide funding for the C-STAR substance abuse
14 rehabilitation program of the department of mental health, or its successor program, and a C-
15 STAR pilot project developed by the director of the division of alcohol and drug abuse and
16 the director of the department of corrections as an alternative to incarceration, as provided in
17 subsections 2, 3, and 4 of this section. Such pilot project shall be known as the "Alt-care"
18 program. In addition, some of the proceeds deposited to the health initiatives fund pursuant to
19 sections 149.015 and 149.160 shall be appropriated annually to the division of alcohol and
20 drug abuse of the department of mental health to be used for the administration and oversight
21 of the substance abuse traffic offender program defined in section 302.010. The provisions of
22 section 33.080 to the contrary notwithstanding, money in the health initiatives fund shall not
23 be transferred at the close of the biennium to the general revenue fund.

24 2. The director of the division of alcohol and drug abuse and the director of the
25 department of corrections shall develop and administer a pilot project to provide a
26 comprehensive substance abuse treatment and rehabilitation program as an alternative to
27 incarceration, hereinafter referred to as "Alt-care". Alt-care shall be funded using money
28 provided under subsection 1 of this section through the Missouri Medicaid program, the C-
29 STAR program of the department of mental health, and the division of alcohol and drug
30 abuse's purchase-of-service system. Alt-care shall offer a flexible combination of clinical
31 services and living arrangements individually adapted to each client and her children. Alt-
32 care shall consist of the following components:

33 (1) Assessment and treatment planning;

34 (2) Community support to provide continuity, monitoring of progress and access to
35 services and resources;

36 (3) Counseling from individual to family therapy;

37 (4) Day treatment services which include accessibility seven days per week,
38 transportation to and from the Alt-care program, weekly drug testing, leisure activities,
39 weekly events for families and companions, job and education preparedness training, peer
40 support and self-help and daily living skills; and

41 (5) Living arrangement options which are permanent, substance-free and conducive
42 to treatment and recovery.

43 3. Any female who is pregnant or is the custodial parent of a child or children under
44 the age of twelve years, and who has pleaded guilty to or found guilty of violating the
45 provisions of chapter 195, and whose controlled substance abuse was a precipitating or
46 contributing factor in the commission of the offense, and who is placed on probation may be
47 required, as a condition of probation, to participate in Alt-care, if space is available in the
48 pilot project area. Determinations of eligibility for the program, placement, and continued
49 participation shall be made by the division of alcohol and drug abuse, in consultation with the
50 department of corrections.

51 4. The availability of space in Alt-care shall be determined by the director of the
52 division of alcohol and drug abuse in conjunction with the director of the department of
53 corrections. If the sentencing court is advised that there is no space available, the court shall
54 consider other authorized dispositions.

55 EXPLANATION: The provisions of Section 103.178 became obsolete in 1999. Upon
56 passage and repeal of Section 103.178 in this bill, the intersectional references in these
57 sections become obsolete.

58

208.244. 1. ~~Beginning January 1, 2016, the waiver of the work requirement for the
supplemental nutrition assistance program under 7 U.S.C. Section 2015(o) shall no longer~~

3 apply to individuals seeking benefits in this state. The provisions of this subsection shall
4 terminate on January 1, 2019.

5 2.] Any ongoing savings resulting from a reduction in state expenditures due to
6 modification of the supplemental nutrition assistance program under this section or the
7 temporary assistance for needy families program under sections 208.026 and 208.040
8 effective on August 28, 2015, subject to appropriations, shall be used to provide child care
9 assistance for single parent households, education assistance, transportation assistance, and
10 job training for individuals receiving benefits under such programs as allowable under
11 applicable state and federal law.

12 [3-] 2. The department shall make an annual report to the joint committee on
13 government accountability on the progress of implementation of sections 208.026 and
14 208.040, including information on enrollment, demographics, work participation, and
15 changes to specific policies. The joint committee shall meet at least once a year to review the
16 department's report and shall make recommendations to the president pro tempore of the
17 senate and the speaker of the house of representatives.

18 EXPLANATION: Subsection 1 of this section terminated on 1-01-2019.

19

208.471. 1. The department of social services shall make payments to those hospitals
2 which have a Medicaid provider agreement with the department.

3 2. In each state fiscal year, the amount of federal reimbursement allowance levied
4 under sections 208.450 to ~~[208.482]~~ **208.480** shall not exceed forty-five percent of the total
5 payments to hospitals from the federal reimbursement allowance fund and associated federal
6 match, including payments made to hospitals from state-contracted managed care
7 organizations that are attributed to the federal reimbursement allowance fund and
8 associated federal match. By October first of each subsequent state fiscal year, the
9 department shall report this calculation and the underlying data supporting the calculation to
10 the budget committee of the house of representatives and the appropriations committee of the
11 senate. The underlying data shall include the amount of federal reimbursement allowance
12 assessment levied on the hospitals and the total amount of Medicaid payments to hospitals
13 funded by the federal reimbursement allowance, including payments made to hospitals from
14 all state-contracted managed care organizations in aggregate. Payments made by the
15 department to hospitals and payments made, in aggregate, by all state-contracted managed
16 care organizations to hospitals shall be reported separately. Expenditures reported by the
17 department and all state-contracted managed care organizations in aggregate shall be broken
18 down by fund source, inpatient or outpatient category of service, and individual hospital. In
19 addition, the department shall separately and concurrently disclose the amount of hospital
20 payments made by the department and the amount of hospital payments made by each of the

21 managed care plans, with the payment data broken down by plan, fund source, inpatient or
22 outpatient category of service, and individual hospital, to the hospitals receiving such
23 payments specific to that hospital or to an organization designated by such hospitals to
24 receive such data and as otherwise authorized or required by law. Such payment data shall
25 otherwise be regarded as proprietary and confidential under subdivision (15) of section
26 610.021.

27 EXPLANATION: Section 208.482 expired in 2022. Upon passage and repeal of Section
28 208.482 in this bill, the intersectional reference in this section becomes obsolete.

29

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

2 (1) "Extraordinary circumstance", a substantial flight risk or some other extraordinary
3 medical or security circumstance that dictates restraints be used to ensure the safety and
4 security of a pregnant offender in her third trimester, a postpartum offender forty-eight hours
5 postdelivery, the staff of the correctional center or medical facility, other offenders, or the
6 public;

7 (2) "Labor", the period of time before a birth during which contractions are present;

8 (3) "Postpartum", the period of recovery immediately following childbirth, which is
9 six weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by
10 a physician or nurse;

11 (4) "Restraints", any physical restraint or other device used to control the movement
12 of a person's body or limbs.

13 2. Unless extraordinary circumstances exist as determined by a corrections officer, a
14 correctional center shall not use restraints on a pregnant offender in her third trimester during
15 transportation to and from visits to health care providers or court proceedings, or during
16 medical appointments and examinations, labor, delivery, or forty-eight hours postdelivery.

17 3. In the event a corrections officer determines that extraordinary circumstances exist
18 and restraints are necessary, the corrections officer shall fully document in writing within
19 forty-eight hours of the incident the reasons he or she determined such extraordinary
20 circumstances existed, the type of restraints used, and the reasons those restraints were
21 considered the least restrictive available and the most reasonable under the circumstances.
22 Such documents shall be kept on file by the correctional center for at least ten years from the
23 date the restraints were used.

24 4. Any time restraints are used on a pregnant offender in her third trimester or on a
25 postpartum offender forty-eight hours postdelivery, the restraints shall be the least restrictive
26 available and the most reasonable under the circumstances. In no case shall leg, ankle, or
27 waist restraints or any mechanical restraints be used on any such offender, and if wrist

28 restraints are used, such restraints shall be placed in the front of such offender's body to
29 protect the offender and unborn child in the case of a forward fall.

30 5. If a doctor, nurse, or other health care provider treating the pregnant offender in her
31 third trimester or the postpartum offender forty-eight hours postdelivery requests that
32 restraints not be used, the corrections officer accompanying such offender shall immediately
33 remove all restraints.

34 6. Pregnant offenders shall be transported in vehicles equipped with seatbelts.

35 7. The ~~[sentencing and corrections oversight commission established under section~~
36 ~~217.147 and the]~~ advisory committee established under section 217.015 shall conduct
37 biannual reviews of every report written on the use of restraints on a pregnant offender in her
38 third trimester or on a postpartum offender forty-eight hours postdelivery in accordance with
39 subsection 3 of this section to determine compliance with this section. The written reports
40 shall be kept on file by the department for ten years.

41 8. The chief administrative officer, or equivalent position, of each correctional center
42 shall:

43 (1) Ensure that employees of the correctional center are provided with training, which
44 may include online training, on the provisions of this section and section 217.147; and

45 (2) Inform female offenders, in writing and orally, of any policies and practices
46 developed in accordance with this section upon admission to the correctional center,
47 including policies and practices in any offender handbook, and post the policies and practices
48 in locations in the correctional center where such notices are commonly posted and will be
49 seen by female offenders, including common housing areas and health care facilities.

50 9. The provisions of this section shall apply only to the department of corrections.
51 EXPLANATION: Section 217.147 expired in 2018. Upon passage and repeal of Section
52 217.147 in this bill, the reference in this section becomes obsolete.

53

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the
2 certificate of registration and the right to use the number plates shall expire and the number
3 plates shall be removed by the owner at the time of the transfer of possession, and it shall be
4 unlawful for any person other than the person to whom such number plates were originally
5 issued to have the same in his or her possession whether in use or not, unless such possession
6 is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades
7 in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or
8 trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with
9 such transferred plates shall be lawful for no more than thirty days ~~[, or no more than ninety~~
10 ~~days if the dealer is selling the motor vehicle under the provisions of section 301.213,]~~ or no
11 more than sixty days if the dealer is selling the motor vehicle under the provisions of

12 subsection 5 of section 301.210. As used in this subsection, the term "trade-in motor vehicle
13 or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly
14 purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or
15 trailer are still valid.

16 2. In the case of a transfer of ownership the original owner may register another
17 motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor
18 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial
19 motor vehicle) seating capacity, not in excess of that originally registered. When such motor
20 vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying
21 commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the
22 applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in
23 fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-
24 carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the
25 applicant shall not be entitled to a refund.

26 3. License plates may be transferred from a motor vehicle which will no longer be
27 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall
28 pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight
29 or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in
30 excess of that of the vehicle which will no longer be operated. When the newly purchased
31 motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying
32 commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the
33 applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees.
34 When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a
35 passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is
36 prescribed, the applicant shall not be entitled to a refund.

37 4. The director of the department of revenue shall have authority to produce or allow
38 others to produce a weather resistant, nontearing temporary permit authorizing the operation
39 of a motor vehicle or trailer by a buyer for not more than thirty days~~], or no more than ninety~~
40 ~~days if issued by a dealer selling the motor vehicle under the provisions of section 301.213,]~~
41 or no more than sixty days if issued by a dealer selling the motor vehicle under the provisions
42 of subsection 5 of section 301.210, from the date of purchase. The temporary permit
43 authorized under this section may be purchased by the purchaser of a motor vehicle or trailer
44 from the central office of the department of revenue or from an authorized agent of the
45 department of revenue upon proof of purchase of a motor vehicle or trailer for which the
46 buyer has no registration plate available for transfer and upon proof of financial
47 responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer
48 for which the buyer has no registration plate available for transfer, or from a motor vehicle

49 dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is
50 awaiting receipt of registration plates. The director of the department of revenue or a
51 producer authorized by the director of the department of revenue may make temporary
52 permits available to registered dealers in this state, authorized agents of the department of
53 revenue or the department of revenue. The price paid by a motor vehicle dealer, an
54 authorized agent of the department of revenue or the department of revenue for a temporary
55 permit shall not exceed five dollars for each permit. The director of the department of
56 revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits
57 from an authorized producer. Amounts received by the director of the department of revenue
58 for temporary permits shall constitute state revenue; however, amounts received by an
59 authorized producer other than the director of the department of revenue shall not constitute
60 state revenue and any amounts received by motor vehicle dealers or authorized agents for
61 temporary permits purchased from a producer other than the director of the department of
62 revenue shall not constitute state revenue. In no event shall revenues from the general
63 revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other
64 producers for their role in producing temporary permits as authorized under this section.
65 Amounts that do not constitute state revenue under this section shall also not constitute fees
66 for registration or certificates of title to be collected by the director of the department of
67 revenue under section 301.190. No motor vehicle dealer, authorized agent or the department
68 of revenue shall charge more than five dollars for each permit issued. The permit shall be
69 valid for a period of thirty days~~], or no more than ninety days if issued by a dealer selling the~~
70 ~~motor vehicle under the provisions of section 301.213,]~~ or no more than sixty days if issued
71 by a dealer selling the motor vehicle under the provisions of subsection 5 of section 301.210,
72 from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor
73 vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out
74 above. No permit shall be issued for a vehicle under this section unless the buyer shows proof
75 of financial responsibility. Each temporary permit issued shall be securely fastened to the
76 back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with
77 registration plates so that all parts and qualities of the temporary permit thereof shall be
78 plainly and clearly visible, reasonably clean and are not impaired in any way.

79 5. The permit shall be issued on a form prescribed by the director of the department of
80 revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer
81 purchased to enable the applicant to temporarily operate the motor vehicle while proper title
82 and registration plates are being obtained, or while awaiting receipt of registration plates, and
83 shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this
84 section shall not be transferable or renewable, shall not be valid upon issuance of proper
85 registration plates for the motor vehicle or trailer, and shall be returned to the department or to

86 the department's agent upon the issuance of such proper registration plates. Any temporary
87 permit returned to the department or to the department's agent shall be immediately
88 destroyed. The provisions of this subsection shall not apply to temporary permits issued for
89 commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight.
90 The director of the department of revenue shall determine the size, material, design,
91 numbering configuration, construction, and color of the permit. The director of the
92 department of revenue, at his or her discretion, shall have the authority to reissue, and thereby
93 extend the use of, a temporary permit previously and legally issued for a motor vehicle or
94 trailer while proper title and registration are being obtained.

95 6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection
96 by proper officers, an accurate record of each permit issued by recording the permit number,
97 the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make,
98 and manufacturer's vehicle identification number, and the permit's date of issuance and
99 expiration date. Upon the issuance of a temporary permit by either the central office of the
100 department of revenue, a motor vehicle dealer or an authorized agent of the department of
101 revenue, the director of the department of revenue shall make the information associated with
102 the issued temporary permit immediately available to the law enforcement community of the
103 state of Missouri.

104 7. Upon the transfer of ownership of any currently registered motor vehicle wherein
105 the owner cannot transfer the license plates due to a change of motor vehicle category, the
106 owner may surrender the license plates issued to the motor vehicle and receive credit for any
107 unused portion of the original registration fee against the registration fee of another motor
108 vehicle. Such credit shall be granted based upon the date the license plates are surrendered.
109 No refunds shall be made on the unused portion of any license plates surrendered for such
110 credit.

111 8. An additional temporary license plate produced in a manner and of materials
112 determined by the director to be the most cost-effective means of production with a
113 configuration that matches an existing or newly issued plate may be purchased by a motor
114 vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's
115 view out of the rear window is not obstructed and the plate configuration is clearly visible
116 from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item
117 obstructs the view of the actual plate. Such temporary plate is only authorized for use when
118 the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of
119 section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for
120 a temporary permit issued under subsection 4 of this section. Replacement temporary plates
121 authorized in this subsection may be issued as needed upon the payment of a fee equal to the
122 fee charged for a temporary permit under subsection 4 of this section. The newly produced

123 third plate may only be used on the vehicle with the matching plate, and the additional plate
124 shall be clearly recognizable as a third plate and only used for the purpose specified in this
125 subsection.

126 9. Notwithstanding the provisions of section 301.217, the director may issue a
127 temporary permit to an individual who possesses a salvage motor vehicle which requires an
128 inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle
129 for which the permit has been issued shall be limited to the most direct route from the
130 residence, maintenance, or storage facility of the individual in possession of such motor
131 vehicle to the nearest authorized inspection facility and return to the originating location.
132 Notwithstanding any other requirements for the issuance of a temporary permit under this
133 section, an individual obtaining a temporary permit for the purpose of operating a motor
134 vehicle to and from an examination facility as prescribed in this subsection shall also
135 purchase the required motor vehicle examination form which is required to be completed for
136 an examination under subsection 9 of section 301.190 and provide satisfactory evidence that
137 such vehicle has passed a motor vehicle safety inspection for such vehicle as required in
138 section 307.350.

139 10. The director of the department of revenue may promulgate all necessary rules and
140 regulations for the administration of this section. Any rule or portion of a rule, as that term is
141 defined in section 536.010, that is created under the authority delegated in this section shall
142 become effective only if it complies with and is subject to all of the provisions of chapter 536
143 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
144 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
145 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
146 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012,
147 shall be invalid and void.

148 11. The repeal and reenactment of this section shall become effective on the date the
149 department of revenue or a producer authorized by the director of the department of revenue
150 begins producing temporary permits described in subsection 4 of such section, or on July 1,
151 2013, whichever occurs first. If the director of revenue or a producer authorized by the
152 director of the department of revenue begins producing temporary permits prior to July 1,
153 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number
2 plate therefor, shall be issued by the director of revenue unless the applicant therefor shall
3 make application for and be granted a certificate of ownership of such motor vehicle or trailer,
4 or shall present satisfactory evidence that such certificate has been previously issued to the
5 applicant for such motor vehicle or trailer. Application shall be made within thirty days after
6 the applicant acquires the motor vehicle or trailer, unless the motor vehicle was acquired

7 under ~~[section 301.213 or]~~ subsection 5 of section 301.210 in which case the applicant shall
8 make application within thirty days after receiving title from the dealer, upon a blank form
9 furnished by the director of revenue and shall contain the applicant's identification number, a
10 full description of the motor vehicle or trailer, the vehicle identification number, and the
11 mileage registered on the odometer at the time of transfer of ownership, as required by section
12 407.536, together with a statement of the applicant's source of title and of any liens or
13 encumbrances on the motor vehicle or trailer, provided that for good cause shown the director
14 of revenue may extend the period of time for making such application. When an owner wants
15 to add or delete a name or names on an application for certificate of ownership of a motor
16 vehicle or trailer that would cause it to be inconsistent with the name or names listed on the
17 notice of lien, the owner shall provide the director with documentation evidencing the
18 lienholder's authorization to add or delete a name or names on an application for certificate of
19 ownership.

20 2. The director of revenue shall use reasonable diligence in ascertaining whether the
21 facts stated in such application are true and shall, to the extent possible without substantially
22 delaying processing of the application, review any odometer information pertaining to such
23 motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the
24 lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same
25 registered in his name, the director shall thereupon issue an appropriate certificate over his
26 signature and sealed with the seal of his office, procured and used for such purpose. The
27 certificate shall contain on its face a complete description, vehicle identification number, and
28 other evidence of identification of the motor vehicle or trailer, as the director of revenue may
29 deem necessary, together with the odometer information required to be put on the face of the
30 certificate pursuant to section 407.536, a statement of any liens or encumbrances which the
31 application may show to be thereon, and, if ownership of the vehicle has been transferred, the
32 name of the state issuing the transferor's title and whether the transferor's odometer mileage
33 statement executed pursuant to section 407.536 indicated that the true mileage is materially
34 different from the number of miles shown on the odometer, or is unknown.

35 3. The director of revenue shall appropriately designate on the current and all
36 subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change
37 Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as
38 defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of
39 the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the
40 director shall print on the face thereof the following designation: "Annual odometer updates
41 may be available from the department of revenue.". On any duplicate certificate, the director
42 of revenue shall reprint on the face thereof the most recent of either:

43 (1) The mileage information included on the face of the immediately prior certificate
44 and the date of purchase or issuance of the immediately prior certificate; or

45 (2) Any other mileage information provided to the director of revenue, and the date
46 the director obtained or recorded that information.

47 4. The certificate of ownership issued by the director of revenue shall be
48 manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit,
49 duplicate, or forge such certificate without ready detection. In order to carry out the
50 requirements of this subsection, the director of revenue may contract with a nonprofit
51 scientific or educational institution specializing in the analysis of secure documents to
52 determine the most effective methods of rendering Missouri certificates of ownership
53 nonalterable or noncounterfeitable.

54 5. The fee for each original certificate so issued shall be eight dollars and fifty cents,
55 in addition to the fee for registration of such motor vehicle or trailer. If application for the
56 certificate is not made within thirty days after the vehicle is acquired by the applicant, or
57 where the motor vehicle was acquired under ~~[section 301.213 or]~~ subsection 5 of section
58 301.210 and the applicant fails to make application within thirty days after receiving title
59 from the dealer, a delinquency penalty fee of twenty-five dollars for the first thirty days of
60 delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to
61 exceed a total of two hundred dollars, but such penalty may be waived by the director for a
62 good cause shown. If the director of revenue learns that any person has failed to obtain a
63 certificate within thirty days after acquiring a motor vehicle or trailer, or where the motor
64 vehicle was acquired under ~~[section 301.213 or]~~ subsection 5 of section 301.210 and the
65 applicant fails to make application within thirty days after receiving title from the dealer, or
66 has sold a vehicle without obtaining a certificate, he shall cancel the registration of all
67 vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall
68 notify the person that the cancellation will remain in force until the person pays the
69 delinquency penalty fee provided in this section, together with all fees, charges and payments
70 which the person should have paid in connection with the certificate of ownership and
71 registration of the vehicle. The certificate shall be good for the life of the motor vehicle or
72 trailer so long as the same is owned or held by the original holder of the certificate and shall
73 not have to be renewed annually.

74 6. Any applicant for a certificate of ownership requesting the department of revenue
75 to process an application for a certificate of ownership in an expeditious manner requiring
76 special handling shall pay a fee of five dollars in addition to the regular certificate of
77 ownership fee.

78 7. It is unlawful for any person to operate in this state a motor vehicle or trailer
79 required to be registered under the provisions of the law unless a certificate of ownership has
80 been applied for as provided in this section.

81 8. Before an original Missouri certificate of ownership is issued, an inspection of the
82 vehicle and a verification of vehicle identification numbers shall be made by the Missouri
83 state highway patrol on vehicles for which there is a current title issued by another state if a
84 Missouri salvage certificate of title has been issued for the same vehicle but no prior
85 inspection and verification has been made in this state, except that if such vehicle has been
86 inspected in another state by a law enforcement officer in a manner comparable to the
87 inspection process in this state and the vehicle identification numbers have been so verified,
88 the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant
89 submits proof of inspection and vehicle identification number verification to the director of
90 revenue at the time of the application. The applicant, who has such a title for a vehicle on
91 which no prior inspection and verification have been made, shall pay a fee of twenty-five
92 dollars for such verification and inspection, payable to the director of revenue at the time of
93 the request for the application, which shall be deposited in the state treasury to the credit of
94 the state highways and transportation department fund.

95 9. Each application for an original Missouri certificate of ownership for a vehicle
96 which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit
97 vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by
98 the director of revenue shall be accompanied by a vehicle examination certificate issued by
99 the Missouri state highway patrol, or other law enforcement agency as authorized by the
100 director of revenue. The vehicle examination shall include a verification of vehicle
101 identification numbers and a determination of the classification of the vehicle. The owner of
102 a vehicle which requires a vehicle examination certificate shall present the vehicle for
103 examination and obtain a completed vehicle examination certificate prior to submitting an
104 application for a certificate of ownership to the director of revenue. Notwithstanding any
105 provision of the law to the contrary, an owner presenting a motor vehicle which has been
106 issued a salvage title and which is ten years of age or older to a vehicle examination described
107 in this subsection in order to obtain a certificate of ownership with the designation prior
108 salvage motor vehicle shall not be required to repair or restore the vehicle to its original
109 appearance in order to pass or complete the vehicle examination. The fee for the vehicle
110 examination application shall be twenty-five dollars and shall be collected by the director of
111 revenue at the time of the request for the application and shall be deposited in the state
112 treasury to the credit of the state highways and transportation department fund. If the vehicle
113 is also to be registered in Missouri, the safety inspection required in chapter 307 and the

114 emissions inspection required under chapter 643 shall be completed and the fees required by
115 section 307.365 and section 643.315 shall be charged to the owner.

116 10. When an application is made for an original Missouri certificate of ownership for
117 a motor vehicle previously registered or titled in a state other than Missouri or as required by
118 section 301.020, it shall be accompanied by a current inspection form certified by a duly
119 authorized official inspection station as described in chapter 307. The completed form shall
120 certify that the manufacturer's identification number for the vehicle has been inspected, that it
121 is correctly displayed on the vehicle and shall certify the reading shown on the odometer at
122 the time of inspection. The inspection station shall collect the same fee as authorized in
123 section 307.365 for making the inspection, and the fee shall be deposited in the same manner
124 as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety
125 inspection required in chapter 307 and the emissions inspection required under chapter 643
126 shall be completed and only the fees required by section 307.365 and section 643.315 shall be
127 charged to the owner. This section shall not apply to vehicles being transferred on a
128 manufacturer's statement of origin.

129 11. Motor vehicles brought into this state in a wrecked or damaged condition or after
130 being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle
131 procedures shall, in lieu of the inspection required by subsection 10 of this section, be
132 inspected by the Missouri state highway patrol in accordance with subsection 9 of this
133 section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director
134 shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any
135 salvage designation shall be carried forward on all subsequently issued certificates of title for
136 the motor vehicle.

137 12. When an application is made for an original Missouri certificate of ownership for
138 a motor vehicle previously registered or titled in a state other than Missouri, and the
139 certificate of ownership has been appropriately designated by the issuing state as a
140 reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or
141 prior salvage vehicle, the director of revenue shall appropriately designate on the current
142 Missouri and all subsequent issues of the certificate of ownership the name of the issuing state
143 and such prior designation. The absence of any prior designation shall not relieve a transferor
144 of the duty to exercise due diligence with regard to such certificate of ownership prior to the
145 transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate
146 of ownership, the legal transfer of a certificate of ownership without any designation that is
147 subsequently discovered to have or should have had a designation shall be a transfer free and
148 clear of any liabilities of the transferor associated with the missing designation.

149 13. When an application is made for an original Missouri certificate of ownership for
150 a motor vehicle previously registered or titled in a state other than Missouri, and the

151 certificate of ownership has been appropriately designated by the issuing state as non-USA-
152 std motor vehicle, the director of revenue shall appropriately designate on the current
153 Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std
154 Motor Vehicle".

155 14. The director of revenue and the superintendent of the Missouri state highway
156 patrol shall make and enforce rules for the administration of the inspections required by this
157 section.

158 15. Each application for an original Missouri certificate of ownership for a vehicle
159 which is classified as a reconstructed motor vehicle, manufactured forty or more years prior
160 to the current model year, and which has a value of three thousand dollars or less shall be
161 accompanied by:

162 (1) A proper affidavit submitted by the owner explaining how the motor vehicle or
163 trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be
164 furnished;

165 (2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the
166 source of all major component parts used to rebuild the vehicle;

167 (3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5
168 of this section. Such fee shall be deposited in the state treasury to the credit of the state
169 highways and transportation department fund; and

170 (4) An inspection certificate, other than a motor vehicle examination certificate
171 required under subsection 9 of this section, completed and issued by the Missouri state
172 highway patrol, or other law enforcement agency as authorized by the director of revenue.
173 The inspection performed by the highway patrol or other authorized local law enforcement
174 agency shall include a check for stolen vehicles.

175

176 The department of revenue shall issue the owner a certificate of ownership designated with
177 the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in
178 accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section,
179 no owner of a reconstructed motor vehicle described in this subsection shall be required to
180 obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.562. 1. The department may refuse to issue or renew any license required
2 pursuant to sections 301.550 to 301.580 for any one or any combination of causes stated in
3 subsection 2 of this section. The department shall notify the applicant or licensee in writing at
4 his or her last known address of the reasons for the refusal to issue or renew the license and
5 shall advise the applicant or licensee of his or her right to file a complaint with the
6 administrative hearing commission as provided by chapter 621.

7 2. The department may cause a complaint to be filed with the administrative hearing
8 commission as provided by chapter 621 against any holder of any license issued under
9 sections 301.550 to 301.580 for any one or any combination of the following causes:

10 (1) The applicant or license holder was previously the holder of a license issued under
11 sections 301.550 to 301.580, which license was revoked for cause and never reissued by the
12 department, or which license was suspended for cause and the terms of suspension have not
13 been fulfilled;

14 (2) The applicant or license holder was previously a partner, stockholder, director or
15 officer controlling or managing a partnership or corporation whose license issued under
16 sections 301.550 to 301.580 was revoked for cause and never reissued or was suspended for
17 cause and the terms of suspension have not been fulfilled;

18 (3) The applicant or license holder has, within ten years prior to the date of the
19 application, been finally adjudicated and found guilty, or entered a plea of guilty or nolo
20 contendere, in a prosecution under the laws of any state or of the United States, for any
21 offense reasonably related to the qualifications, functions, or duties of any business licensed
22 under sections 301.550 to 301.580; for any offense, an essential element of which is fraud,
23 dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not
24 sentence is imposed;

25 (4) Use of fraud, deception, misrepresentation, or bribery in securing any license
26 issued pursuant to sections 301.550 to 301.580;

27 (5) Obtaining or attempting to obtain any money, commission, fee, barter, exchange,
28 or other compensation by fraud, deception, or misrepresentation;

29 (6) Violation of, or assisting or enabling any person to violate any provisions of this
30 chapter and chapters 143, 144, 306, 307, 407, 578, and 643 or of any lawful rule or regulation
31 adopted pursuant to this chapter and chapters 143, 144, 306, 307, 407, 578, and 643;

32 (7) The applicant or license holder has filed an application for a license which, as of
33 its effective date, was incomplete in any material respect or contained any statement which
34 was, in light of the circumstances under which it was made, false or misleading with respect
35 to any material fact;

36 (8) The applicant or license holder has failed to pay the proper application or license
37 fee or other fees required pursuant to this chapter or chapter 306 or fails to establish or
38 maintain a bona fide place of business;

39 (9) Uses or permits the use of any special license or license plate assigned to the
40 license holder for any purpose other than those permitted by law;

41 (10) The applicant or license holder is finally adjudged insane or incompetent by a
42 court of competent jurisdiction;

43 (11) Use of any advertisement or solicitation which is false;

44 (12) Violations of sections 407.511 to 407.556, section 578.120, which resulted in a
45 conviction or finding of guilt or violation of any federal motor vehicle laws which result in a
46 conviction or finding of guilt.

47 3. Any such complaint shall be filed within one year of the date upon which the
48 department receives notice of an alleged violation of an applicable statute or regulation. After
49 the filing of such complaint, the proceedings shall, except for the matters set forth in
50 subsection 5 of this section, be conducted in accordance with the provisions of chapter 621.
51 Upon a finding by the administrative hearing commission that the grounds, provided in
52 subsection 2 of this section, for disciplinary action are met, the department may, singly or in
53 combination, refuse to issue the person a license, issue a license for a period of less than two
54 years, issue a private reprimand, place the person on probation on such terms and conditions
55 as the department deems appropriate for a period of one day to five years, suspend the
56 person's license from one day to six days, or revoke the person's license for such period as the
57 department deems appropriate. The applicant or licensee shall have the right to appeal the
58 decision of the administrative hearing commission and department in the manner provided in
59 chapter 536.

60 4. Upon the suspension or revocation of any person's license issued under sections
61 301.550 to 301.580, the department shall recall any distinctive number plates that were issued
62 to that licensee. If any licensee who has been suspended or revoked shall neglect or refuse to
63 surrender his or her license or distinctive number license plates issued under sections 301.550
64 to 301.580, the director shall direct any agent or employee of the department or any law
65 enforcement officer, to secure possession thereof and return such items to the director. For
66 purposes of this subsection, a "law enforcement officer" means any member of the highway
67 patrol, any sheriff or deputy sheriff, or any peace officer certified under chapter 590 acting in
68 his or her official capacity. Failure of the licensee to surrender his or her license or distinctive
69 number license plates upon demand by the director, any agent or employee of the department,
70 or any law enforcement officer shall be a class A misdemeanor.

71 5. Notwithstanding the foregoing provisions of this section, the following events or
72 acts by the holder of any license issued under sections 301.550 to 301.580 are deemed to
73 present a clear and present danger to the public welfare and shall be considered cause for
74 suspension or revocation of such license under the procedure set forth in subsection 6 of this
75 section, at the discretion of the director:

76 (1) The expiration or revocation of any corporate surety bond or irrevocable letter of
77 credit, as required by section 301.560, without submission of a replacement bond or letter of
78 credit which provides coverage for the entire period of licensure;

79 (2) The failure to maintain a bona fide established place of business as required by
80 section 301.560;

81 (3) Criminal convictions as set forth in subdivision (3) of subsection 2 of this section;
82 or

83 (4) Three or more occurrences of violations which have been established following
84 proceedings before the administrative hearing commission under subsection 3 of this section,
85 or which have been established following proceedings before the director under subsection 6
86 of this section, of this chapter and chapters 143, 144, 306, 307, 578, and 643 or of any lawful
87 rule or regulation adopted under this chapter and chapters 143, 144, 306, 307, 578, and 643,
88 not previously set forth herein.

89 6. (1) Any license issued under sections 301.550 to 301.580 may be suspended or
90 revoked, following an evidentiary hearing before the director or his or her designated hearing
91 officer, if affidavits or sworn testimony by an authorized agent of the department alleges the
92 occurrence of any of the events or acts described in subsection 5 of this section.

93 (2) For any license which the department believes may be subject to suspension or
94 revocation under this subsection, the director shall immediately issue a notice of hearing to
95 the licensee of record. The director's notice of hearing:

96 (a) Shall be served upon the licensee personally or by first class mail to the dealer's
97 last known address, as registered with the director;

98 (b) Shall be based on affidavits or sworn testimony presented to the director, and shall
99 notify the licensee that such information presented therein constitutes cause to suspend or
100 revoke the licensee's license;

101 (c) Shall provide the licensee with a minimum of ten days' notice prior to hearing;

102 (d) Shall specify the events or acts which may provide cause for suspension or
103 revocation of the license, and shall include with the notice a copy of all affidavits, sworn
104 testimony or other information presented to the director which support discipline of the
105 license; and

106 (e) Shall inform the licensee that he or she has the right to attend the hearing and
107 present any evidence in his or her defense, including evidence to show that the event or act
108 which may result in suspension or revocation has been corrected to the director's satisfaction,
109 and that he or she may be represented by counsel at the hearing.

110 (3) At any hearing before the director conducted under this subsection, the director or
111 his or her designated hearing officer shall consider all evidence relevant to the issue of
112 whether the license should be suspended or revoked due to the occurrence of any of the acts
113 set forth in subsection 5 herein. Within twenty business days after such hearing, the director
114 or his or her designated hearing officer shall issue a written order, with findings of fact and
115 conclusions of law, which either grants or denies the issuance of an order of suspension or
116 revocation. The suspension or revocation shall be effective ten days after the date of the

117 order. The written order of the director or his or her hearing officer shall be the final decision
118 of the director and shall be subject to judicial review under the provisions of chapter 536.

119 (4) Notwithstanding the provisions of this chapter or chapter 610 or 621 to the
120 contrary, the proceedings under this subsection shall be closed and no order shall be made
121 public until it is final, for purposes of appeal.

122 7. In lieu of acting under subsection 2 or 6 of this section, the department of revenue
123 may enter into an agreement with the holder of the license to ensure future compliance with
124 sections 301.210, ~~[301.213,]~~ 307.380, sections 301.217 to 301.229, and sections 301.550 to
125 301.580. Such agreement may include an assessment fee not to exceed five hundred dollars
126 per violation or five thousand dollars in the aggregate unless otherwise permitted by law,
127 probation terms and conditions, and other requirements as may be deemed appropriate by the
128 department of revenue and the holder of the license. Any fees collected by the department of
129 revenue under this subsection shall be deposited into the motor vehicle commission fund
130 created in section 301.560.

131 EXPLANATION: Section 301.213 expired in 2020. Upon passage and repeal of Section
132 301.213 in this bill, the references in these sections become obsolete.

133

313.270. 1. The director, pursuant to rules and regulations issued by the commission,
2 may directly purchase or lease such goods or services as are necessary for effectuating the
3 purposes of sections 313.200 to 313.350, including procurements which integrate functions
4 such as lottery game design, supply of goods and services, and advertising. The lottery
5 commission by approved rule may purchase goods made in the United States and sold by a
6 Missouri business to be given away as prizes within the provisions of section 313.321.
7 Contracts shall be awarded to lottery contractors or lottery vendors on the basis of lowest and
8 best bid on an evaluated basis in order to maximize revenues to the lottery fund. The director
9 may also utilize state purchasing procedures. ~~[The director shall award at least ten percent of~~
10 ~~the aggregate dollar amount of all contracts to provide goods and services to the lottery to~~
11 ~~minority business enterprises as defined by the office of administration and shall award at~~
12 ~~least five percent of the aggregate dollar amount of all contracts to provide goods and services~~
13 ~~to the lottery to women business enterprises as defined by the office of administration.]~~ No
14 contract awarded or entered into by the director may be assigned by the holder thereof except
15 by specific approval of the commission.

16 2. ~~[Any contract awarded to any lottery contractor or vendor shall provide that such~~
17 ~~contractor or vendor shall award a minimum of ten percent of his subcontracted business to~~
18 ~~minority business enterprises as defined by the office of administration and shall award a~~
19 ~~minimum of five percent of his subcontracted business to women business enterprises as~~
20 ~~defined by the office of administration. This section shall not apply to multistate lottery.~~

21 ~~3-~~ Any lottery vendor which enters into a contract to supply lottery materials,
22 services or equipment for use in the operation of the state lottery shall first disclose such
23 information as the commission may require, by rule and regulation, concerning the selection
24 of lottery vendors.

25 ~~[4-]~~ 3. The costs of any investigation into the background of the applicant seeking a
26 contract shall be assessed against the applicant and shall be paid by the applicant at the time
27 of billing by the state.

28 ~~[5-]~~ 4. Performance bonds shall be posted by each contractor with the commission
29 with a surety acceptable to the commission in an amount as may be required by the
30 commission, but not to exceed the expected total value of the contract. The contract of any
31 lottery contractor who does not comply with such requirements may be terminated by the
32 commission. The commission may terminate the contract of any lottery vendor who:

33 (1) Is convicted of any felony;

34 (2) Is convicted of any gambling-related offense;

35 (3) Is convicted of any crime involving fraud or misrepresentation;

36 (4) Fails to comply with the rules and regulations of the commission existing at the
37 time the contract was entered into; or

38 (5) Fails to periodically update any disclosure requirements.

39 ~~[6- The provisions in this section requiring that certain percentages of lottery~~
40 ~~contracts and subcontracts be awarded to businesses owned and controlled by women or~~
41 ~~ethnic and racial minorities shall expire on January 1, 2005.]~~

42 EXPLANATION: Portions of this section relating to contracts awarded to businesses owned
43 and controlled by women or ethnic and racial minorities expired 1-01-2005.

44

 320.092. 1. Tax credits issued pursuant to sections 135.400~~[;]~~ **and** 135.750 ~~[and~~
2 ~~320.093]~~ shall be subject to oversight provisions. Effective January 1, 2000, notwithstanding
3 the provisions of section 32.057, the board, department or authority issuing tax credits shall
4 annually report to the office of administration, president pro tem of the senate, and the
5 speaker of the house of representatives regarding the tax credits issued pursuant to sections
6 135.400~~[;]~~ **and** 135.750 ~~[and 320.093]~~ which were issued in the previous fiscal year. The
7 report shall contain, but not be limited to, the aggregate number and dollar amount of tax
8 credits issued by the board, department or authority, the number and dollar amount of tax
9 credits claimed by taxpayers, and the number and dollar amount of tax credits unclaimed by
10 taxpayers as well as the number of years allowed for claims to be made. This report shall be
11 delivered no later than November of each year.

12 2. The reporting requirements established pursuant to subsection 1 of this section
13 shall also apply to the department of economic development and the Missouri development

14 finance board established pursuant to section 100.265. The department and the Missouri
15 development finance board shall report on the tax credit programs which they respectively
16 administer that are authorized under the provisions of chapters 32, 100, 135, 178, 253, 348,
17 447 and 620.

18 EXPLANATION: The authority for the tax credit under Section 320.093 terminated in 2017.
19 Upon passage and repeal of Section 320.093 in this bill, the intersectional references in this
20 section become obsolete.

21

394.120. 1. No person shall become a member of a cooperative unless such person
2 shall agree to use electric energy furnished by the cooperative when such electric energy shall
3 be available through its facilities. The bylaws of a cooperative may provide that any person,
4 including an incorporator, shall cease to be a member thereof if he or she shall fail or refuse to
5 use electric energy made available by the cooperative or if electric energy shall not be made
6 available to such person by the cooperative within a specified time after such person shall
7 have become a member thereof. Membership in the cooperative shall not be transferable,
8 except as provided in the bylaws. The bylaws may prescribe additional qualifications and
9 limitations in respect of membership.

10 2. An annual meeting of the members shall be held at such time as shall be provided
11 in the bylaws.

12 3. Special meetings of the members may be called by the board of directors, by any
13 three directors, by not less than ten percent of the members, or by the president.

14 4. Meetings of members shall be held at such place as may be provided in the bylaws.
15 In the absence of any such provisions, all meetings shall be held in the city or town in which
16 the principal office of the cooperative is located.

17 5. Except as herein otherwise provided, written or printed notice stating the time and
18 place of each meeting of members and, in the case of a special meeting, the purpose or
19 purposes for which the meeting is called, shall be given to each member, either personally or
20 by mail, not less than ten nor more than twenty-five days before the date of the meeting.

21 6. Two percent of the first two thousand members and one percent of the remaining
22 members, present in person, or if the bylaws so provide, participating electronically or by
23 mail, shall constitute a quorum for the transaction of business at all meetings of the members,
24 unless the bylaws prescribe the presence of a greater percentage of the members for a
25 quorum. If less than a quorum is present at any meeting, a majority of those present in person
26 may adjourn the meeting from time to time without further notice.

27 7. Each member shall be entitled to one vote on each matter submitted to a vote at a
28 meeting. Voting shall be in person, but, if the bylaws so provide, may also be by proxy, by
29 electronic means, by mail, or any combination thereof. If the bylaws provide for voting by

30 proxy, by electronic means, or by mail, they shall also prescribe the conditions under which
31 proxy, electronic, or mail voting shall be exercised. In any event, no person shall vote as
32 proxy for more than two members at any meeting of the members.

33 ~~[8. Notwithstanding the provisions of subsections 2 and 7 of this section, the board of~~
34 ~~directors shall have the power to set the time and place of the annual meeting and also to~~
35 ~~provide for voting by proxy, electronic means, by mail, or any combination thereof, and to~~
36 ~~prescribe the conditions under which such voting shall be exercised. The meeting~~
37 ~~requirement provided in this section may be satisfied through virtual means. The provisions~~
38 ~~of this subsection shall expire on August 28, 2022.]~~

39 EXPLANATION: Subsection 8 of this section expired 8-28-2022.

40

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

- 2 (1) "B-20", a blend of twenty percent by volume biodiesel fuel and eighty percent by
3 volume petroleum-based diesel fuel;
- 4 (2) "Biodiesel", fuel as defined in ASTM Standard PS121;
- 5 (3) "EPAAct", the federal Energy Policy Act, 42 U.S.C. 13201, et seq.;
- 6 (4) "EPAAct credit", a credit issued pursuant to EPAAct;
- 7 (5) "Fund", the biodiesel fuel revolving fund;
- 8 (6) "Incremental cost", the difference in cost between biodiesel fuel and conventional
9 petroleum-based diesel fuel at the time the biodiesel fuel is purchased.

10 2. The department, in cooperation with the department of agriculture, shall establish
11 and administer an EPAAct credit banking and selling program to allow state agencies to use
12 moneys generated by the sale of EPAAct credits to purchase biodiesel fuel for use in state
13 vehicles. Each state agency shall provide the department with all vehicle fleet information
14 necessary to determine the number of EPAAct credits generated by the agency. The department
15 may sell credits in any manner pursuant to the provisions of EPAAct.

16 3. There is hereby created in the state treasury the "Biodiesel Fuel Revolving Fund",
17 into which shall be deposited moneys received from the sale of EPAAct credits banked by state
18 agencies on August 28, 2001, and in future reporting years, any moneys appropriated to the
19 fund by the general assembly, and any other moneys obtained or accepted by the department
20 for deposit into the fund. The fund shall be managed to maximize benefits to the state in the
21 purchase of biodiesel fuel and, when possible, to accrue those benefits to state agencies in
22 proportion to the number of EPAAct credits generated by each respective agency.

23 4. Moneys deposited into the fund shall be used to pay for the incremental cost of
24 biodiesel fuel with a minimum biodiesel concentration of B-20 for use in state vehicles and
25 for administration of the fund. Not later than January thirty-first of each year, the department

26 shall submit an annual report to the general assembly on the expenditures from the fund
27 during the preceding fiscal year.

28 5. Notwithstanding the provisions of section 33.080, no portion of the fund shall be
29 transferred to the general revenue fund, and any appropriation made to the fund shall not
30 lapse. The state treasurer shall invest moneys in the fund in the same manner as other funds
31 are invested. Interest and moneys earned on such investments shall be credited to the fund.

32 6. The department shall promulgate such rules as are necessary to implement this
33 section. No rule or portion of a rule promulgated pursuant to this section shall become
34 effective unless it has been promulgated pursuant to chapter 536.

35 ~~[7. The department shall conduct a study of the use of alternative fuels in motor~~
36 ~~vehicles in the state and shall report its findings and recommendations to the general~~
37 ~~assembly no later than January 1, 2002. Such study shall include:~~

38 ~~(1) An analysis of the current use of alternative fuels in public and private vehicle~~
39 ~~fleets in the state;~~

40 ~~(2) An assessment of methods that the state may use to increase use of alternative~~
41 ~~fuels in vehicle fleets, including the sale of credits generated pursuant to the federal Energy~~
42 ~~Policy Act, 42 U.S.C. 13201, et seq., to pay for the difference in cost between alternative~~
43 ~~fuels and conventional fuels;~~

44 ~~(3) An assessment of the benefits or harm that increased use of alternative fuels may~~
45 ~~make to the state's economy and environment;~~

46 ~~(4) Any other information that the department deems relevant.]~~

47 EXPLANATION: The report under subsection 7 of this section was due 1-01-2002.

48

454.433. 1. When a tribunal of another state as defined in section ~~[454.850]~~ **454.1503**
2 has ordered support payments to a person who has made an assignment of child support rights
3 to the family support division or who is receiving child support services pursuant to section
4 454.425, the family support division may notify the court of this state in the county in which
5 the obligor, obligee or the child resides or works. Until October 1, 1999, upon such notice the
6 circuit clerk shall accept all support payments and remit such payments to the person or entity
7 entitled to receive the payments. Effective October 1, 1999, the division shall order the
8 payment center to accept all support payments and remit such payments to the person or
9 entity entitled to receive the payments.

10 2. Notwithstanding any provision of law to the contrary, the notification to the court
11 by the division shall authorize the court to make the clerk trustee. The clerk shall keep an
12 accurate record of such payments and shall report all collections to the division in the manner
13 specified by the division. Effective October 1, 1999, the duties of the clerk as trustee

14 pursuant to this section shall terminate and all payments shall be made to the payment center
15 pursuant to section 454.530.

454.470. 1. The director may issue a notice and finding of financial responsibility to
2 a parent who owes a state debt or who is responsible for the support of a child on whose
3 behalf the custodian of that child is receiving support enforcement services from the division
4 pursuant to section 454.425 if a court order has not been previously entered against that
5 parent, a court order has been previously entered but has been terminated by operation of law
6 or if a support order from another state has been entered but is not entitled to recognition
7 under sections [~~454.850 to 454.997~~] **454.1500 to 454.1728**. Service of the notice and finding
8 shall be made on the parent or other party in the manner prescribed for service of process in a
9 civil action by an authorized process server appointed by the director, or by certified mail,
10 return receipt requested. The director may appoint any uninterested party, including but not
11 limited to employees of the division, to serve such process. For purposes of this subsection, a
12 parent who refuses receipt of service by certified mail is deemed to have been served. Service
13 upon an obligee who is receiving support enforcement services under section 454.425 may be
14 made by regular mail. When appropriate to the circumstances of the individual action, the
15 notice shall state:

16 (1) The name of the person or agency with custody of the dependent child and the
17 name of the dependent child for whom support is to be paid;

18 (2) The monthly future support for which the parent shall be responsible;

19 (3) The state debt, if any, accrued and accruing, and the monthly payment to be made
20 on the state debt which has accrued;

21 (4) A statement of the costs of collection, including attorney's fees, which may be
22 assessed against the parent;

23 (5) That the parent shall be responsible for providing medical insurance for the
24 dependent child;

25 (6) That if a parent desires to discuss the amount of support that should be paid, the
26 parent or person having custody of the child may, within twenty days after being served,
27 contact the division office which sent the notice and request a negotiation conference. The
28 other parent or person having custody of the child shall be notified of the negotiated
29 conference and may participate in the conference. If no agreement is reached on the monthly
30 amount to be paid, the director may issue a new notice and finding of financial responsibility,
31 which may be sent to the parent required to pay support by regular mail addressed to the
32 parent's last known address or, if applicable, the parent's attorney's last known address. A
33 copy of the new notice and finding shall be sent by regular mail to the other parent or person
34 having custody of the child;

35 (7) That if a parent or person having custody of the child objects to all or any part of
36 the notice and finding of financial responsibility and no negotiation conference is requested,
37 within twenty days of the date of service the parent or person having custody of the child shall
38 send to the division office which issued the notice a written response which sets forth any
39 objections and requests a hearing; and, that if the director issues a new notice and finding of
40 financial responsibility, the parent or person having custody of the child shall have twenty
41 days from the date of issuance of the new notice to send a hearing request;

42 (8) That if such a timely response is received by the appropriate division office, and if
43 such response raises factual questions requiring the submission of evidence, the parent or
44 person having custody of the child shall have the right to a hearing before an impartial hearing
45 officer who is an attorney licensed to practice law in Missouri and, that if no timely written
46 response is received, the director may enter an order in accordance with the notice and finding
47 of financial responsibility;

48 (9) That the parent has the right to be represented at the hearing by an attorney of the
49 parent's own choosing;

50 (10) That the parent or person having custody of the child has the right to obtain
51 evidence and examine witnesses as provided for in chapter 536, together with an explanation
52 of the procedure the parent or person having custody of the child shall follow in order to
53 exercise such rights;

54 (11) That as soon as the order is entered, the property of the parent required to pay
55 support shall be subject to collection actions, including, but not limited to, wage withholding,
56 garnishment, liens, and execution thereon;

57 (12) A reference to sections 454.460 to 454.510;

58 (13) That the parent is responsible for notifying the division of any change of address
59 or employment;

60 (14) That if the parent has any questions, the parent should telephone or visit the
61 appropriate division office or consult an attorney; and

62 (15) Such other information as the director finds appropriate.

63 2. The statement of periodic future support required by subdivision (2) of subsection
64 1 of this section is to be computed under the guidelines established in subsection 8 of section
65 452.340.

66 3. Any time limits for notices or requests may be extended by the director, and such
67 extension shall have no effect on the jurisdiction of the court, administrative body, or other
68 entity having jurisdiction over the proceedings.

69 4. If a timely written response setting forth objections and requesting a hearing is
70 received by the appropriate division office, and if such response raises a factual question
71 requiring the submission of evidence, a hearing shall be held in the manner provided by

72 section 454.475. If no timely written response and request for hearing is received by the
73 appropriate division office, the director may enter an order in accordance with the notice, and
74 shall specify:

75 (1) The amount of periodic support to be paid, with directions on the manner of
76 payment;

77 (2) The amount of state debt, if any, accrued in favor of the department;

78 (3) The monthly payment to be made on state debt, if any;

79 (4) The amount of costs of collection, including attorney's fees, assessed against the
80 parent;

81 (5) The name of the person or agency with custody of the dependent child and the
82 name and birth date of the dependent child for whom support is to be paid;

83 (6) That the property of the parent is subject to collection actions, including, but not
84 limited to, wage withholding, garnishment, liens, and execution thereon; and

85 (7) If appropriate, that the parent shall provide medical insurance for the dependent
86 child, or shall pay the reasonable and necessary medical expenses of the dependent child.

87 5. The parent or person having custody of the child shall be sent a copy of the order
88 by regular mail addressed to the parent's last known address or, if applicable, the parent's
89 attorney's last known address. The order is final, and action by the director to enforce and
90 collect upon the order, including arrearages, may be taken from the date of issuance of the
91 order.

92 6. Copies of the orders issued pursuant to this section shall be mailed within fourteen
93 days of the issuance of the order.

94 7. Any parent or person having custody of the child who is aggrieved as a result of
95 any allegation or issue of fact contained in the notice and finding of financial responsibility
96 shall be afforded an opportunity for a hearing, upon the request in writing filed with the
97 director not more than twenty days after service of the notice and finding is made upon such
98 parent or person having custody of the child, and if in requesting such hearing, the aggrieved
99 parent or person having custody of the child raises a factual issue requiring the submission of
100 evidence.

101 8. At any time after the issuance of an order under this section, the director may issue
102 an order vacating that order if it is found that the order was issued without subject matter or
103 personal jurisdiction or if the order was issued without affording the obligor due process of
104 law.

454.490. 1. A true copy of any order entered by the director pursuant to sections
2 454.460 to ~~[454.997]~~ **454.1728**, along with a true copy of the return of service, may be filed
3 with the clerk of the circuit court in the county in which the judgment of dissolution or
4 paternity has been entered, or if no such judgment was entered, in the county where either the

5 parent or the dependent child resides or where the support order was filed. Upon filing, the
6 clerk shall enter the order in the judgment docket. Upon docketing, the order shall have all
7 the force, effect, and attributes of a docketed order or decree of the circuit court, including,
8 but not limited to, lien effect and enforceability by supplementary proceedings, contempt of
9 court, execution and garnishment. Any administrative order or decision of the family support
10 division filed in the office of the circuit clerk of the court shall not be required to be signed by
11 an attorney, as provided by supreme court rule of civil procedures 55.03(a), or required to
12 have any further pleading other than the director's order.

13 2. In addition to any other provision to enforce an order docketed pursuant to this
14 section or any other support order of the court, the court may, upon petition by the division,
15 require that an obligor who owes past due support to pay support in accordance with a plan
16 approved by the court, or if the obligor is subject to such plan and is not incapacitated, the
17 court may require the obligor to participate in work activities.

18 3. In addition to any other provision to enforce an order docketed pursuant to this
19 section or any other support order of the court, division or other IV-D agency, the director
20 may order that an obligor who owes past due support to pay support in accordance with a plan
21 approved by the director, or if the obligor is subject to such plan and is not incapacitated, the
22 director may order the obligor to participate in work activities. The order of the director shall
23 be filed with a court pursuant to subsection 1 of this section and shall be enforceable as an
24 order of the court.

25 4. As used in this section, "work activities" include:

- 26 (1) Unsubsidized employment;
- 27 (2) Subsidized private sector employment;
- 28 (3) Subsidized public sector employment;
- 29 (4) Work experience (including work associated with the refurbishing of publicly
30 assisted housing) if sufficient private sector employment is not available;
- 31 (5) On-the-job training;
- 32 (6) Job search and readiness assistance;
- 33 (7) Community services programs;
- 34 (8) Vocational educational training, not to exceed twelve months for any individual;
- 35 (9) Job skills training directly related to employment;
- 36 (10) Education directly related to employment for an individual who has not received
37 a high school diploma or its equivalent;
- 38 (11) Satisfactory attendance at a secondary school or course of study leading to a
39 certificate of general equivalence for an individual who has not completed secondary school
40 or received such a certificate; or

41 (12) The provision of child care services to an individual who is participating in a
42 community service program.

43 EXPLANATION: The intersectional references in these sections became obsolete in 2016
44 upon the repeal of sections 454.850 to 454.997 and the enactment of sections 454.1500 to
45 454.1728.

46

488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may
2 require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit
3 with the clerk of the court a surcharge in addition to all other deposits required by law or court
4 rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or
5 are to be paid by the county or state or any city.

6 2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by
7 the circuit court. The circuit court in any circuit, except the circuit court in Jackson County or
8 the circuit court in any circuit that reimburses the state for the salaries of family court
9 commissioners under and pursuant to section 487.020, may change the fee to any amount not
10 to exceed fifteen dollars. The circuit court in Jackson County or the circuit court in any
11 circuit that reimburses the state for the salaries of family court commissioners under and
12 pursuant to section 487.020 may change the fee to any amount not to exceed twenty dollars.
13 A change in the fee shall become effective and remain in effect until further changed.

14 3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived
15 or are paid by the county or state or any city.

16 ~~[4. In addition to any fee authorized by subsection 1 of this section, any county of the~~
17 ~~first classification with more than one hundred one thousand but fewer than one hundred~~
18 ~~fifteen thousand inhabitants may impose an additional fee of ten dollars excluding cases~~
19 ~~concerning adoption and those in small claims court. The provisions of this subsection shall~~
20 ~~expire on December 31, 2019.]~~

21 EXPLANATION: Subsection 4 of this section expired 12-31-2019.

22

620.570. 1. ~~[The Missouri training and employment council, as established in section~~
2 ~~620.523, shall review and recommend criteria for evaluating project funding assistance,~~
3 ~~program criteria, and other requirements and priorities to be used by the division in the~~
4 ~~evaluation and monitoring of Missouri youth service and conservation corps projects.~~

5 2.] The division shall work with the department of higher education and workforce
6 development, the department of elementary and secondary education, all colleges,
7 universities and lending institutions throughout the state to develop a system of academic
8 credit, tuition grants and deferred loan repayment incentives for young adults who enroll and

9 complete participation in corps programs. The division shall adopt rules under chapter 536
10 designed to implement any such incentive programs.

11 ~~[3-]~~ 2. The division of workforce development of the department of economic
12 development shall establish and promote the recruitment of "Show-Me Employers" which
13 shall consist of Missouri-based corporations and businesses agreeing to interview, for entry-
14 level jobs, participants successfully completing a youth corps program.

15 ~~[4-]~~ 3. The division of workforce development of the department of economic
16 development shall recognize and promote within the labor exchange system the youth service
17 corps and the potential benefits of hiring participants who have successfully completed any of
18 the corps' programs.

620.1020. There is hereby created within the department of economic development a
2 "Business Extension Service Team" program. The purpose of the teams shall be to provide
3 technical and management assistance to Missouri businesses, to improve their
4 competitiveness and increase their market share of the economy, to assist businesses with
5 the introduction of improved production processes, and to assist the businesses with their job
6 training needs. ~~[Each team shall inform the Missouri training and employment council of
7 specific job training needs which it identifies for an individual business or general job training
8 needs which it recommends for the state. A team may recommend that, by means of contract,
9 feasibility studies or productivity assessments be performed for businesses.]~~ Businesses to be
10 assisted may include those faced with employee layoffs, plant closings or financial instability.
11 The expenses of a team shall be financed by state and federal appropriations, local
12 governments, economic development organizations, private contributions and fees paid by
13 assisted businesses.

14 EXPLANATION: Portions of these sections became obsolete in 2007 when the authority for
15 the Missouri Training and Employment Council in Section 620.523 was repealed.

16

620.2020. 1. The department shall respond to a written request, by or on behalf of a
2 qualified company or qualified military project, for a proposed benefit award under the
3 provisions of this program within five business days of receipt of such request. The
4 department shall respond to a written request, by or on behalf of a qualified manufacturing
5 company, for a proposed benefit award under the provisions of this program within fifteen
6 business days of receipt of such request. Such response shall contain either a proposal of
7 benefits for the qualified company or qualified military project, or a written response refusing
8 to provide such a proposal and stating the reasons for such refusal. A qualified company or
9 qualified military project that intends to seek benefits under the program shall submit to the
10 department a notice of intent. The department shall respond within thirty days to a notice of

11 intent with an approval or a rejection, provided that the department may withhold approval or
12 provide a contingent approval until it is satisfied that proper documentation of eligibility has
13 been provided. The department shall certify or reject the qualifying company's plan outlined
14 in their notice of intent as satisfying good faith efforts made to employ, at a minimum,
15 commensurate with the percentage of minority populations in the state of Missouri, as
16 reported in the previous decennial census, the following: racial minorities, contractors who
17 are racial minorities, and contractors that, in turn, employ at a minimum racial minorities
18 commensurate with the percentage of minority populations in the state of Missouri, as
19 reported in the previous decennial census. Failure to respond on behalf of the department
20 shall result in the notice of intent being deemed approved. A qualified company receiving
21 approval for program benefits may receive additional benefits for subsequent new jobs at the
22 same facility after the full initial project period if the applicable minimum job requirements
23 are met. There shall be no limit on the number of project periods a qualified company may
24 participate in the program, and a qualified company may elect to file a notice of intent to
25 begin a new project period concurrent with an existing project period if the applicable
26 minimum job requirements are achieved, the qualified company provides the department with
27 the required annual reporting, and the qualified company is in compliance with this program
28 and any other state programs in which the qualified company is currently or has previously
29 participated. However, the qualified company shall not receive any further program benefits
30 under the original approval for any new jobs created after the date of the new notice of intent,
31 and any jobs created before the new notice of intent shall not be included as new jobs for
32 purposes of the benefit calculation for the new approval. When a qualified company has filed
33 and received approval of a notice of intent and subsequently files another notice of intent, the
34 department shall apply the definition of project facility under subdivision (24) of section
35 620.2005 to the new notice of intent as well as all previously approved notices of intent and
36 shall determine the application of the definitions of new job, new payroll, project facility base
37 employment, and project facility base payroll accordingly.

38 2. Notwithstanding any provision of law to the contrary, the benefits available to the
39 qualified company under any other state programs for which the company is eligible and
40 which utilize withholding tax from the new or retained jobs of the company shall first be
41 credited to the other state program before the withholding retention level applicable under this
42 program will begin to accrue. If any qualified company also participates in a job training
43 program utilizing withholding tax, the company shall retain no withholding tax under this
44 program, but the department shall issue a refundable tax credit for the full amount of benefit
45 allowed under this program. The calendar year annual maximum amount of tax credits which
46 may be issued to a qualifying company that also participates in a job training program shall be

47 increased by an amount equivalent to the withholding tax retained by that company under a
48 jobs training program.

49 3. A qualified company or qualified military project receiving benefits under this
50 program shall provide an annual report of the number of jobs, along with minority jobs
51 created or retained, and such other information as may be required by the department to
52 document the basis for program benefits available no later than ninety days prior to the end of
53 the qualified company's or industrial development authority's tax year immediately following
54 the tax year for which the benefits provided under the program are attributed. In such annual
55 report, if the average wage is below the applicable percentage of the county average wage, the
56 qualified company or qualified military project has not maintained the employee insurance as
57 required, if the department after a review determines the qualifying company fails to satisfy
58 other aspects of their notice of intent, including failure to make good faith efforts to employ,
59 at a minimum, commensurate with the percentage of minority populations in the state of
60 Missouri, as reported in the previous decennial census, the following: racial minorities,
61 contractors who are racial minorities, and contractors that, in turn, employ at a minimum
62 racial minorities commensurate with the percentage of minority populations in the state of
63 Missouri, as reported in the previous decennial census, or if the number of jobs is below the
64 number required, the qualified company or qualified military project shall not receive tax
65 credits or retain the withholding tax for the balance of the project period. If a statewide state
66 of emergency exists for more than sixteen months, a qualified company or industrial
67 development authority shall be entitled to a one-time suspension of program deadlines equal
68 to the number of months such statewide state of emergency existed with any partial month
69 rounded to the next whole. During such suspension, the qualified company or industrial
70 development authority shall not be entitled to retain any withholding tax as calculated under
71 subdivision (38) of section 620.2005 nor shall it earn any awarded tax credit or receive any
72 tax credit under the program for the suspension period. The suspension period shall run
73 consecutively and be available to a qualified company or industrial development authority
74 that, during the statewide state of emergency, submitted notice of intent that was approved or
75 that was in year one or a subsequent year of benefits under a program agreement with the
76 department. The suspension period that runs consecutively and may be available to a
77 qualified company or industrial development authority as provided in this subsection may
78 apply retroactively. Any qualified company or industrial development authority requesting a
79 suspension pursuant to this subsection shall submit notice to the department on its provided
80 form identifying the requested start and end dates of the suspension, not to exceed the
81 maximum number of months available under this subsection. Such notice shall be submitted
82 to the department not later than the end of the twelfth month following the termination of the
83 state of emergency. No suspension period shall start later than the date on which the state of

84 emergency was terminated. The department and the qualified company or the industrial
85 development authority shall enter into a program agreement or shall amend an existing
86 program agreement, as applicable, stating the deadlines following the suspension period and
87 updating the applicable wage requirements. Failure to timely file the annual report required
88 under this section may result in the forfeiture of tax credits attributable to the year for which
89 the reporting was required and a recapture of withholding taxes retained by the qualified
90 company or qualified military project during such year.

91 4. The department may withhold the approval of any benefits under this program until
92 it is satisfied that proper documentation has been provided, and shall reduce the benefits to
93 reflect any reduction in full-time employees or payroll. Upon approval by the department, the
94 qualified company may begin the retention of the withholding taxes when it reaches the
95 required number of jobs and the average wage meets or exceeds the applicable percentage of
96 county average wage. Tax credits, if any, may be issued upon satisfaction by the department
97 that the qualified company has exceeded the applicable percentage of county average wage
98 and the required number of jobs; provided that, tax credits awarded under subsection 7 of
99 section 620.2010 may be issued following the qualified company's acceptance of the
100 department's proposal and pursuant to the requirements set forth in the written agreement
101 between the department and the qualified company under subsection 4 of section 620.2010.

102 5. Any qualified company or qualified military project approved for benefits under
103 this program shall provide to the department, upon request, any and all information and
104 records reasonably required to monitor compliance with program requirements. This
105 program shall be considered a business recruitment tax credit under subdivision (3) of
106 subsection 2 of section 135.800, and any qualified company or qualified military project
107 approved for benefits under this program shall be subject to the provisions of sections
108 135.800 to 135.830.

109 6. Any taxpayer who is awarded benefits under this program who knowingly hires
110 individuals who are not allowed to work legally in the United States shall immediately forfeit
111 such benefits and shall repay the state an amount equal to any state tax credits already
112 redeemed and any withholding taxes already retained.

113 7. (1) The maximum amount of tax credits that may be authorized under this program
114 for any fiscal year shall be limited as follows, less the amount of any tax credits previously
115 obligated for that fiscal year under any of the tax credit programs referenced in subsection 14
116 of this section:

117 (a) For the fiscal year beginning on July 1, 2013, but ending on or before June 30,
118 2014, no more than one hundred six million dollars in tax credits may be authorized;

119 (b) For the fiscal year beginning on July 1, 2014, but ending on or before June 30,
120 2015, no more than one hundred eleven million dollars in tax credits may be authorized;

121 (c) For fiscal years beginning on or after July 1, 2015, but ending on or before June
122 30, 2020, no more than one hundred sixteen million dollars in tax credits may be authorized
123 for each fiscal year; and

124 (d) For all fiscal years beginning on or after July 1, 2020, no more than one hundred
125 six million dollars in tax credits may be authorized for each fiscal year. The provisions of this
126 paragraph shall not apply to tax credits issued to qualified companies under a notice of intent
127 filed prior to July 1, 2020.

128 (2) For all fiscal years beginning on or after July 1, 2020, in addition to the amount of
129 tax credits that may be authorized under paragraph (d) of subdivision (1) of this subsection,
130 an additional ten million dollars in tax credits may be authorized for each fiscal year for the
131 purpose of the completion of infrastructure projects directly connected with the creation or
132 retention of jobs under the provisions of sections 620.2000 to 620.2020 and an additional ten
133 million dollars in tax credits may be authorized for each fiscal year for a qualified
134 manufacturing company based on a manufacturing capital investment as set forth in section
135 620.2010.

136 8. For all fiscal years beginning on or after July 1, 2020, the maximum total amount
137 of withholding tax that may be authorized for retention for the creation of new jobs under the
138 provisions of sections 620.2000 to 620.2020 by qualified companies with a project facility
139 base employment of at least fifty shall not exceed seventy-five million dollars for each fiscal
140 year. The provisions of this subsection shall not apply to withholding tax authorized for
141 retention for the creation of new jobs by qualified companies with a project facility base
142 employment of less than fifty.

143 9. For tax credits for the creation of new jobs under section 620.2010, the department
144 shall allocate the annual tax credits based on the date of the approval, reserving such tax
145 credits based on the department's best estimate of new jobs and new payroll of the project,
146 and any other applicable factors in determining the amount of benefits available to the
147 qualified company or qualified military project under this program; provided that, the
148 department may reserve up to twenty-one and one-half percent of the maximum annual
149 amount of tax credits that may be authorized under subsection 7 of this section for award
150 under subsection 7 of section 620.2010. However, the annual issuance of tax credits shall be
151 subject to annual verification of actual payroll by the department or, for qualified military
152 projects, annual verification of average salary for the jobs directly created by the qualified
153 military project. Any authorization of tax credits shall expire if, within two years from the
154 date of commencement of operations, or approval if applicable, the qualified company has
155 failed to meet the applicable minimum job requirements. The qualified company may retain
156 authorized amounts from the withholding tax under the project once the applicable minimum
157 job requirements have been met for the duration of the project period. No benefits shall be

158 provided under this program until the qualified company or qualified military project meets
159 the applicable minimum new job requirements or, for benefits awarded under subsection 7 of
160 section 620.2010, until the qualified company has satisfied the requirements set forth in the
161 written agreement between the department and the qualified company under subsection 4 of
162 section 620.2010. In the event the qualified company or qualified military project does not
163 meet the applicable minimum new job requirements, the qualified company or qualified
164 military project may submit a new notice of intent or the department may provide a new
165 approval for a new project of the qualified company or qualified military project at the project
166 facility or other facilities.

167 10. Tax credits provided under this program may be claimed against taxes otherwise
168 imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed
169 within one year of the close of the taxable year for which they were issued. Tax credits
170 provided under this program may be transferred, sold, or assigned by filing a notarized
171 endorsement thereof with the department that names the transferee, the amount of tax credit
172 transferred, and the value received for the credit, as well as any other information reasonably
173 requested by the department. For a qualified company with flow-through tax treatment to its
174 members, partners, or shareholders, the tax credit shall be allowed to members, partners, or
175 shareholders in proportion to their share of ownership on the last day of the qualified
176 company's tax period.

177 11. Prior to the issuance of tax credits or the qualified company beginning to retain
178 withholding taxes, the department shall verify through the department of revenue and any
179 other applicable state department that the tax credit applicant does not owe any delinquent
180 income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or
181 assessments levied by any state department and through the department of commerce and
182 insurance that the applicant does not owe any delinquent insurance taxes or other fees. Such
183 delinquency shall not affect the approval, except that any tax credits issued shall be first
184 applied to the delinquency and any amount issued shall be reduced by the applicant's tax
185 delinquency. If the department of revenue, the department of commerce and insurance, or any
186 other state department concludes that a taxpayer is delinquent after June fifteenth but before
187 July first of any year and the application of tax credits to such delinquency causes a tax
188 deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to
189 satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After
190 applying all available credits toward a tax delinquency, the administering agency shall notify
191 the appropriate department and that department shall update the amount of outstanding
192 delinquent tax owed by the applicant. If any credits remain after satisfying all insurance,
193 income, sales, and use tax delinquencies, the remaining credits shall be issued to the
194 applicant, subject to the restrictions of other provisions of law.

195 12. The director of revenue shall issue a refund to the qualified company to the extent
196 that the amount of tax credits allowed under this program exceeds the amount of the qualified
197 company's tax liability under chapter 143 or 148.

198 13. An employee of a qualified company shall receive full credit for the amount of tax
199 withheld as provided in section 143.211.

200 14. Notwithstanding any provision of law to the contrary, beginning August 28, 2013,
201 no new benefits shall be authorized for any project that had not received from the department
202 a proposal or approval for such benefits prior to August 28, 2013, under the development tax
203 credit program created under sections 32.100 to 32.125, the rebuilding communities tax credit
204 program created under section 135.535, the enhanced enterprise zone tax credit program
205 created under sections 135.950 to 135.973, and the Missouri quality jobs program created
206 under sections 620.1875 to 620.1890. The provisions of this subsection shall not be
207 construed to limit or impair the ability of any administering agency to authorize or issue
208 benefits for any project that had received an approval or a proposal from the department under
209 any of the programs referenced in this subsection prior to August 28, 2013, or the ability of
210 any taxpayer to redeem any such tax credits or to retain any withholding tax under an
211 approval issued prior to that date. The provisions of this subsection shall not be construed to
212 limit or in any way impair the ability of any governing authority to provide any local
213 abatement or designate a new zone under the enhanced enterprise zone program created by
214 sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no
215 qualified company that is awarded benefits under this program shall[=

216 ~~(1)] simultaneously receive benefits under the programs referenced in this subsection
217 at the same capital investment[= or~~

218 ~~(2) Receive benefits under the provisions of section 620.1910 for the same jobs].~~

219 15. If any provision of sections 620.2000 to 620.2020 or application thereof to any
220 person or circumstance is held invalid, the invalidity shall not affect other provisions or
221 application of these sections which can be given effect without the invalid provisions or
222 application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby
223 declared severable.

224 16. By no later than January 1, 2014, and the first day of each calendar quarter
225 thereafter, the department shall present a quarterly report to the general assembly detailing the
226 benefits authorized under this program during the immediately preceding calendar quarter to
227 the extent such information may be disclosed under state and federal law. The report shall
228 include, at a minimum:

229 (1) A list of all approved and disapproved applicants for each tax credit;

230 (2) A list of the aggregate amount of new or retained jobs that are directly attributable
231 to the tax credits authorized;

232 (3) A statement of the aggregate amount of new capital investment directly
233 attributable to the tax credits authorized;

234 (4) Documentation of the estimated net state fiscal benefit for each authorized project
235 and, to the extent available, the actual benefit realized upon completion of such project or
236 activity; and

237 (5) The department's response time for each request for a proposed benefit award
238 under this program.

239 17. The department may adopt such rules, statements of policy, procedures, forms,
240 and guidelines as may be necessary to carry out the provisions of sections 620.2000 to
241 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, that is
242 created under the authority delegated in this section shall become effective only if it complies
243 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
244 This section and chapter 536 are nonseverable and if any of the powers vested with the
245 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
246 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
247 rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid
248 and void.

249 18. Under section 23.253 of the Missouri sunset act:

250 (1) The provisions of the program authorized under sections 620.2000 to 620.2020
251 shall be reauthorized as of August 28, 2018, and shall expire on August 28, 2030; and

252 (2) If such program is reauthorized, the program authorized under this section shall
253 automatically sunset twelve years after the effective date of the reauthorization of sections
254 620.2000 to 620.2020; and

255 (3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar
256 year immediately following the calendar year in which the program authorized under sections
257 620.2000 to 620.2020 is sunset.

258 EXPLANATION: Section 620.1910 sunset in 2016. Upon passage and repeal of Section
259 620.1910 in this bill, the reference in this section becomes obsolete.

260

630.717. 1. Any residential facility or day program which provides services
2 exclusively to those persons affected by alcohol or drug abuse shall be exempt from licensure
3 rules promulgated by the department.

4 2. Any residential facility or day program which offers services, treatment or
5 rehabilitation to persons affected by alcohol or drug abuse shall submit to the department a
6 description of the services, treatment or rehabilitation which it offers, a statement of whether
7 each facility or program is required to meet any fire-safety standards of a municipality,

8 political subdivision of the state, and documentation of compliance with such standards, if
9 they apply.

10 3. ~~[The department shall survey all such facilities and programs and shall prepare a~~
11 ~~report for submission to the general assembly of actions necessary to bring such facilities and~~
12 ~~programs in compliance with fire safety standards developed by the department for~~
13 ~~certification. The report shall be filed with the speaker of the house and the president pro~~
14 ~~tem of the senate by January 1, 1983.~~

15 4.] Failure of a facility or program to submit information requested by the department
16 and required by this section shall disqualify such facility or program from receiving
17 department certification or funding until such information is submitted.

18 EXPLANATION: The report under subsection 3 was due 1-01-1983.

19

2 ~~[21.851. 1. There is hereby established a joint committee of the~~
3 ~~general assembly, which shall be known as the "Joint Committee on Disaster~~
4 ~~Preparedness and Awareness" and shall be composed of the following~~
5 ~~members:~~

6 ~~(1) Three members of the senate to be appointed by the president pro~~
7 ~~tempore of the senate;~~

8 ~~(2) Two members of the senate to be appointed by the minority floor~~
9 ~~leader of the senate;~~

10 ~~(3) Three members of the house of representatives to be appointed by~~
11 ~~the speaker of the house of representatives;~~

12 ~~(4) Two members of the house of representatives to be appointed by~~
13 ~~the minority floor leader of the house of representatives;~~

14 ~~(5) The director of the department of public safety, or his or her~~
15 ~~designee;~~

16 ~~(6) The director of the department of agriculture, or his or her~~
17 ~~designee; and~~

18 ~~(7) The adjutant general of the state, or his or her designee.~~

19 ~~2. A majority of the members of the committee shall constitute a~~
20 ~~quorum, but the concurrence of a majority of the members shall be required for~~
21 ~~the determination of any matter within the committee's duties.~~

22 ~~3. The joint committee shall make a continuous study and~~
23 ~~investigation into issues relating to disaster preparedness and awareness~~
24 ~~including, but not limited to, the following areas:~~

25 ~~(1) Natural and manmade disasters;~~

26 ~~(2) State and local preparedness for floods;~~

27 ~~(3) State and local preparedness for tornados, blizzards, and other~~
28 ~~severe storms;~~

29 ~~(4) Food and energy resiliency;~~

30 ~~(5) Cybersecurity;~~

31 ~~(6) The budget reserve fund established under Article IV, Section 27~~
~~(a) of the Missouri Constitution;~~

32 ~~(7) The protection of vulnerable populations in intermediate care~~
 33 ~~facilities and skilled nursing facilities as those terms are defined in section~~
 34 ~~198.006; and~~

35 ~~(8) Premises that have been previously contaminated with radioactive~~
 36 ~~material.~~

37 ~~4. The joint committee shall compile a full report of its activities for~~
 38 ~~submission to the general assembly. The report shall be submitted not later~~
 39 ~~than January first of even numbered years and may include any~~
 40 ~~recommendations which the committee may have for legislative action. The~~
 41 ~~report may also include an analysis and statement of the manner in which~~
 42 ~~statutory provisions relating to disaster preparedness and awareness are being~~
 43 ~~executed.~~

44 ~~5. The joint committee may employ such personnel as it deems~~
 45 ~~necessary to carry out the duties imposed by this section, within the limits of~~
 46 ~~any appropriation for such purpose.~~

47 ~~6. The members of the committee shall serve without compensation,~~
 48 ~~but any actual and necessary expenses incurred in the performance of the~~
 49 ~~committee's official duties by the joint committee, its members, and any staff~~
 50 ~~assigned to the committee shall be paid from the joint contingent fund.~~

51 ~~7. This section shall expire on December 31, 2022.]~~

52 EXPLANATION: This section expired 12-31-2022.

53 ~~[32.088. 1. There is hereby created the "Missouri Task Force on Fair,~~
 2 ~~Nondiscriminatory Local Taxation Concerning Motor Vehicles, Trailers,~~
 3 ~~Boats, and Outboard Motors" to consist of the following members:~~

4 ~~(1) The following six members of the general assembly:~~

5 ~~(a) Three members of the house of representatives, with no more than~~
 6 ~~two members from the same political party and each member to be appointed~~
 7 ~~by the speaker of the house of representatives; and~~

8 ~~(b) Three members of the senate, with no more than two members~~
 9 ~~from the same political party and each member to be appointed by the~~
 10 ~~president pro tempore of the senate;~~

11 ~~(2) The director of the department of revenue or the director's~~
 12 ~~designee;~~

13 ~~(3) Two Missouri motor vehicle dealers, with one to be appointed by~~
 14 ~~the speaker of the house of representatives and one to be appointed by the~~
 15 ~~president pro tempore of the senate;~~

16 ~~(4) Two representatives from Missouri county governments, with one~~
 17 ~~to be appointed by the speaker of the house of representatives and one to be~~
 18 ~~appointed by the president pro tempore of the senate;~~

19 ~~(5) Two representatives from Missouri city governments, with one to~~
 20 ~~be appointed by the speaker of the house of representatives and one to be~~
 21 ~~appointed by the president pro tempore of the senate; and~~

22 ~~(6) One Missouri marine dealer, to be appointed by the speaker of the~~
 23 ~~house of representatives.~~

24 ~~2. The task force shall meet within thirty days after its creation and~~
 25 ~~organize by selecting a chair and a vice chair, one of whom shall be a member~~

26 of the senate and the other of whom shall be a member of the house of
 27 representatives. The chair shall designate a person to keep the records of the
 28 task force. A majority of the task force constitutes a quorum and a majority
 29 vote of a quorum is required for any action.

30 3. The task force shall meet at least quarterly. However, the task force
 31 shall meet at least monthly during each term of the general assembly.
 32 Meetings may be held by telephone or video conference at the discretion of the
 33 chair.

34 4. Members shall serve on the task force without compensation but
 35 may, subject to appropriation, be reimbursed for actual and necessary expenses
 36 incurred in the performance of their official duties as members of the task
 37 force.

38 5. The goals of the task force shall address:

39 (1) The disparity in taxation that resulted from the Missouri Supreme
 40 Court's decision in *Street v. Director of Revenue*, 361 S.W.3d 355 (Mo. en
 41 banc 2012), concerning the local taxation of motor vehicles, boats, trailers, and
 42 outboard motors if purchased from a source other than a licensed Missouri
 43 dealer;

44 (2) The need for local jurisdictions to continue to receive revenue to
 45 provide vital services restored by S.B. 23, effective July 5, 2013; and

46 (3) The need to avoid placing Missouri dealers of motor vehicles,
 47 outboard motors, boats, and trailers at a competitive disadvantage to non-
 48 Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

49 6. The task force shall:

50 (1) Review evidence regarding the methods to address the goals of the
 51 task force;

52 (2) Review the methods used by other states to address the goals of the
 53 task force;

54 (3) Review the impact of the disparity of treatment on Missouri
 55 dealers; and

56 (4) Develop legislation that will not discriminate against Missouri
 57 dealers and will safeguard local revenue to provide vital local services.

58 7. On or before December 31, 2017, the task force shall submit a
 59 report on its findings to the governor and general assembly. The report shall
 60 include any dissenting opinions in addition to any majority opinions.

61 8. The task force shall expire on January 1, 2018, or upon submission
 62 of a report under subsection 7 of this section, whichever is earlier.]

63 EXPLANATION: This section expired 1-01-2018.

64
 2 [67.5125. By December 31, 2018, the department of revenue shall
 3 prepare and deliver a report to the general assembly on the amount of revenue
 4 collected by local governments for the previous three fiscal years from
 5 communications service providers, as such term is defined in section 67.5111;
 6 a direct-to-home satellite service, as defined in Public Law 104-104, Title VI,
 7 Section 602; and any video service provided through electronic commerce, as
 8 defined in Public Law 105-277, Title XI, as amended, Section 1105(3), from
 video fees, linear-foot fees, antenna fees, sales and use taxes, gross receipts

9 taxes, business license fees, business license taxes, or any other taxes or fees
10 assessed to such providers.]

11 EXPLANATION: The report required under this section was due by 12-31-
12 2018; no other duties are listed.

13

~~[99.1205. 1. This section shall be known and may be cited as the
2 "Distressed Areas Land Assemblage Tax Credit Act".~~

~~3 2. As used in this section, the following terms mean:~~

~~4 (1) "Acquisition costs", the purchase price for the eligible parcel, costs
5 of environmental assessments, closing costs, real estate brokerage fees,
6 reasonable demolition costs of vacant structures, and reasonable maintenance
7 costs incurred to maintain an acquired eligible parcel for a period of five years
8 after the acquisition of such eligible parcel. Acquisition costs shall not include
9 costs for title insurance and survey, attorney's fees, relocation costs, fines, or
10 bills from a municipality;~~

~~11 (2) "Applicant", any person, firm, partnership, trust, limited liability
12 company, or corporation which has:~~

~~13 (a) Incurred, within an eligible project area, acquisition costs for the
14 acquisition of land sufficient to satisfy the requirements under subdivision (8)
15 of this subsection; and~~

~~16 (b) Been appointed or selected, pursuant to a redevelopment
17 agreement by a municipal authority, as a redeveloper or similar designation,
18 under an economic incentive law, to redevelop an urban renewal area or a
19 redevelopment area that includes all of an eligible project area or whose
20 redevelopment plan or redevelopment area, which encompasses all of an
21 eligible project area, has been approved or adopted under an economic
22 incentive law. In addition to being designated the redeveloper, the applicant
23 shall have been designated to receive economic incentives only after the
24 municipal authority has considered the amount of the tax credits in adopting
25 such economic incentives as provided in subsection 8 of this section. The
26 redevelopment agreement shall provide that:~~

~~27 a. The funds generated through the use or sale of the tax credits issued
28 under this section shall be used to redevelop the eligible project area;~~

~~29 b. No more than seventy five percent of the urban renewal area
30 identified in the urban renewal plan or the redevelopment area identified in the
31 redevelopment plan may be redeveloped by the applicant; and~~

~~32 c. The remainder of the urban renewal area or the redevelopment area
33 shall be redeveloped by co-redevelopers or redevelopers to whom the
34 applicant has assigned its redevelopment rights and obligations under the
35 urban renewal plan or the redevelopment plan;~~

~~36 (3) "Certificate", a tax credit certificate issued under this section;~~

~~37 (4) "Condemnation proceedings", any action taken by, or on behalf of,
38 an applicant to initiate an action in a court of competent jurisdiction to use the
39 power of eminent domain to acquire a parcel within the eligible project area.
40 Condemnation proceedings shall include any and all actions taken after the
41 submission of a notice of intended acquisition to an owner of a parcel within~~

42 the eligible project area by a municipal authority or any other person or entity
43 under section 523.250;

44 (5) "Department", the Missouri department of economic development;

45 (6) "Economic incentive laws", any provision of Missouri law
46 pursuant to which economic incentives are provided to redevelopers of a
47 parcel or parcels to redevelop the land, such as tax abatement or payments in
48 lieu of taxes, or redevelopment plans or redevelopment projects approved or
49 adopted which include the use of economic incentives to redevelop the land.
50 Economic incentive laws include, but are not limited to, the land clearance for
51 redevelopment authority law under sections 99.300 to 99.660, the real property
52 tax increment allocation redevelopment act under sections 99.800 to 99.865,
53 the Missouri downtown and rural economic stimulus act under sections 99.915
54 to 99.1060, and the downtown revitalization preservation program under
55 sections 99.1080 to 99.1092;

56 (7) "Eligible parcel", a parcel:

57 (a) Which is located within an eligible project area;

58 (b) Which is to be redeveloped;

59 (c) On which the applicant has not commenced construction prior to
60 November 28, 2007;

61 (d) Which has been acquired without the commencement of any
62 condemnation proceedings with respect to such parcel brought by or on behalf
63 of the applicant. Any parcel acquired by the applicant from a municipal
64 authority shall not constitute an eligible parcel; and

65 (e) On which all outstanding taxes, fines, and bills levied by municipal
66 governments that were levied by the municipality during the time period that
67 the applicant held title to the eligible parcel have been paid in full;

68 (8) "Eligible project area", an area which shall have satisfied the
69 following requirements:

70 (a) The eligible project area shall consist of at least seventy five acres
71 and may include parcels within its boundaries that do not constitute an eligible
72 parcel;

73 (b) At least eighty percent of the eligible project area shall be located
74 within a Missouri qualified census tract area, as designated by the United
75 States Department of Housing and Urban Development under 26 U.S.C.
76 Section 42, or within a distressed community as that term is defined in section
77 135.530;

78 (c) The eligible parcels acquired by the applicant within the eligible
79 project area shall total at least fifty acres, which may consist of contiguous and
80 noncontiguous parcels;

81 (d) The average number of parcels per acre in an eligible project area
82 shall be four or more;

83 (e) Less than five percent of the acreage within the boundaries of the
84 eligible project area shall consist of owner-occupied residences which the
85 applicant has identified for acquisition under the urban renewal plan or the
86 redevelopment plan pursuant to which the applicant was appointed or selected
87 as the redeveloper or by which the person or entity was qualified as an
88 applicant under this section on the date of the approval or adoption of such
89 plan;

90 (9) ~~"Interest costs", interest, loan fees, and closing costs. Interest costs~~
91 ~~shall not include attorney's fees;~~

92 (10) ~~"Maintenance costs", costs of boarding up and securing vacant~~
93 ~~structures, costs of removing trash, and costs of cutting grass and weeds;~~

94 (11) ~~"Municipal authority", any city, town, village, county, public~~
95 ~~body corporate and politic, political subdivision, or land trust of this state~~
96 ~~established and authorized to own land within the state;~~

97 (12) ~~"Municipality", any city, town, village, or county;~~

98 (13) ~~"Parcel", a single lot or tract of land, and the improvements~~
99 ~~thereon, owned by, or recorded as the property of, one or more persons or~~
100 ~~entities;~~

101 (14) ~~"Redeveloped", the process of undertaking and carrying out a~~
102 ~~redevelopment plan or urban renewal plan pursuant to which the conditions~~
103 ~~which provided the basis for an eligible project area to be included in a~~
104 ~~redevelopment plan or urban renewal plan are to be reduced or eliminated by~~
105 ~~redevelopment or rehabilitation; and~~

106 (15) ~~"Redevelopment agreement", the redevelopment agreement or~~
107 ~~similar agreement into which the applicant entered with a municipal authority~~
108 ~~and which is the agreement for the implementation of the urban renewal plan~~
109 ~~or redevelopment plan pursuant to which the applicant was appointed or~~
110 ~~selected as the redeveloper or by which the person or entity was qualified as an~~
111 ~~applicant under this section; and such appointment or selection shall have been~~
112 ~~approved by an ordinance of the governing body of the municipality, or~~
113 ~~municipalities, or in the case of any city not within a county, the board of~~
114 ~~aldermen, in which the eligible project area is located. The redevelopment~~
115 ~~agreement shall include a time line for redevelopment of the eligible project~~
116 ~~area. The redevelopment agreement shall state that the named developer shall~~
117 ~~be subject to the provisions of chapter 290.~~

118 3. ~~Any applicant shall be entitled to a tax credit against the taxes~~
119 ~~imposed under chapters 143, 147, and 148, except for sections 143.191 to~~
120 ~~143.265, in an amount equal to fifty percent of the acquisition costs, and one~~
121 ~~hundred percent of the interest costs incurred for a period of five years after~~
122 ~~the acquisition of an eligible parcel. No tax credits shall be issued under this~~
123 ~~section until after January 1, 2008.~~

124 4. ~~If the amount of such tax credit exceeds the total tax liability for the~~
125 ~~year in which the applicant is entitled to receive a tax credit, the amount that~~
126 ~~exceeds the state tax liability may be carried forward for credit against the~~
127 ~~taxes imposed under chapters 143, 147, and 148 for the succeeding six years,~~
128 ~~or until the full credit is used, whichever occurs first. The applicant shall not~~
129 ~~be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265.~~
130 ~~Applicants entitled to receive such tax credits may transfer, sell, or assign the~~
131 ~~tax credits. Tax credits granted to a partnership, a limited liability company~~
132 ~~taxed as a partnership, or multiple owners of property shall be passed through~~
133 ~~to the partners, members, or owners respectively pro rata or pursuant to an~~
134 ~~executed agreement among the partners, members, or owners documenting an~~
135 ~~alternate distribution method.~~

136 5. ~~A purchaser, transferee, or assignee of the tax credits authorized~~
137 ~~under this section may use acquired tax credits to offset up to one hundred~~

138 percent of the tax liabilities otherwise imposed under chapters 143, 147, and
139 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor
140 shall perfect such transfer by notifying the department in writing within thirty
141 calendar days following the effective date of the transfer and shall provide any
142 information as may be required by the department to administer and carry out
143 the provisions of this section.

144 6. To claim tax credits authorized under this section, an applicant shall
145 submit to the department an application for a certificate. An applicant shall
146 identify the boundaries of the eligible project area in the application. The
147 department shall verify that the applicant has submitted a valid application in
148 the form and format required by the department. The department shall verify
149 that the municipal authority held the requisite hearings and gave the requisite
150 notices for such hearings in accordance with the applicable economic incentive
151 act, and municipal ordinances. On an annual basis, an applicant may file for
152 the tax credit for the acquisition costs, and for the tax credit for the interest
153 costs, subject to the limitations of this section. If an applicant applying for the
154 tax credit meets the criteria required under this section, the department shall
155 issue a certificate in the appropriate amount. If an applicant receives a tax
156 credit for maintenance costs as a part of the applicant's acquisition costs, the
157 department shall post on its internet website the amount and type of
158 maintenance costs and a description of the redevelopment project for which
159 the applicant received a tax credit within thirty days after the department
160 issues the certificate to the applicant.

161 7. The total aggregate amount of tax credits authorized under this
162 section shall not exceed ninety five million dollars. At no time shall the
163 annual amount of the tax credits issued under this section exceed twenty
164 million dollars. If the tax credits that are to be issued under this section
165 exceed, in any year, the twenty million dollar limitation, the department shall
166 either:

167 (1) Issue tax credits to the applicant in the amount of twenty million
168 dollars, if there is only one applicant entitled to receive tax credits in that year;
169 or

170 (2) Issue the tax credits on a pro rata basis to all applicants entitled to
171 receive tax credits in that year. Any amount of tax credits, which an applicant
172 is, or applicants are, entitled to receive on an annual basis and are not issued
173 due to the twenty million dollar limitation, shall be carried forward for the
174 benefit of the applicant or applicants to subsequent years.—
175

176 No tax credits provided under this section shall be authorized after August 28,
177 2013. Any tax credits which have been authorized on or before August 28,
178 2013, but not issued, may be issued, subject to the limitations provided under
179 this subsection, until all such authorized tax credits have been issued.

180 8. Upon issuance of any tax credits pursuant to this section, the
181 department shall report to the municipal authority the applicant's name and
182 address, the parcel numbers of the eligible parcels for which the tax credits
183 were issued, the itemized acquisition costs and interest costs for which tax
184 credits were issued, and the total value of the tax credits issued. The municipal
185 authority and the state shall not consider the amount of the tax credits as an

186 applicant's cost, but shall include the tax credits in any sources and uses and
 187 cost-benefit analysis reviewed or created for the purpose of awarding other
 188 economic incentives. The amount of the tax credits shall not be considered an
 189 applicant's cost in the evaluation of the amount of any award of any other
 190 economic incentives, but shall be considered in measuring the reasonableness
 191 of the rate of return to the applicant with respect to such award of other
 192 economic incentives. The municipal authority shall provide the report to any
 193 relevant commission, board, or entity responsible for the evaluation and
 194 recommendation or approval of other economic incentives to assist in the
 195 redevelopment of the eligible project area. Tax credits authorized under this
 196 section shall constitute redevelopment tax credits, as such term is defined
 197 under section 135.800, and shall be subject to all provisions applicable to
 198 redevelopment tax credits provided under sections 135.800 to 135.830.

199 9. The department may promulgate rules to implement the provisions
 200 of this section. Any rule or portion of a rule, as that term is defined in section
 201 536.010, that is created under the authority delegated in this section shall
 202 become effective only if it complies with and is subject to all of the provisions
 203 of chapter 536 and, if applicable, section 536.028. This section and chapter
 204 536 are nonseverable and if any of the powers vested with the general
 205 assembly pursuant to chapter 536 to review, to delay the effective date, or to
 206 disapprove and annul a rule are subsequently held unconstitutional, then the
 207 grant of rulemaking authority and any rule proposed or adopted after August
 208 28, 2007, shall be invalid and void.]

209 EXPLANATION: No new tax credits authorized after 8-28-2013, plus a 6-
 210 year carry forward (2019).

211

[100.710. As used in sections 100.700 to 100.850, the following terms
 mean:

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(1) "Assessment", an amount of up to five percent of the gross wages
 paid in one year by an eligible industry to all eligible employees in new jobs,
 or up to ten percent if the economic development project is located within a
 distressed community as defined in section 135.530;

(2) "Board", the Missouri development finance board as created by
 section 100.265;

(3) "Certificates", the revenue bonds or notes authorized to be issued
 by the board pursuant to section 100.840;

(4) "Credit", the amount agreed to between the board and an eligible
 industry, but not to exceed the assessment attributable to the eligible industry's
 project;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic
 development;

(7) "Economic development project":

(a) The acquisition of any real property by the board, the eligible
 industry, or its affiliate; or

20 ~~(b) The fee ownership of real property by the eligible industry or its~~
21 ~~affiliate; and~~

22 ~~(c) For both paragraphs (a) and (b) of this subdivision, "economic~~
23 ~~development project" shall also include the development of the real property~~
24 ~~including construction, installation, or equipping of a project, including~~
25 ~~fixtures and equipment, and facilities necessary or desirable for improvement~~
26 ~~of the real property, including surveys; site tests and inspections; subsurface~~
27 ~~site work; excavation; removal of structures, roadways, cemeteries and other~~
28 ~~surface obstructions; filling, grading and provision of drainage, storm water~~
29 ~~retention, installation of utilities such as water, sewer, sewage treatment, gas,~~
30 ~~electricity, communications and similar facilities; off site construction of~~
31 ~~utility extensions to the boundaries of the real property; and the acquisition,~~
32 ~~installation, or equipping of facilities on the real property, for use and~~
33 ~~occupancy by the eligible industry or its affiliates;~~

34 ~~(8) "Eligible employee", a person employed on a full time basis in a~~
35 ~~new job at the economic development project averaging at least thirty five~~
36 ~~hours per week who was not employed by the eligible industry or a related~~
37 ~~taxpayer in this state at any time during the twelve month period immediately~~
38 ~~prior to being employed at the economic development project. For an essential~~
39 ~~industry, a person employed on a full-time basis in an existing job at the~~
40 ~~economic development project averaging at least thirty five hours per week~~
41 ~~may be considered an eligible employee for the purposes of the program~~
42 ~~authorized by sections 100.700 to 100.850;~~

43 ~~(9) "Eligible industry", a business located within the state of Missouri~~
44 ~~which is engaged in interstate or intrastate commerce for the purpose of~~
45 ~~manufacturing, processing or assembling products, conducting research and~~
46 ~~development, or providing services in interstate commerce, office industries,~~
47 ~~or agricultural processing, but excluding retail, health or professional services.~~
48 ~~"Eligible industry" does not include a business which closes or substantially~~
49 ~~reduces its operation at one location in the state and relocates substantially the~~
50 ~~same operation to another location in the state. This does not prohibit a~~
51 ~~business from expanding its operations at another location in the state~~
52 ~~provided that existing operations of a similar nature located within the state are~~
53 ~~not closed or substantially reduced. This also does not prohibit a business~~
54 ~~from moving its operations from one location in the state to another location in~~
55 ~~the state for the purpose of expanding such operation provided that the board~~
56 ~~determines that such expansion cannot reasonably be accommodated within~~
57 ~~the municipality in which such business is located, or in the case of a business~~
58 ~~located in an incorporated area of the county, within the county in which such~~
59 ~~business is located, after conferring with the chief elected official of such~~
60 ~~municipality or county and taking into consideration any evidence offered by~~
61 ~~such municipality or county regarding the ability to accommodate such~~
62 ~~expansion within such municipality or county. An eligible industry must:~~

63 ~~(a) Invest a minimum of fifteen million dollars, or ten million dollars~~
64 ~~for an office industry, in an economic development project; and~~

65 ~~(b) Create a minimum of one hundred new jobs for eligible employees~~
66 ~~at the economic development project or a minimum of five hundred jobs if the~~
67 ~~economic development project is an office industry or a minimum of two~~

68 ~~hundred new jobs if the economic development project is an office industry~~
69 ~~located within a distressed community as defined in section 135.530, or in the~~
70 ~~case of an approved company for a project for a world headquarters of a~~
71 ~~business whose primary function is tax return preparation in any home rule~~
72 ~~city with more than four hundred thousand inhabitants and located in more~~
73 ~~than one county, create a minimum of one hundred new jobs for eligible~~
74 ~~employees at the economic development project. An industry that meets the~~
75 ~~definition of "essential industry" may be considered an eligible industry for the~~
76 ~~purposes of the program authorized by sections 100.700 to 100.850.~~
77

78 ~~Notwithstanding the preceding provisions of this subdivision, a development~~
79 ~~agency, as such term is defined in subdivision (3) of section 100.255, or a~~
80 ~~corporation, limited liability company, or partnership formed on behalf of a~~
81 ~~development agency, at the option of the board, may be authorized to act as an~~
82 ~~eligible industry with such obligations and rights otherwise applicable to an~~
83 ~~eligible industry, including the rights of an approved company under section~~
84 ~~100.850, so long as the eligible industry otherwise meets the requirements~~
85 ~~imposed by this subsection;~~

86 ~~(10) "Essential industry", a business that otherwise meets the~~
87 ~~definition of eligible industry except an essential industry shall:~~

88 ~~(a) Be a targeted industry;~~

89 ~~(b) Be located in a home rule city with more than twenty-six thousand~~
90 ~~but less than twenty-seven thousand inhabitants located in any county with a~~
91 ~~charter form of government and with more than one million inhabitants or in a~~
92 ~~city of the fourth classification with more than four thousand three hundred but~~
93 ~~fewer than four thousand four hundred inhabitants and located in any county~~
94 ~~with a charter form of government and with more than one million inhabitants;~~

95 ~~(c) Have maintained at least two thousand jobs at the proposed~~
96 ~~economic development project site each year for a period of four years~~
97 ~~preceding the year in which application for the program authorized by sections~~
98 ~~100.700 to 100.850 is made and during the year in which said application is~~
99 ~~made;~~

100 ~~(d) Retain, at the proposed economic development project site, the~~
101 ~~level of employment that existed at the site in the taxable year immediately~~
102 ~~preceding the year in which application for the program, authorized by~~
103 ~~sections 100.700 to 100.850, is made. Retention of such level of employment~~
104 ~~shall commence three years from the date of issuance of the certificates and~~
105 ~~continue for the duration of the certificates; and~~

106 ~~(e) Invest a minimum of five hundred million dollars in the economic~~
107 ~~development project by the end of the third year after the issuance of the~~
108 ~~certificates under this program;~~

109 ~~(11) "New job", a job in a new or expanding eligible industry not~~
110 ~~including jobs of recalled workers, replacement jobs or jobs that formerly~~
111 ~~existed in the eligible industry in the state. For an essential industry, an~~
112 ~~existing job may be considered a new job for the purposes of the program~~
113 ~~authorized by sections 100.700 to 100.850;~~

- 114 ~~(12) "Office industry", a regional, national or international~~
 115 ~~headquarters, a telecommunications operation, a computer operation, an~~
 116 ~~insurance company, or a credit card billing and processing center;~~
 117 ~~(13) "Program costs", all necessary and incidental costs of providing~~
 118 ~~program services including payment of the principal of premium, if any, and~~
 119 ~~interest on certificates, including capitalized interest, issued to finance a~~
 120 ~~project, and funding and maintenance of a debt service reserve fund to secure~~
 121 ~~such certificates. Program costs shall include:~~
 122 ~~(a) Obligations incurred for labor and obligations incurred to~~
 123 ~~contractors, subcontractors, builders and materialmen in connection with the~~
 124 ~~acquisition, construction, installation or equipping of an economic~~
 125 ~~development project;~~
 126 ~~(b) The cost of acquiring land or rights in land and any cost incidental~~
 127 ~~thereto, including recording fees;~~
 128 ~~(c) The cost of contract bonds and of insurance of all kinds that may be~~
 129 ~~required or necessary during the course of acquisition, construction,~~
 130 ~~installation or equipping of an economic development project which is not~~
 131 ~~paid by the contractor or contractors or otherwise provided for;~~
 132 ~~(d) All costs of architectural and engineering services, including test~~
 133 ~~borings, surveys, estimates, plans and specifications, preliminary~~
 134 ~~investigations and supervision of construction, as well as the costs for the~~
 135 ~~performance of all the duties required by or consequent upon the acquisition,~~
 136 ~~construction, installation or equipping of an economic development project;~~
 137 ~~(e) All costs which are required to be paid under the terms of any~~
 138 ~~contract or contracts for the acquisition, construction, installation or equipping~~
 139 ~~of an economic development project; and~~
 140 ~~(f) All other costs of a nature comparable to those described in this~~
 141 ~~subdivision;~~
 142 ~~(14) "Program services", administrative expenses of the board,~~
 143 ~~including contracted professional services, and the cost of issuance of~~
 144 ~~certificates;~~
 145 ~~(15) "Targeted industry", an industry or one of a cluster of industries~~
 146 ~~that is identified by the department as critical to the state's economic security~~
 147 ~~and growth.]~~

2 ~~[100.840. 1. To provide funds for the present payment of the costs of~~
 3 ~~economic development projects, the board may borrow money and issue and~~
 4 ~~sell certificates payable from a sufficient portion of the future receipts of~~
 5 ~~payments authorized by the agreement. The receipts shall be pledged to the~~
 6 ~~payment of principal of and interest on the certificates. Certificates may be~~
 7 ~~sold at public sale or at private sale at par, premium, or discount of not less~~
 8 ~~than ninety five percent of the par value thereof, at the discretion of the board,~~
 9 ~~and may bear interest at such rate or rates as the board shall determine,~~
 10 ~~notwithstanding the provisions of section 108.170 to the contrary. Certificates~~
 11 ~~may be issued with respect to a single project or multiple projects and may~~
 12 ~~contain terms or conditions as the board may provide by resolution authorizing~~
 the issuance of the certificates.

13 2. ~~Certificates issued to refund other certificates may be sold at public~~
14 ~~sale or at private sale as provided in this section with the proceeds from the~~
15 ~~sale to be used for the payment of the certificates being refunded. The~~
16 ~~refunding certificates may be exchanged in payment and discharge of the~~
17 ~~certificates being refunded, in installments at different times or an entire issue~~
18 ~~or series at one time. Refunding certificates may be sold or exchanged at any~~
19 ~~time on, before, or after the maturity of the outstanding certificates to be~~
20 ~~refunded. Certificates may be issued for the purpose of refunding a like,~~
21 ~~greater or lesser principal amount of certificates and may bear a higher, lower~~
22 ~~or equivalent rate of interest than the certificates being renewed or refunded.~~

23 3. ~~The board shall determine if revenues provided in the agreement are~~
24 ~~sufficient to secure the faithful performance of obligations in the agreement.~~

25 4. ~~Certificates issued pursuant to this section shall not be deemed to be~~
26 ~~an indebtedness of the state or the board or of any political subdivision of the~~
27 ~~state.]~~

28 EXPLANATION: Sections 100.710 and 100.840 expired 1-01-2020 (see
29 section 135.284 repealed in this bill)

30

~~[103.175. The board shall study and report to the general assembly, on~~
2 ~~or before December 15, 2003, on the feasibility of including in this plan~~
3 ~~individuals who are employees of eligible agencies which have not elected to~~
4 ~~join the plan or who are retirees of school districts.]~~

5 EXPLANATION: The report under this section was due by 12-15-2003.

6

~~[103.178. 1. Beginning on a date specified by the board of trustees of~~
2 ~~the Missouri consolidated health care plan but not later than July 1, 1995, the~~
3 ~~Missouri consolidated health care plan established under section 103.005 shall~~
4 ~~implement a pilot project to make available to those residing in the pilot~~
5 ~~project area who are covered by the plan an alternative system of benefits for~~
6 ~~the treatment of chemical dependency added to those benefits regularly~~
7 ~~available to plan participants. The benefits provided under the pilot project~~
8 ~~shall be similar in scope and comprehensiveness, but not limited to, the~~
9 ~~benefits provided for the treatment and rehabilitation of persons who are~~
10 ~~chemically dependent under the department of mental health's comprehensive~~
11 ~~substance treatment and rehabilitation program, popularly described as the C-~~
12 ~~STAR program. Such a pilot project shall operate for a period not to exceed~~
13 ~~four years. To the extent that participation in the pilot project incurs additional~~
14 ~~cost to a person covered under the plan, participation shall be voluntary. If no~~
15 ~~additional cost is incurred, the alternative system of benefits may be made in~~
16 ~~lieu of the regular benefits for the services in the pilot project area.~~

17 2. ~~The Missouri state employees' retirement system or the Missouri~~
18 ~~health care plan, as appropriate, shall in cooperation with the department of~~
19 ~~mental health and the department of commerce and insurance design the pilot~~
20 ~~project so as to generate data to evaluate the costs and benefits of providing~~
21 ~~coverage of chemical dependency using an alternative set of benefits as~~

22 provided in this section. ~~The Missouri consolidated health care plan shall at~~
 23 ~~the completion of the pilot project submit to the governor and the members of~~
 24 ~~the general assembly a report which describes the results of the evaluation of~~
 25 ~~this pilot project. As authorized by appropriations made for that purpose, the~~
 26 ~~Missouri state employees' retirement system or the Missouri consolidated~~
 27 ~~health care plan may contract with persons to conduct an independent~~
 28 ~~evaluation of the pilot project established in this section.]~~

29 EXPLANATION: The provisions of this section became obsolete in 1999
 30 when the authority for the pilot project terminated.

31
 2 ~~[135.276. As used in sections 135.276 to 135.283, the following terms~~
 3 ~~mean:-~~

4 ~~(1) "Continuation of commercial operations" shall be deemed to occur~~
 5 ~~during the first taxable year following the taxable year during which the~~
 6 ~~business entered into an agreement with the department pursuant to section~~
 7 ~~135.283 in order to receive the tax exemption, tax credits and refundable~~
 8 ~~credits authorized by sections 135.276 to 135.283;-~~

9 ~~(2) "Department", the department of economic development;-~~

10 ~~(3) "Director", the director of the department of economic~~
 11 ~~development;-~~

12 ~~(4) "Enterprise zone", an enterprise zone created under section~~
 13 ~~135.210 that includes all or part of a home rule city with more than twenty-six~~
 14 ~~thousand but less than twenty-seven thousand inhabitants located in any~~
 15 ~~county with a charter form of government and with more than one million~~
 16 ~~inhabitants;-~~

17 ~~(5) "Facility", any building used as a revenue-producing enterprise~~
 18 ~~located within an enterprise zone, including the land on which the facility is~~
 19 ~~located and all machinery, equipment, and other real and depreciable tangible~~
 20 ~~personal property acquired for use at and located at or within such facility and~~
 21 ~~used in connection with the operation of such facility;-~~

22 ~~(6) "NAICS", the industrial classification as such classifications are~~
 23 ~~defined in the 1997 edition of the North American Industrial Classification~~
 24 ~~System Manual as prepared by the Executive Office of the President, Office of~~
 25 ~~Management and Budget;-~~

26 ~~(7) "Retained business facility", a facility in an enterprise zone~~
 27 ~~operated by the taxpayer which satisfies the following requirements as~~
 28 ~~determined by the department and included in an agreement with the~~
 29 ~~department:~~

30 ~~(a) The taxpayer agrees to a capital investment project at the facility of~~
 31 ~~at least five hundred million dollars to take place over a period of two~~
 32 ~~consecutive taxable years ending no later than the fifth taxable year after~~
 33 ~~continuation of commercial operations;~~

34 ~~(b) The taxpayer has maintained at least two thousand employees per~~
 35 ~~year at the facility for each of the five taxable years preceding the year of~~
 36 ~~continuation of commercial operations;~~

36 ~~(c) The taxpayer agrees to maintain at least the level of employment~~
37 ~~that it had at the facility in the taxable year immediately preceding the year of~~
38 ~~continuation of commercial operations for ten consecutive taxable years~~
39 ~~beginning with the year of the continuation of commercial operations.~~
40 ~~Temporary layoffs necessary to implement the capital investment project will~~
41 ~~not be considered a violation of this requirement;~~

42 ~~(d) The taxpayer agrees that the amount of the average wage paid by~~
43 ~~the taxpayer at the facility will exceed the average wage paid within the county~~
44 ~~in which the facility is located for ten consecutive taxable years beginning~~
45 ~~with the year of the continuation of commercial operations;~~

46 ~~(e) Significant local incentives with respect to the project or retained~~
47 ~~facility have been committed, which incentives may consist of:~~

48 ~~a. Cash or in-kind incentives derived from any nonstate source,~~
49 ~~including incentives provided by the affected political subdivisions, private~~
50 ~~industry and/or local chambers of commerce or similar such organizations; or~~

51 ~~b. Relief from local taxes;~~

52 ~~(f) Receipt of the tax exemption, tax credits, and refunds are major~~
53 ~~factors in the taxpayer's decision to retain its operations at the facility in~~
54 ~~Missouri and go forward with the capital investment project and not receiving~~
55 ~~the exemption, credits, and refunds will result in the taxpayer moving its~~
56 ~~operations out of Missouri; and~~

57 ~~(g) There is at least one other state that the taxpayer verifies is being~~
58 ~~considered as the site to which the facility's operations will be relocated;~~

59 ~~(8) "Retained business facility employee", a person employed by the~~
60 ~~taxpayer in the operation of a retained business facility during the taxable year~~
61 ~~for which the credit allowed by section 135.279 is claimed, except that truck~~
62 ~~drivers and rail and barge vehicle operators shall not constitute retained~~
63 ~~business facility employees. A person shall be deemed to be so employed if~~
64 ~~such person performs duties in connection with the operation of the retained~~
65 ~~business facility on a regular, full-time basis. The number of retained business~~
66 ~~facility employees during any taxable year shall be determined by dividing by~~
67 ~~twelve the sum of the number of individuals employed on the last business day~~
68 ~~of each month of such taxable year. If the retained business facility is in~~
69 ~~operation for less than the entire taxable year, the number of retained business~~
70 ~~facility employees shall be determined by dividing the sum of the number of~~
71 ~~individuals employed on the last business day of each full calendar month~~
72 ~~during the portion of such taxable year during which the retained business~~
73 ~~facility was in operation by the number of full calendar months during such~~
74 ~~period;~~

75 ~~(9) "Retained business facility income", the Missouri taxable income,~~
76 ~~as defined in chapter 143, derived by the taxpayer from the operation of the~~
77 ~~retained business facility. If a taxpayer has income derived from the operation~~
78 ~~of a retained business facility as well as from other activities conducted within~~
79 ~~this state, the Missouri taxable income derived by the taxpayer from the~~
80 ~~operation of the retained business facility shall be determined by multiplying~~
81 ~~the taxpayer's Missouri taxable income, computed in accordance with chapter~~
82 ~~143, by a fraction, the numerator of which is the property factor, as defined in~~

83 paragraph (a) of this subdivision, plus the payroll factor, as defined in
84 paragraph (b) of this subdivision, and the denominator of which is two:

85 (a) The "property factor" is a fraction, the numerator of which is the
86 retained business facility investment certified for the tax period, and the
87 denominator of which is the average value of all the taxpayer's real and
88 depreciable tangible personal property owned or rented and used in this state
89 during the tax period. The average value of all such property shall be
90 determined as provided in chapter 32;

91 (b) The "payroll factor" is a fraction, the numerator of which is the
92 total amount paid during the tax period by the taxpayer for compensation to
93 persons qualifying as retained business facility employees at the retained
94 business facility, and the denominator of which is the total amount paid in this
95 state during the tax period by the taxpayer for compensation. The
96 compensation paid in this state shall be determined as provided in chapter 32;

97 (10) "Retained business facility investment", the value of real and
98 depreciable tangible personal property, acquired by the taxpayer as part of the
99 retained business facility after the date of continuation of commercial
100 operations, which is used by the taxpayer in the operation of the retained
101 business facility, during the taxable year for which the credit allowed by
102 section 135.279 is claimed, except that trucks, truck trailers, truck semitrailers,
103 rail vehicles, barge vehicles, aircraft and other rolling stock for hire, track,
104 switches, barges, bridges, tunnels, rail yards, and spurs shall not constitute
105 retained business facility investments. The total value of such property during
106 such taxable year shall be:

107 (a) Its original cost if owned by the taxpayer; or

108 (b) Eight times the net annual rental rate, if leased by the taxpayer. The
109 net annual rental rate shall be the annual rental rate paid by the taxpayer less
110 any annual rental rate received by the taxpayer from subrentals. The retained
111 business facility investment shall be determined by dividing by twelve the sum
112 of the total value of such property on the last business day of each calendar
113 month of the taxable year. If the retained business facility is in operation for
114 less than an entire taxable year, the retained business facility investment shall
115 be determined by dividing the sum of the total value of such property on the
116 last business day of each full calendar month during the portion of such
117 taxable year during which the retained business facility was in operation by the
118 number of full calendar months during such period;

119 (11) "Revenue-producing enterprise", manufacturing activities
120 classified as NAICS 336211.]

2 [135.277. The provisions of chapter 143 notwithstanding, one half of
3 the Missouri taxable income attributed to an approved retained business
4 facility that is earned by a taxpayer operating the approved retained business
5 facility may be exempt from taxation under chapter 143. That portion of
6 income attributed to the retained business facility shall be determined in a
7 manner prescribed in paragraph (b) of subdivision (9) of section 135.276,
8 except that compensation paid to truck drivers, rail, or barge vehicle operators
shall be excluded from the fraction.]

2 ~~[135.279. 1. Any taxpayer that operates an approved retained business~~
3 ~~facility in an enterprise zone may be allowed a credit, each year for ten years,~~
4 ~~in an amount determined pursuant to subsection 2 or 3 of this section,~~
5 ~~whichever is applicable, against the tax imposed by chapter 143, excluding~~
6 ~~withholding tax imposed by sections 143.191 to 143.265, as follows:~~

7 ~~(1) The credit allowed for each retained business facility employee~~
8 ~~shall be four hundred dollars, except that for each retained business facility~~
9 ~~employee that exceeds the level of employment set forth in paragraph (b) of~~
10 ~~subdivision (7) of section 135.276, the credit shall be five hundred dollars.~~
11 ~~Transfers from another facility operated by the taxpayer in the state will not~~
12 ~~count as retained business facility employees;~~

13 ~~(2) An additional credit of four hundred dollars shall be granted for~~
14 ~~each twelve-month period that a retained business facility employee is a~~
15 ~~resident of an enterprise zone;~~

16 ~~(3) An additional credit of four hundred dollars shall be granted for~~
17 ~~each twelve-month period that the person employed as a retained business~~
18 ~~facility employee is a person who, at the time of such employment by the new~~
19 ~~business facility, met the criteria as set forth in section 135.240;~~

20 ~~(4) To the extent that expenses incurred by a retained business facility~~
21 ~~in an enterprise zone for the training of persons employed in the operation of~~
22 ~~the retained business facility is not covered by an existing federal, state, or~~
23 ~~local program, such retained business facility shall be eligible for a full tax~~
24 ~~credit equal to eighty percent of that portion of such training expenses which~~
25 ~~are in excess of four hundred dollars for each trainee who is a resident of an~~
26 ~~enterprise zone or who was at the time of such employment at the retained~~
27 ~~business facility unemployable or difficult to employ as defined in section~~
28 ~~135.240, provided such credit shall not exceed four hundred dollars for each~~
29 ~~employee trained;~~

30 ~~(5) The credit allowed for retained business facility investment shall~~
31 ~~be equal to the sum of ten percent of the first ten thousand dollars of such~~
32 ~~qualifying investment, plus five percent of the next ninety thousand dollars of~~
33 ~~such qualifying investment, plus two percent of all remaining qualifying~~
34 ~~investments within an enterprise zone. The taxpayer's retained business~~
35 ~~facility investment shall be reduced by the amount of investment made by the~~
36 ~~taxpayer or related taxpayer which was subsequently transferred to the~~
37 ~~retained business facility from another Missouri facility and for which credits~~
38 ~~authorized in this section are not being earned.~~

39 ~~2. The credits allowed by subsection 1 of this section shall offset the~~
40 ~~greater of:~~

41 ~~(1) Some portion of the income tax otherwise imposed by chapter 143,~~
42 ~~excluding withholding tax imposed by sections 143.191 to 143.265, with~~
43 ~~respect to such taxpayer's retained business facility income for the taxable year~~
44 ~~for which such credit is allowed; or~~

45 ~~(2) If the taxpayer operates no other facility in Missouri, the credits~~
46 ~~allowed in subsection 1 of this section shall offset up to fifty percent or, in the~~
47 ~~case of an economic development project located within a distressed~~
~~community as defined in section 135.530, seventy five percent of the~~

48 business income tax otherwise imposed by chapter 143, excluding withholding
49 tax imposed by sections 143.191 to 143.265, if the business operates no other
50 facilities in Missouri;

51 ~~(3) If the taxpayer operates more than one facility in Missouri, the~~
52 ~~credits allowed in subsection 1 of this section shall offset up to the greater of~~
53 ~~the portion prescribed in subdivision (1) of this subsection or twenty five~~
54 ~~percent or, in the case of an economic development project located within a~~
55 ~~distressed community as defined in section 135.530, thirty five percent of the~~
56 ~~business' tax, except that no taxpayer operating more than one facility in~~
57 ~~Missouri shall be allowed to offset more than twenty five percent or, in the~~
58 ~~case of an economic development project located within a distressed~~
59 ~~community as defined in section 135.530, thirty five percent of the~~
60 ~~taxpayer's business income tax in any tax period under the method~~
61 ~~prescribed in this subdivision.~~

62 ~~3. In the case where a person employed by the retained business~~
63 ~~facility is a resident of the enterprise zone for less than a twelve-month period,~~
64 ~~or in the case where a person employed as a retained business facility~~
65 ~~employee is a person who, at the time of such employment by the retained~~
66 ~~business facility, met the criteria as set forth in section 135.240, is employed~~
67 ~~for less than a twelve-month period, the credits allowed by subdivisions (2)~~
68 ~~and (3) of subsection 1 of this section shall be determined by multiplying the~~
69 ~~dollar amount of the credit by a fraction, the numerator of which is the number~~
70 ~~of calendar days during the taxpayer's tax year for which such credits are~~
71 ~~claimed, in which the person met the requirements prescribed in subdivision~~
72 ~~(2) or (3) of this subsection, and the denominator of which is three hundred~~
73 ~~sixty five.~~

74 ~~4. Notwithstanding any provision of law to the contrary, any taxpayer~~
75 ~~who claims the exemption and credits allowed in sections 135.276 to 135.283~~
76 ~~shall not be eligible to receive the exemption allowed in section 135.220, the~~
77 ~~credits allowed in sections 135.225 and 135.235, and the refund authorized by~~
78 ~~section 135.245 or the tax credits allowed in section 135.110. The taxpayer~~
79 ~~must elect among the options. To perfect the election, the taxpayer shall attach~~
80 ~~written notification of such election to the taxpayer's initial application for~~
81 ~~claiming tax credits. The election shall be irreversible once perfected.~~

82 ~~5. A taxpayer shall not receive the income exemption described in~~
83 ~~section 135.276 and the tax credits described in subsection 1 of this section for~~
84 ~~any year in which the terms and conditions of sections 135.276 to 135.283 are~~
85 ~~not met. Such incentives shall not exceed the fifteen year limitation pursuant~~
86 ~~to subsection 1 of section 135.230 or the seven year limitation pursuant to~~
87 ~~subsection 5 of section 135.230.~~

88 ~~6. The initial application for claiming tax credits must be made in the~~
89 ~~taxpayer's tax period immediately following the tax period in which~~
90 ~~commencement of commercial operations began at the new business facility.~~

91 ~~7. Credits may not be carried forward but shall be claimed for the~~
92 ~~taxable year during which continuation of commercial operations occurs at~~
93 ~~such retained business facility, and for each of the nine succeeding taxable~~
94 ~~years.]~~

2 ~~[135.281. 1. Any taxpayer operating an approved retained business~~
3 ~~facility that is located within a state enterprise zone established pursuant to~~
4 ~~sections 135.200 to 135.256 may make an application to the department of~~
5 ~~economic development for an income tax refund.~~

6 ~~2. Such refunds shall be approved only if the amount of tax credits~~
7 ~~certified for the taxpayer in the taxable year exceeded the company's total~~
8 ~~Missouri tax on taxable income in that year by an amount equal to at least one~~
9 ~~million dollars. In such cases, a portion of tax credits earned shall constitute~~
10 ~~an overpayment of taxes and may be refunded to the taxpayer in the manner~~
11 ~~authorized by this section.~~

12 ~~3. The department shall evaluate and may approve such applications~~
13 ~~based upon the importance of the approved retained business facility to the~~
14 ~~economy of Missouri, the company's investment of at least five hundred~~
15 ~~million dollars in facilities or equipment, and the number of jobs to be created~~
16 ~~or retained. Such applications may be approved annually for no longer than~~
17 ~~five successive years. The maximum amount of refund that may be awarded~~
18 ~~to the manufacturer or assembler shall not exceed two million dollars per year.~~
19 ~~Notwithstanding other provisions of law to the contrary, if the taxpayer's tax~~
20 ~~credits issued under sections 135.276 to 135.283 for a taxable year exceed the~~
21 ~~taxpayer's taxable income by more than two million dollars, the credits may be~~
22 ~~carried forward for five years or until used, whichever is earlier, and may be~~
~~included in refund amounts otherwise authorized by this section.]~~

2 ~~[135.283. 1. A taxpayer shall apply to the department for approval to~~
3 ~~participate in the program authorized by sections 135.276 to 135.283. The~~
4 ~~application shall be in a form prescribed by and contain all information~~
5 ~~requested by the department to determine eligibility for the program and for~~
6 ~~the department to make its decision whether to approve the taxpayer for~~
7 ~~participation in the program.~~

8 ~~2. The department may issue an approval contingent upon the~~
9 ~~successful execution of an agreement between the department and the taxpayer~~
10 ~~seeking approval of a facility as a retained business facility which shall~~
11 ~~include, but not be limited to, the following:~~

12 ~~(1) A detailed description of the project that is the subject of the~~
13 ~~agreement;~~

14 ~~(2) A requirement that the taxpayer shall annually report to the~~
15 ~~department the total amount of salaries and wages paid to eligible employees~~
16 ~~in retained business facility jobs, and any other information the department~~
17 ~~requires to confirm compliance with the requirements of sections 135.276 to~~
18 ~~135.283;~~

19 ~~(3) A requirement that the taxpayer shall provide written notification~~
20 ~~to the director not more than thirty days after the taxpayer makes or receives a~~
21 ~~proposal that would transfer the taxpayer's state tax liability obligations to a~~
22 ~~successor taxpayer;~~

23 ~~(4) A requirement that the taxpayer shall maintain operations at the~~
24 ~~facility location for at least ten years at a certain employment level;~~

25 ~~(5) The requirements otherwise required by sections 135.276 to~~
~~135.283; and~~

26 ~~(6) A provision for repayment of incentives upon breach of the~~
27 ~~agreement.]~~

2 ~~[135.284. 1. The repeal and reenactment of sections 100.710 and~~
3 ~~100.840, and the enactment of sections 135.276, 135.277, 135.279, 135.281,~~
4 ~~and 135.283 shall expire on January 1, 2006, if no essential industry retention~~
5 ~~projects have been approved by the department of economic development by~~
6 ~~December 31, 2005. If an essential industry retention project has been~~
7 ~~approved by the department of economic development by December 31, 2005,~~
8 ~~the repeal and reenactment of sections 100.710 and 100.840, and the~~
9 ~~enactment of sections 135.276, 135.277, 135.279, 135.281, and 135.283 shall~~
10 ~~expire on January 1, 2020.~~

11 ~~2. Notwithstanding any other provision of law to the contrary, the time~~
12 ~~for approval of essential industry retention projects as identified in subsection~~
13 ~~1 of this section is extended until December 31, 2007, and if an essential~~
14 ~~industry retention project has been approved by the department of economic~~
15 ~~development by December 31, 2007, the provisions of subsection 1 of this~~
16 ~~section shall expire on January 1, 2020.]~~

17 EXPLANATION: Sections 135.276 to 135.283 expired 1-01-2020 (see section
18 135.284 above). Upon passage and repeal of Sections 100.710, 100.840, and
19 sections 135.276 to 135.283 in this bill, Section 135.284 becomes obsolete.

2 ~~[135.313. 1. Any person, firm or corporation who engages in the~~
3 ~~business of producing charcoal or charcoal products in the state of Missouri~~
4 ~~shall be eligible for a tax credit on income taxes otherwise due pursuant to~~
5 ~~chapter 143, except sections 143.191 to 143.261, as an incentive to implement~~
6 ~~safe and efficient environmental controls. The tax credit shall be equal to fifty~~
7 ~~percent of the purchase price of the best available control technology~~
8 ~~equipment connected with the production of charcoal in the state of Missouri~~
9 ~~or, if the taxpayer manufactures such equipment, fifty percent of the~~
10 ~~manufacturing cost of the equipment, to and including the year the~~
11 ~~equipment is put into service. The credit may be claimed for a period of~~
12 ~~eight years beginning with the 1998 calendar year and is to be a tax credit~~
13 ~~against the tax otherwise due.~~

14 ~~2. Any amount of credit which exceeds the tax due shall not be~~
15 ~~refunded but may be carried over to any subsequent taxable year, not to exceed~~
16 ~~seven years.~~

17 ~~3. The charcoal producer may elect to assign to a third party the~~
18 ~~approved tax credit. Certification of assignment and other appropriate forms~~
19 ~~must be filed with the Missouri department of revenue and the department of~~
20 ~~economic development.~~

21 ~~4. When applying for a tax credit, the charcoal producer specified in~~
22 ~~subsection 1 of this section shall make application for the credit to the division~~
23 ~~of environmental quality of the department of natural resources. The~~
24 ~~application shall identify the specific best available control technology~~
25 ~~equipment and the purchase price, or manufacturing cost of such equipment.~~
~~The director of the department of natural resources is authorized to require~~

26 ~~permits to construct prior to the installation of best available control~~
27 ~~technology equipment and other information which he or she deems~~
28 ~~appropriate.~~

29 ~~5. The director of the department of natural resources in conjunction~~
30 ~~with the department of economic development shall certify to the department~~
31 ~~of revenue that the best available control technology equipment meets the~~
32 ~~requirements to obtain a tax credit as specified in this section.]~~

33 EXPLANATION: The tax credit under this section authorized to be claimed
34 for 8 years beginning with the 1998 calendar year (2005), plus 7 year carry
35 forward (2012).

36

2 ~~[135.545. A taxpayer shall be allowed a credit for taxes paid pursuant~~
3 ~~to chapter 143, 147 or 148 in an amount equal to fifty percent of a qualified~~
4 ~~investment in transportation development for aviation, mass transportation,~~
5 ~~including parking facilities for users of mass transportation, railroads, ports,~~
6 ~~including parking facilities and limited access roads within ports, waterborne~~
7 ~~transportation, bicycle and pedestrian paths, or rolling stock located in a~~
8 ~~distressed community as defined in section 135.530, and which are part of a~~
9 ~~development plan approved by the appropriate local agency. If the department~~
10 ~~of economic development determines the investment has been so approved,~~
11 ~~the department shall grant the tax credit in order of date received. A taxpayer~~
12 ~~may carry forward any unused tax credit for up to ten years and may carry it~~
13 ~~back for the previous three years until such credit has been fully claimed.~~
14 ~~Certificates of tax credit issued in accordance with this section may be~~
15 ~~transferred, sold or assigned by notarized endorsement which names the~~
16 ~~transferee. The tax credits allowed pursuant to this section shall be for an~~
17 ~~amount of no more than ten million dollars for each year. This credit shall~~
18 ~~apply to returns filed for all taxable years beginning on or after January 1,~~
19 ~~1999. Any unused portion of the tax credit authorized pursuant to this section~~
20 ~~shall be available for use in the future by those entities until fully claimed. For~~
21 ~~purposes of this section, a "taxpayer" shall include any charitable organization~~
22 ~~that is exempt from federal income tax and whose Missouri unrelated business~~
23 ~~taxable income, if any, would be subject to the state income tax imposed under~~
~~chapter 143.]~~

2 ~~[135.546. For all tax years beginning on or after January 1, 2005, no~~
3 ~~tax credits shall be approved, awarded, or issued to any person or entity~~
4 ~~claiming any tax credit under section 135.545; if an organization has been~~
5 ~~allocated credits for contribution based credits prior to January 1, 2005, the~~
6 ~~organization may issue such credits prior to January 1, 2007, for qualified~~
~~contributions.]~~

7 EXPLANATION: The authority for the tax credits under Section 135.545
8 expired 1-01-2007 (see section 135.546 above), plus a 10-yr carry forward
9 (2017). Section 135.546 becomes obsolete upon the passage and repeal of
10 Section 135.545 in this bill.

11

~~[135.680. 1. As used in this section, the following terms shall mean:~~

~~(1) "Adjusted purchase price", the product of:~~

~~(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and~~

~~(b) The following fraction:~~

~~a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and~~

~~b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;~~

~~c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;~~

~~(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;~~

~~(3) "Credit allowance date", with respect to any qualified equity investment:~~

~~(a) The date on which such investment is initially made; and~~

~~(b) Each of the six anniversary dates of such date thereafter;~~

~~(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;~~

~~(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;~~

47

48 ~~(6) "Qualified community development entity", the meaning given~~
49 ~~such term in Section 45D of the Internal Revenue Code of 1986, as amended;~~
50 ~~provided that such entity has entered into an allocation agreement with the~~
51 ~~Community Development Financial Institutions Fund of the U.S. Treasury~~
52 ~~Department with respect to credits authorized by Section 45D of the Internal~~
53 ~~Revenue Code of 1986, as amended, which includes the state of Missouri~~
54 ~~within the service area set forth in such allocation agreement;~~

55 ~~(7) "Qualified equity investment", any equity investment in, or long-~~
56 ~~term debt security issued by, a qualified community development entity that:~~

57 ~~(a) Is acquired after September 4, 2007, at its original issuance solely~~
58 ~~in exchange for cash;~~

59 ~~(b) Has at least eighty five percent of its cash purchase price used by~~
60 ~~the issuer to make qualified low income community investments; and~~

61 ~~(c) Is designated by the issuer as a qualified equity investment under~~
62 ~~this subdivision and is certified by the department of economic development~~
63 ~~as not exceeding the limitation contained in subsection 2 of this section. This~~
64 ~~term shall include any qualified equity investment that does not meet the~~
65 ~~provisions of paragraph (a) of this subdivision if such investment was a~~
66 ~~qualified equity investment in the hands of a prior holder;~~

67 ~~(8) "Qualified low income community investment", any capital or~~
68 ~~equity investment in, or loan to, any qualified active low income community~~
69 ~~business. With respect to any one qualified active low income community~~
70 ~~business, the maximum amount of qualified low income community~~
71 ~~investments made in such business, on a collective basis with all of its~~
72 ~~affiliates, that may be used from the calculation of any numerator described in~~
73 ~~subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be~~
74 ~~ten million dollars whether issued to one or several qualified community~~
75 ~~development entities;~~

76 ~~(9) "Tax credit", a credit against the tax otherwise due under chapter~~
77 ~~143, excluding withholding tax imposed in sections 143.191 to 143.265, or~~
78 ~~otherwise due under section 375.916 or chapter 147, 148, or 153;~~

79 ~~(10) "Taxpayer", any individual or entity subject to the tax imposed in~~
80 ~~chapter 143, excluding withholding tax imposed in sections 143.191 to~~
81 ~~143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.~~

82 ~~2. A taxpayer that makes a qualified equity investment earns a vested~~
83 ~~right to tax credits under this section. On each credit allowance date of such~~
84 ~~qualified equity investment the taxpayer, or subsequent holder of the qualified~~
85 ~~equity investment, shall be entitled to a tax credit during the taxable year~~
86 ~~including such credit allowance date. The tax credit amount shall be equal to~~
87 ~~the applicable percentage of the adjusted purchase price paid to the issuer of~~
88 ~~such qualified equity investment. The amount of the tax credit claimed shall~~
89 ~~not exceed the amount of the taxpayer's state tax liability for the tax year for~~
90 ~~which the tax credit is claimed. No tax credit claimed under this section shall~~
91 ~~be refundable or transferable. Tax credits earned by a partnership, limited~~
92 ~~liability company, S corporation, or other pass-through entity may be allocated~~
93 ~~to the partners, members, or shareholders of such entity for their direct use in~~
94 ~~accordance with the provisions of any agreement among such partners,~~
95 ~~members, or shareholders. Any amount of tax credit that the taxpayer is~~

96 prohibited by this section from claiming in a taxable year may be carried
97 forward to any of the taxpayer's five subsequent taxable years. The
98 department of economic development shall limit the monetary amount of
99 qualified equity investments permitted under this section to a level necessary
100 to limit tax credit utilization at no more than twenty five million dollars of tax
101 credits in any fiscal year. Such limitation on qualified equity investments shall
102 be based on the anticipated utilization of credits without regard to the potential
103 for taxpayers to carry forward tax credits to later tax years.

104 3. The issuer of the qualified equity investment shall certify to the
105 department of economic development the anticipated dollar amount of such
106 investments to be made in this state during the first twelve month period
107 following the initial credit allowance date. If on the second credit allowance
108 date, the actual dollar amount of such investments is different than the amount
109 estimated, the department of economic development shall adjust the credits
110 arising on the second allowance date to account for such difference.

111 4. The department of economic development shall recapture the tax
112 credit allowed under this section with respect to such qualified equity
113 investment under this section if:

114 (1) Any amount of the federal tax credit available with respect to a
115 qualified equity investment that is eligible for a tax credit under this section is
116 recaptured under Section 45D of the Internal Revenue Code of 1986, as
117 amended; or

118 (2) The issuer redeems or makes principal repayment with respect to a
119 qualified equity investment prior to the seventh anniversary of the issuance of
120 such qualified equity investment. Any tax credit that is subject to recapture
121 shall be recaptured from the taxpayer that claimed the tax credit on a return.

122 5. The department of economic development shall promulgate rules to
123 implement the provisions of this section, including recapture provisions on a
124 scaled proportional basis, and to administer the allocation of tax credits issued
125 for qualified equity investments, which shall be conducted on a first-come,
126 first-serve basis. Any rule or portion of a rule, as that term is defined in
127 section 536.010, that is created under the authority delegated in this section
128 shall become effective only if it complies with and is subject to all of the
129 provisions of chapter 536 and, if applicable, section 536.028. This section and
130 chapter 536 are nonseverable and if any of the powers vested with the general
131 assembly pursuant to chapter 536 to review, to delay the effective date, or to
132 disapprove and annul a rule are subsequently held unconstitutional, then the
133 grant of rulemaking authority and any rule proposed or adopted after
134 September 4, 2007, shall be invalid and void.

135 6. For fiscal years following fiscal year 2010, qualified equity
136 investments shall not be made under this section unless reauthorization is
137 made pursuant to this subsection. For all fiscal years following fiscal year
138 2010, unless the general assembly adopts a concurrent resolution granting
139 authority to the department of economic development to approve qualified
140 equity investments for the Missouri new markets development program and
141 clearly describing the amount of tax credits available for the next fiscal year,
142 or otherwise complies with the provisions of this subsection, no qualified
143 equity investments may be permitted to be made under this section. The

144 amount of available tax credits contained in such a resolution shall not exceed
 145 the limitation provided under subsection 2 of this section. In any year in
 146 which the provisions of this section shall sunset pursuant to subsection 7 of
 147 this section, reauthorization shall be made by general law and not by
 148 concurrent resolution. Nothing in this subsection shall preclude a taxpayer
 149 who makes a qualified equity investment prior to the expiration of authority to
 150 make qualified equity investments from claiming tax credits relating to such
 151 qualified equity investment for each applicable credit allowance date.

152 7. Under section 23.253 of the Missouri sunset act:

153 (1) The provisions of the new program authorized under this section
 154 shall automatically sunset six years after September 4, 2007, unless
 155 reauthorized by an act of the general assembly; and

156 (2) If such program is reauthorized, the program authorized under this
 157 section shall automatically sunset twelve years after the effective date of the
 158 reauthorization of this section; and

159 (3) This section shall terminate on September first of the calendar year
 160 immediately following the calendar year in which the program authorized
 161 under this section is sunset. However, nothing in this subsection shall preclude
 162 a taxpayer who makes a qualified equity investment prior to sunset of this
 163 section under the provisions of section 23.253 from claiming tax credits
 164 relating to such qualified equity investment for each credit allowance date.]

165 EXPLANATION: This section sunset 9-04-2013. NOTE: The Department of
 166 Economic Development recommended that this section not be repealed until
 167 all unredeemed amounts had been claimed (5-year carry-forward period ended
 168 in 2018). A Sunset Review Report on this section was voted on by the Joint
 169 Committee on Legislative Research on 4-9-2013.

170 [135.682. 1. The director of the department of economic development
 2 or the director's designee shall issue letter rulings regarding the tax credit
 3 program authorized under section 135.680, subject to the terms and conditions
 4 set forth in this section. The director of the department of economic
 5 development may impose additional terms and conditions consistent with this
 6 section to requests for letter rulings by regulation promulgated under chapter
 7 536. For the purposes of this section, the term "letter ruling" means a written
 8 interpretation of law to a specific set of facts provided by the applicant
 9 requesting a letter ruling.

10 2. The director or director's designee shall respond to a request for a
 11 letter ruling within sixty days of receipt of such request. The applicant may
 12 provide a draft letter ruling for the department's consideration. The applicant
 13 may withdraw the request for a letter ruling, in writing, prior to the issuance of
 14 the letter ruling. The director or the director's designee may refuse to issue a
 15 letter ruling for good cause, but must list the specific reasons for refusing to
 16 issue the letter ruling. Good cause includes, but is not limited to:

17 (1) The applicant requests the director to determine whether a statute
 18 is constitutional or a regulation is lawful;

19 (2) The request involves a hypothetical situation or alternative plans;

20 (3) ~~The facts or issues presented in the request are unclear, overbroad,~~
 21 ~~insufficient, or otherwise inappropriate as a basis upon which to issue a letter~~
 22 ~~ruling; and~~

23 (4) ~~The issue is currently being considered in a rulemaking procedure,~~
 24 ~~contested case, or other agency or judicial proceeding that may definitely~~
 25 ~~resolve the issue.~~

26 3. ~~Letter rulings shall bind the director and the director's agents and~~
 27 ~~their successors until such time as the taxpayer or its shareholders, members,~~
 28 ~~or partners, as applicable, claim all of such tax credits on a Missouri tax return,~~
 29 ~~subject to the terms and conditions set forth in properly published regulations.~~
 30 ~~The letter ruling shall apply only to the applicant.~~

31 4. ~~Letter rulings issued under the authority of this section shall not be a~~
 32 ~~rule as defined in section 536.010 in that it is an interpretation issued by the~~
 33 ~~department with respect to a specific set of facts and intended to apply only to~~
 34 ~~that specific set of facts, and therefore shall not be subject to the rulemaking~~
 35 ~~requirements of chapter 536.~~

36 5. ~~Information in letter ruling requests as described in section 620.014~~
 37 ~~shall be closed to the public. Copies of letter rulings shall be available to the~~
 38 ~~public provided that the applicant identifying information and otherwise~~
 39 ~~protected information is redacted from the letter ruling as provided in~~
 40 ~~subsection 1 of section 610.024.]~~

41 EXPLANATION: This section became obsolete upon the sunset of section
 42 135.680 on 9-04-2013. NOTE: The Department of Economic Development
 43 recommended that section 135.680 not be repealed until 2022. As a result, it
 44 was also recommended that this section not be repealed until after 2018.

45 [135.710. 1. As used in this section, the following terms mean:

2 (1) ~~"Alternative fuel vehicle refueling property", property in this state~~
 3 ~~owned by an eligible applicant and used for storing alternative fuels and for~~
 4 ~~dispensing such alternative fuels into fuel tanks of motor vehicles owned by~~
 5 ~~such eligible applicant or private citizens;~~

6 (2) ~~"Alternative fuels", any motor fuel at least seventy percent of the~~
 7 ~~volume of which consists of one or more of the following:~~

8 (a) ~~Ethanol;~~

9 (b) ~~Natural gas;~~

10 (c) ~~Compressed natural gas, or CNG;~~

11 (d) ~~Liquified natural gas, or LNG;~~

12 (e) ~~Liquified petroleum gas, or LP gas, propane, or autogas;~~

13 (f) ~~Any mixture of biodiesel and diesel fuel, without regard to any use~~
 14 ~~of kerosene;~~

15 (g) ~~Hydrogen;~~

16 (3) ~~"Department", the department of economic development;~~

17 (4) ~~"Electric vehicle recharging property", property in this state owned~~
 18 ~~by an eligible applicant and used for recharging electric motor vehicles owned~~
 19 ~~by such eligible applicant or private citizens;~~

20 ~~(5) "Eligible applicant", a business entity or private citizen that is the~~
21 ~~owner of an electric vehicle recharging property or an alternative fuel vehicle~~
22 ~~refueling property;~~

23 ~~(6) "Qualified Missouri contractor", a contractor whose principal place~~
24 ~~of business is located in Missouri and has been located in Missouri for a period~~
25 ~~of not less than five years;~~

26 ~~(7) "Qualified property", an electric vehicle recharging property or an~~
27 ~~alternative fuel vehicle refueling property which, if constructed after August~~
28 ~~28, 2014, was constructed with at least fifty-one percent of the costs being paid~~
29 ~~to qualified Missouri contractors for the:~~

30 ~~(a) Fabrication of premanufactured equipment or process piping used~~
31 ~~in the construction of such facility;~~

32 ~~(b) Construction of such facility; and~~

33 ~~(c) General maintenance of such facility during the time period in~~
34 ~~which such facility receives any tax credit under this section.~~

35
36 ~~If no qualified Missouri contractor is located within seventy-five miles of the~~
37 ~~property, the requirement that fifty-one percent of the costs shall be paid to~~
38 ~~qualified Missouri contractors shall not apply.~~

39 ~~2. For all tax years beginning on or after January 1, 2015, but before~~
40 ~~January 1, 2018, any eligible applicant who installs and operates a qualified~~
41 ~~property shall be allowed a credit against the tax otherwise due under chapter~~
42 ~~143, excluding withholding tax imposed by sections 143.191 to 143.265, or~~
43 ~~due under chapter 147 or chapter 148 for any tax year in which the applicant is~~
44 ~~constructing the qualified property. The credit allowed in this section per~~
45 ~~eligible applicant who is a private citizen shall not exceed fifteen hundred~~
46 ~~dollars or per eligible applicant that is a business entity shall not exceed the~~
47 ~~lesser of twenty thousand dollars or twenty percent of the total costs directly~~
48 ~~associated with the purchase and installation of any alternative fuel storage and~~
49 ~~dispensing equipment or any recharging equipment on any qualified property,~~
50 ~~which shall not include the following:~~

51 ~~(1) Costs associated with the purchase of land upon which to place a~~
52 ~~qualified property;~~

53 ~~(2) Costs associated with the purchase of an existing qualified~~
54 ~~property; or~~

55 ~~(3) Costs for the construction or purchase of any structure.~~

56 ~~3. Tax credits allowed by this section shall be claimed by the eligible~~
57 ~~applicant at the time such applicant files a return for the tax year in which the~~
58 ~~storage and dispensing or recharging facilities were placed in service at a~~
59 ~~qualified property, and shall be applied against the income tax liability~~
60 ~~imposed by chapter 143, chapter 147, or chapter 148 after all other credits~~
61 ~~provided by law have been applied. The cumulative amount of tax credits~~
62 ~~which may be claimed by eligible applicants claiming all credits authorized in~~
63 ~~this section shall not exceed one million dollars in any calendar year, subject to~~
64 ~~appropriations.~~

65 ~~4. If the amount of the tax credit exceeds the eligible applicant's tax~~
66 ~~liability, the difference shall not be refundable. Any amount of credit that an~~
67 ~~eligible applicant is prohibited by this section from claiming in a taxable year~~

68 may be carried forward to any of such applicant's two subsequent taxable
69 years. Tax credits allowed under this section may be assigned, transferred,
70 sold, or otherwise conveyed.

71 5. Any qualified property, for which an eligible applicant receives tax
72 credits under this section, which ceases to sell alternative fuel or recharge
73 electric vehicles shall cause the forfeiture of such eligible applicant's tax
74 credits provided under this section for the taxable year in which the qualified
75 property ceased to sell alternative fuel or recharge electric vehicles and for
76 future taxable years with no recapture of tax credits obtained by an eligible
77 applicant with respect to such applicant's tax years which ended before the sale
78 of alternative fuel or recharging of electric vehicles ceased.

79 6. The director of revenue shall establish the procedure by which the
80 tax credits in this section may be claimed, and shall establish a procedure by
81 which the cumulative amount of tax credits is apportioned equally among all
82 eligible applicants claiming the credit. To the maximum extent possible, the
83 director of revenue shall establish the procedure described in this subsection in
84 such a manner as to ensure that eligible applicants can claim all the tax credits
85 possible up to the cumulative amount of tax credits available for the taxable
86 year. No eligible applicant claiming a tax credit under this section shall be
87 liable for any interest or penalty for filing a tax return after the date fixed for
88 filing such return as a result of the apportionment procedure under this
89 subsection.

90 7. Any eligible applicant desiring to claim a tax credit under this
91 section shall submit the appropriate application for such credit with the
92 department. The application for a tax credit under this section shall include
93 any information required by the department. The department shall review the
94 applications and certify to the department of revenue each eligible applicant
95 that qualifies for the tax credit.

96 8. The department and the department of revenue may promulgate
97 rules to implement the provisions of this section. Any rule or portion of a rule,
98 as that term is defined in section 536.010, that is created under the authority
99 delegated in this section shall become effective only if it complies with and is
100 subject to all of the provisions of chapter 536 and, if applicable, section
101 536.028. This section and chapter 536 are nonseverable and if any of the
102 powers vested with the general assembly pursuant to chapter 536 to review, to
103 delay the effective date, or to disapprove and annul a rule are subsequently
104 held unconstitutional, then the grant of rulemaking authority and any rule
105 proposed or adopted after August 28, 2008, shall be invalid and void.

106 9. The provisions of section 23.253 of the Missouri sunset act
107 notwithstanding:

108 (1) The provisions of the new program authorized under this section
109 shall automatically sunset three years after December 31, 2014, unless
110 reauthorized by an act of the general assembly; and

111 (2) If such program is reauthorized, the program authorized under this
112 section shall automatically sunset six years after the effective date of the
113 reauthorization of this section; and

114 ~~(3) This section shall terminate on December thirty first of the~~
 115 ~~calendar year immediately following the calendar year in which the program~~
 116 ~~authorized under this section is sunset; and~~

117 ~~(4) The provisions of this subsection shall not be construed to limit or~~
 118 ~~in any way impair the department's ability to redeem tax credits authorized on~~
 119 ~~or before the date the program authorized under this section expires or a~~
 120 ~~taxpayer's ability to redeem such tax credits.]~~

121 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review
 122 Report on this section was voted on by the Joint Committee on Legislative
 123 Research on 9-10-2013. After the extension of the sunset, another Sunset
 124 Review Report was sent to the Committee in September 2016.

125

2 ~~[135.766. An eligible small business, as defined in Section 44 of the~~
 3 ~~Internal Revenue Code, shall be allowed a credit against the tax otherwise due~~
 4 ~~pursuant to chapter 143, not including sections 143.191 to 143.265, in an~~
 5 ~~amount equal to any amount paid by the eligible small business to the United~~
 6 ~~States Small Business Administration as a guaranty fee pursuant to obtaining~~
 7 ~~Small Business Administration guaranteed financing and to programs~~
 8 ~~administered by the United States Department of Agriculture for rural~~
 9 ~~development or farm service agencies. No tax credits provided under this~~
 10 ~~section shall be authorized on or after the thirtieth day following the effective~~
 11 ~~date of this act. The provisions of this subsection shall not be construed to~~
 12 ~~limit or in any way impair the department's ability to issue tax credits~~
 13 ~~authorized prior to the thirtieth day following the effective date of this act, or a~~
 14 ~~taxpayer's ability to redeem such tax credits.]~~

14 EXPLANATION: No tax credits were authorized after 9-27-2009 (30 days
 15 after effective date of HB 191 (2009)).

16

2 ~~[135.980. 1. As used in this section, the following terms shall mean:~~
 3 ~~(1) "NAICS", the classification provided by the most recent edition of~~
 4 ~~the North American Industry Classification System as prepared by the~~
 5 ~~Executive Office of the President, Office of Management and Budget;~~
 6 ~~(2) "Public financial incentive", any economic or financial incentive~~
 7 ~~offered including:~~
 8 ~~(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other~~
 9 ~~tax relieving measure;~~
 10 ~~(b) Any tax increment financing or similar financial arrangement;~~
 11 ~~(c) Any monetary or nonmonetary benefit related to any bond, loan, or~~
 12 ~~similar financial arrangement;~~
 13 ~~(d) Any reduction, credit, forgiveness, abatement, subsidy, or other~~
 14 ~~relief related to any bond, loan, or similar financial arrangement; and~~
 15 ~~(e) The ability to form, own, direct, or receive any economic or~~
 16 ~~financial benefit from any special taxation district.~~

16 2. ~~No city not within a county shall by ballot measure impose any~~
 17 ~~restriction on any public financial incentive authorized by statute for a~~
 18 ~~business with a NAICS code of 212111.~~

19 3. ~~The provisions of this section shall expire on December 31, 2017.]~~

20 EXPLANATION: This section expired 12-31-2017.

21
 2 ~~[136.450. 1. There is hereby established the "Study Commission on~~
 3 ~~State Tax Policy" which shall be composed of the following members:~~

4 ~~(1) The members of the joint committee on tax policy established in~~
 5 ~~section 21.810;~~

6 ~~(2) The state treasurer;~~

7 ~~(3) The state budget director;~~

8 ~~(4) The director of the department of revenue, but only if such person~~
 9 ~~has been appointed by the governor with the advice and consent of the senate~~
 10 ~~in accordance with Article IV, Section 51 of the Constitution of Missouri;~~

11 ~~(5) Three individuals representing the needs and concerns of~~
 12 ~~individual taxpayers in this state, one of whom shall be appointed by the~~
 13 ~~lieutenant governor, one of whom shall be appointed by the minority floor~~
 14 ~~leader of the house of representatives, and one of whom shall be appointed by~~
 15 ~~the minority floor leader of the senate;~~

16 ~~(6) A certified public accountant, who shall be appointed by the~~
 17 ~~lieutenant governor in consultation with the Missouri Society of Certified~~
 18 ~~Public Accountants;~~

19 ~~(7) An independent tax practitioner, who shall be appointed by the~~
 20 ~~lieutenant governor in consultation with the Missouri Society of Accountants;~~

21 ~~(8) An individual with experience operating a business with a~~
 22 ~~headquarters in this state and fewer than fifty employees, who shall be~~
 23 ~~appointed by the speaker of the house of representatives;~~

24 ~~(9) An individual with experience operating a business with a~~
 25 ~~headquarters in this state and at least fifty employees, who shall be appointed~~
 26 ~~by the president pro tempore of the senate;~~

27 ~~(10) Two individuals with significant experience in state and local~~
 28 ~~taxation, public or private budgeting and finance, or public services delivery,~~
 29 ~~one of whom shall be appointed by the speaker of the house of representatives~~
 30 ~~in consultation with the Missouri Association of Counties and the other~~
 31 ~~appointed by the president pro tempore of the senate in consultation with~~
 32 ~~Missouri Municipal League; and~~

33 ~~(11) A member of the Missouri Bar with knowledge of the tax laws of~~
 34 ~~this state, including tax administration and compliance, who shall be appointed~~
 35 ~~by the board of governors of the Missouri Bar.~~

36 2. ~~Any vacancy on the commission shall be filled in the same manner~~
 37 ~~as the original appointment. Any appointed member of the commission shall~~
 38 ~~serve at the pleasure of the appointing authority. Commission members shall~~
 39 ~~serve without compensation but shall be entitled to reimbursement for actual~~
 40 ~~and necessary expenses incurred in the performance of their official duties.~~

41 3. ~~The commission shall meet in the capitol building within ten days~~
 after its creation and organize by selecting a chair and vice chair from its

42 members.—After its organization, the commission shall adopt an agenda
43 establishing at least five hearing dates. The hearings shall be held in different
44 geographic regions of the state and open to the public. Additional meetings
45 may be scheduled and held as often as the chair deems advisable. A majority
46 of the members shall constitute a quorum.

47 4. It shall be the duty of the commission:

48 (1) To make a complete, detailed review and study of the tax structure
49 of the state and its political subdivisions, including tax sources, the impact of
50 taxes, collection procedures, administrative regulations, and all other factors
51 pertinent to the fiscal operation of the state;

52 (2) To identify the strengths and weaknesses of state tax laws, and
53 develop a broad range of improvements that could be made to modernize the
54 tax system, maximize economic development and growth, and maintain
55 necessary government services at an appropriate level;

56 (3) To investigate measures and methods to simplify state tax law,
57 improve tax compliance, and reduce administrative costs; and

58 (4) To examine and study any other aspects of state and local
59 government which may be related to the tax structure of the state.

60 5. In order to carry out its duties and responsibilities under this section,
61 the commission shall have the authority to:

62 (1) Consult with public and private universities and academies, public
63 and private organizations, and private citizens in the performance of its duties;

64 (2) Within the limits of appropriations made for such purpose, employ
65 consultants or others to assist the commission in its work, or contract with
66 public and private entities for analysis and study of current or proposed
67 changes to state and local tax policy; and

68 (3) Make reasonable requests for staff assistance from the research and
69 appropriations staffs of the house of representatives and senate and the
70 committee on legislative research, as well as the office of administration and
71 the department of revenue.

72 6. All state agencies and political subdivisions of the state responsible
73 for the administration of tax policies shall cooperate with and assist the
74 commission in the performance of its duties and shall make available all
75 books, records, and information requested, except such books, records, and
76 information as are by law declared confidential in nature, including
77 individually identifiable information regarding a specific taxpayer.

78 7. The commission may issue interim reports as it deems fit, but it
79 shall provide the governor and the general assembly with reports of its
80 findings and recommendations for legal and administrative changes, along
81 with any proposed legislation the commission recommends for adoption by the
82 general assembly. A preliminary report shall be due by December 31, 2016. A
83 final report shall be due December 31, 2017.

84 8. The commission shall cease all activities by January 1, 2018. This
85 section shall expire August 28, 2018.]

86 EXPLANATION: This section expired 8-28-2018.

~~[142.1000.—1.— There is hereby created within the department of revenue the "Electric Vehicle Task Force" to consist of the following members:~~

~~(1) The director of the department of revenue, or his or her designee, who shall serve as chair;~~

~~(2) The chairman of the public service commission, or his or her designee, who shall serve as vice chair;~~

~~(3) The director of the department of transportation, or his or her designee;~~

~~(4) One member of the senate committee with jurisdiction over transportation matters, to be appointed by the president pro tempore of the senate;~~

~~(5) One member of the house of representatives committee with jurisdiction over transportation matters, to be appointed by the speaker of the house of representatives;~~

~~(6) One member of the senate committee with jurisdiction over transportation matters, to be appointed by the minority floor leader of the senate;~~

~~(7) One member of the house of representatives committee with jurisdiction over transportation matters, to be appointed by the minority floor leader of the house of representatives;~~

~~(8) One representative of the trucking or heavy vehicle industry, to be appointed by the president pro tempore of the senate;~~

~~(9) One representative of electric vehicle manufacturers or dealers, to be appointed by the speaker of the house of representatives;~~

~~(10) One representative of conventional motor vehicle manufacturers or dealers, to be appointed by the president pro tempore of the senate;~~

~~(11) One representative of the petroleum industry or convenience stores, to be appointed by the speaker of the house of representatives;~~

~~(12) One representative of electric vehicle charging station manufacturers or operators, to be appointed by the president pro tempore of the senate; and~~

~~(13) One representative of electric utilities, to be appointed by the speaker of the house of representatives.~~

~~2.— The task force shall analyze the following in the context of transportation funding, and make recommendations as to any actions the state should take to fund transportation infrastructure in anticipation of more widespread adoption of electric vehicles:~~

~~(1) Removal or mitigation of barriers to electric vehicle charging, including strategies, such as time-of-use rates, to reduce operating costs for current and future electric vehicle owners without shifting costs to electric ratepayers who do not own or operate electric vehicles;~~

~~(2) Strategies for managing the impact of electric vehicles on, and services provided for electric vehicles by, the electricity transmission and distribution system;~~

~~(3) Electric system benefits and costs of electric vehicle charging, electric utility planning for electric vehicle charging, and rate design for electric vehicle charging;~~

- 48 (4) ~~The appropriate role of electric utilities with regard to the~~
49 ~~deployment and operation of electric vehicle charging systems;~~
50 (5) ~~How and on what terms, including quantity, pricing, and time of~~
51 ~~day, charging stations owned or operated by entities other than electric utilities~~
52 ~~will obtain electricity to provide to electric vehicles;~~
53 (6) ~~What safety standards should apply to the charging of electric~~
54 ~~vehicles;~~
55 (7) ~~The recommended scope of the jurisdiction of the public service~~
56 ~~commission, the department of revenue, and other state agencies over charging~~
57 ~~stations owned or operated by entities other than electric utilities;~~
58 (8) ~~Whether charging stations owned or operated by entities other than~~
59 ~~electric utilities will be free to set the rates or prices at which they provide~~
60 ~~electricity to electric vehicles, and any other issues relevant to the appropriate~~
61 ~~oversight of the rates and prices charged by such stations, including~~
62 ~~transparency to the consumer of those rates and prices; and~~
63 (9) ~~The recommended billing and complaint procedures for charging~~
64 ~~stations;~~
65 (10) ~~Options to address how electric vehicle users pay toward the cost~~
66 ~~of maintaining the state's transportation infrastructure, including methods to~~
67 ~~assess the impact of electric vehicles on that infrastructure and how to~~
68 ~~calculate a charge based on that impact, the potential assessment of a charge to~~
69 ~~electric vehicles as a rate per kilowatt hour delivered to an electric vehicle,~~
70 ~~varying such per kilowatt hour charge by size and type of electric vehicle, and~~
71 ~~phasing in such per kilowatt hour charge;~~
72 (11) ~~The accuracy of electric metering and submetering technology for~~
73 ~~charging electric vehicles;~~
74 (12) ~~Strategies to encourage electric vehicle usage without shifting~~
75 ~~costs to electric ratepayers who do not own or charge electric vehicles; and~~
76 (13) ~~Any other issues the task force considers relevant.~~
77 3. ~~The department of revenue shall provide such research, clerical,~~
78 ~~technical, and other services as the task force may require in the performance~~
79 ~~of its duties.~~
80 4. ~~The task force may hold public meetings at which it may invite~~
81 ~~testimony from experts, or it may solicit information from any party it deems~~
82 ~~may have information relevant to its duties under this section.~~
83 5. ~~No later than December 31, 2022, the task force shall provide to the~~
84 ~~general assembly and the governor a written report detailing its findings and~~
85 ~~recommendations, including identifying any recommendations that may~~
86 ~~require enabling legislation.~~
87 6. ~~Members shall serve on the task force without compensation, but~~
88 ~~may, at the discretion of the director of the department of revenue, be~~
89 ~~reimbursed for actual and necessary expenses incurred in the performance of~~
90 ~~their official duties as members of the task force.~~
91 7. ~~The task force shall expire on December 31, 2022.]~~

92 EXPLANATION: The task force under this section expired 12-31-2022.

93

[143.173. 1. As used in this section, the following terms mean:

2 ~~(1) "County average wage", the average wages in each county as~~
3 ~~determined by the department of economic development for the most recently~~
4 ~~completed full calendar year. However, if the computed county average wage~~
5 ~~is above the statewide average wage, the statewide average wage shall be~~
6 ~~deemed the county average wage for such county for the purpose of this~~
7 ~~section;~~

8 ~~(2) "Deduction", an amount subtracted from the taxpayer's Missouri~~
9 ~~adjusted gross income to determine Missouri taxable income, or federal~~
10 ~~taxable income in the case of a corporation, for the tax year in which such~~
11 ~~deduction is claimed;~~

12 ~~(3) "Full time employee", a position in which the employee is~~
13 ~~considered full time by the taxpayer and is required to work an average of at~~
14 ~~least thirty five hours per week for a fifty two week period;~~

15 ~~(4) "New job", the number of full-time employees employed by the~~
16 ~~small business in Missouri on the qualifying date that exceeds the number of~~
17 ~~full-time employees employed by the small business in Missouri on the same~~
18 ~~date of the immediately preceding taxable year;~~

19 ~~(5) "Qualifying date", any date during the tax year as chosen by the~~
20 ~~small business;~~

21 ~~(6) "Small business", any small business, including any sole~~
22 ~~proprietorship, partnership, S corporation, C corporation, limited liability~~
23 ~~company, limited liability partnership, or other business entity, consisting of~~
24 ~~fewer than fifty full- or part-time employees;~~

25 ~~(7) "Taxpayer", any small business subject to the income tax imposed~~
26 ~~in this chapter, including any sole proprietorship, partnership, S corporation,~~
27 ~~C corporation, limited liability company, limited liability partnership, or other~~
28 ~~business entity.~~

29 ~~2. In addition to all deductions listed in this chapter, for all taxable~~
30 ~~years beginning on or after January 1, 2011, and ending on or before~~
31 ~~December 31, 2014, a taxpayer shall be allowed a deduction for each new job~~
32 ~~created by the small business in the taxable year. Tax deductions allowed to~~
33 ~~any partnership, limited liability company, S corporation, or other pass-~~
34 ~~through entity may be allocated to the partners, members, or shareholders of~~
35 ~~such entity for their direct use in accordance with the provisions of any~~
36 ~~agreement among such partners, members, or shareholders. The deduction~~
37 ~~amount shall be as follows:~~

38 ~~(1) Ten thousand dollars for each new job created with an annual~~
39 ~~salary of at least the county average wage; or~~

40 ~~(2) Twenty thousand dollars for each new job created with an annual~~
41 ~~salary of at least the county average wage if the small business offers health~~
42 ~~insurance and pays at least fifty percent of such insurance premiums.~~

43 ~~3. The department of revenue shall establish the procedure by which~~
44 ~~the deduction provided in this section may be claimed, and may promulgate~~
45 ~~rules to implement the provisions of this section. Any rule or portion of a rule,~~
46 ~~as that term is defined in section 536.010, that is created under the authority~~
47 ~~delegated in this section shall become effective only if it complies with and is~~
48 ~~subject to all of the provisions of chapter 536 and, if applicable, section~~
49 ~~536.028. This section and chapter 536 are nonseverable and if any of the~~

50 powers vested with the general assembly under chapter 536 to review, to delay
 51 the effective date, or to disapprove and annul a rule are subsequently held
 52 unconstitutional, then the grant of rulemaking authority and any rule proposed
 53 or adopted after August 28, 2011, shall be invalid and void.

54 4. Under section 23.253 of the Missouri sunset act:

55 (1) The provisions of the new program authorized under this section
 56 shall automatically sunset on December thirty first three years after August 28,
 57 2011, unless reauthorized by an act of the general assembly; and

58 (2) If such program is reauthorized, the program authorized under this
 59 section shall automatically sunset on December thirty first three years after the
 60 effective date of the reauthorization of this section; and

61 (3) This section shall terminate on September first of the calendar year
 62 immediately following the calendar year in which the program authorized
 63 under this section is sunset.]

64 EXPLANATION: This section sunset 12-31-2014. NOTE: A Sunset Review
 65 Report on this section was voted on by the Joint Committee on Legislative
 66 Research on 9-10-2013.

67
 2 [143.732. 1. Notwithstanding any provision of law to the contrary, no
 3 taxpayer who has an individual tax liability under chapter 143 for the tax year
 4 beginning January 1, 2018, and ending December 31, 2018, shall be assessed
 5 any penalty before December 31, 2019, for a delayed payment or
 6 underpayment on such liability, provided that such taxpayer timely files his
 7 or her individual income tax return for such tax year and participates, in good
 8 faith, in any payment plan authorized by the department of revenue with
 9 respect to such liability. Such taxpayer may nonetheless be assessed interest
 10 on such liability under the provisions of section 143.731 and any other relevant
 11 provision of law, provided that no interest on such liability shall be assessed
 12 before May 15, 2019. If such taxpayer paid interest or penalty on such liability
 13 under the provisions of section 143.731 and any other relevant provision of
 14 law before May 15, 2019, he or she shall be entitled to a refund of such interest
 15 or penalty, which shall be due no later than December 31, 2019.

16 2. The department of revenue is authorized to adopt such rules and
 17 regulations as are reasonable and necessary to implement the provisions of this
 18 section. Any rule or portion of a rule, as that term is defined in section
 19 536.010, that is created under the authority delegated in this section shall
 20 become effective only if it complies with and is subject to all of the provisions
 21 of chapter 536 and, if applicable, section 536.028. This section and chapter
 22 536 are nonseverable and if any of the powers vested with the general
 23 assembly pursuant to chapter 536 to review, to delay the effective date, or to
 24 disapprove and annul a rule are subsequently held unconstitutional, then the
 25 grant of rulemaking authority and any rule proposed or adopted after July 11,
 26 2019, shall be invalid and void.

26 3. Under section 23.253 of the Missouri sunset act:

27 (1) The provisions of the new program authorized under this section
 28 shall automatically sunset on December 31, 2019; and

29 ~~(2) This section shall terminate on December thirty first of the~~
30 ~~calendar year immediately following the calendar year in which the program~~
31 ~~authorized under this section is sunset.]~~

32 EXPLANATION: This section sunset 12-31-19. NOTE: This section became
33 effective 7-11-2019. There was insufficient data available to produce a Sunset
34 Review Report prior to its expiration on December 31, 2019.

35

2 ~~[143.1008. 1. In each taxable year beginning on or after January 1,~~
3 ~~2008, each individual or corporation entitled to a tax refund in an amount~~
4 ~~sufficient to make a designation under this section may designate that one~~
5 ~~dollar or any amount in excess of one dollar on a single return, and two dollars~~
6 ~~or any amount in excess of two dollars on a combined return, of the refund due~~
7 ~~be credited to the after school retreat reading and assessment grant program~~
8 ~~fund. The contribution designation authorized by this section shall be clearly~~
9 ~~and unambiguously printed on the first page of each income tax return form~~
10 ~~provided by this state. If any individual or corporation that is not entitled to a~~
11 ~~tax refund in an amount sufficient to make a designation under this section~~
12 ~~wishes to make a contribution to the after school retreat reading and~~
13 ~~assessment grant program fund, such individual or corporation may, by~~
14 ~~separate check, draft, or other negotiable instrument, send in with the payment~~
15 ~~of taxes, or may send in separately, that amount, clearly designated for the~~
16 ~~after school retreat reading and assessment grant program fund, the individual~~
17 ~~or corporation wishes to contribute. The department of revenue shall deposit~~
18 ~~such amount to the after school retreat reading and assessment grant program~~
19 ~~fund as provided in subsection 2 of this section.~~

20 ~~2. The director of revenue shall deposit at least monthly all~~
21 ~~contributions designated by individuals under this section to the state~~
22 ~~treasurer for deposit to the after school retreat reading and assessment grant~~
23 ~~program fund. The fund shall be administered by the department of~~
24 ~~elementary and secondary education with moneys in the fund distributed as~~
25 ~~provided under section 167.680.~~

26 ~~3. The director of revenue shall deposit at least monthly all~~
27 ~~contributions designated by the corporations under this section, less an~~
28 ~~amount sufficient to cover the cost of collection, handling, and administration~~
29 ~~by the department of revenue during fiscal year 2008, to the after school~~
30 ~~retreat reading and assessment grant program fund.~~

31 ~~4. A contribution designated under this section shall only be deposited~~
32 ~~in the after school retreat reading and assessment grant program fund after all~~
33 ~~other claims against the refund from which such contribution is to be made~~
34 ~~have been satisfied.~~

35 ~~5. Moneys deposited in the after school retreat reading and assessment~~
36 ~~grant program fund shall be distributed by the department of elementary and~~
37 ~~secondary education in accordance with the provisions of this section and~~
~~section 167.680.~~

38 ~~6. The state treasurer shall invest moneys in the fund in the same~~
 39 ~~manner as other funds are invested. Any interest and moneys earned on such~~
 40 ~~investments shall be credited to the fund.~~

41 ~~7. Pursuant to section 23.253 of the Missouri sunset act:~~

42 ~~(1) The provisions of the new program authorized under this section~~
 43 ~~shall automatically sunset six years after August 28, 2007, unless reauthorized~~
 44 ~~by an act of the general assembly; and~~

45 ~~(2) If such program is reauthorized, the program authorized under this~~
 46 ~~section shall automatically sunset twelve years after the effective date of the~~
 47 ~~reauthorization of this section; and~~

48 ~~(3) This section shall terminate on December thirty first of the~~
 49 ~~calendar year immediately following the calendar year in which the program~~
 50 ~~authorized under this section is sunset.]~~

51 EXPLANATION: This section sunset 8-28-2013. NOTE: A Sunset Review
 52 Report on this section was voted on by the Joint Committee on Legislative
 53 Research on 4-9-2013.

54
 2 ~~[143.1009. 1. In each taxable year beginning on or after January 1,~~
 3 ~~2008, each individual or corporation entitled to a tax refund in an amount~~
 4 ~~sufficient to make a designation under this section may designate that one~~
 5 ~~dollar or any amount in excess of one dollar on a single return, and two dollars~~
 6 ~~or any amount in excess of two dollars on a combined return, of the refund due~~
 7 ~~be credited to the breast cancer awareness trust fund, hereinafter referred to as~~
 8 ~~the trust fund. If any individual or corporation that is not entitled to a tax~~
 9 ~~refund in an amount sufficient to make a designation under this section wishes~~
 10 ~~to make a contribution to the trust fund, such individual or corporation may, by~~
 11 ~~separate check, draft, or other negotiable instrument, send in with the payment~~
 12 ~~of taxes, or may send in separately, that amount, clearly designated for the~~
 13 ~~breast cancer awareness trust fund, the individual or corporation wishes to~~
 14 ~~contribute. The department of revenue shall deposit such amount to the trust~~
 15 ~~fund as provided in subsections 2 and 3 of this section. All moneys credited to~~
 16 ~~the trust fund shall be considered nonstate funds under the provisions of~~
 17 ~~Article IV, Section 15 of the Missouri Constitution.~~

18 ~~2. The director of revenue shall deposit at least monthly all~~
 19 ~~contributions designated by individuals under this section to the state~~
 20 ~~treasurer for deposit to the trust fund.~~

21 ~~3. The director of revenue shall deposit at least monthly all~~
 22 ~~contributions designated by the corporations under this section, less an~~
 23 ~~amount sufficient to cover the costs of collection and handling by the~~
 24 ~~department of revenue, to the state treasury for deposit to the trust fund.~~

25 ~~4. A contribution designated under this section shall only be deposited~~
 26 ~~in the trust fund after all other claims against the refund from which such~~
 27 ~~contribution is to be made have been satisfied.~~

28 ~~5. All moneys transferred to the trust fund shall be distributed by the~~
 29 ~~director of revenue at times the director deems appropriate to the department~~
 of health and senior services. Such funds shall be used solely for the purpose

30 of providing breast cancer services. Notwithstanding the provisions of section
 31 ~~33.080 to the contrary, moneys in the trust fund at the end of any biennium~~
 32 ~~shall not be transferred to the credit of the general revenue fund.~~

33 ~~6. There is hereby created in the state treasury the "Breast Cancer~~
 34 ~~Awareness Trust Fund", which shall consist of money collected under this~~
 35 ~~section. The state treasurer shall be custodian of the fund. In accordance with~~
 36 ~~sections 30.170 and 30.180, the state treasurer may approve disbursements.~~

37 ~~7. Under section 23.253 of the Missouri sunset act:~~

38 ~~(1) The provisions of the new program authorized under this section~~
 39 ~~shall automatically sunset six years after August 28, 2008, unless reauthorized~~
 40 ~~by an act of the general assembly; and~~

41 ~~(2) If such program is reauthorized, the program authorized under this~~
 42 ~~section shall automatically sunset twelve years after the effective date of the~~
 43 ~~reauthorization of this section; and~~

44 ~~(3) This section shall terminate on December thirty first of the~~
 45 ~~calendar year immediately following the calendar year in which the program~~
 46 ~~authorized under this section is sunset.]~~

47 EXPLANATION: This section sunset 8-28-2014. NOTE: A Sunset Review
 48 Report on this section was voted on by the Joint Committee on Legislative
 49 Research on 9-10-2013.

50

~~[143.1013. 1. For all taxable years beginning on or after January 1,~~
 2 ~~2011, each individual or corporation entitled to a tax refund in an amount~~
 3 ~~sufficient to make a designation under this section may designate that one~~
 4 ~~dollar or any amount in excess of one dollar on a single return, and two dollars~~
 5 ~~or any amount in excess of two dollars on a combined return, of the refund due~~
 6 ~~be credited to the American Red Cross trust fund. If any individual or~~
 7 ~~corporation that is not entitled to a tax refund in an amount sufficient to make a~~
 8 ~~designation under this section wishes to make a contribution to the fund, such~~
 9 ~~individual or corporation may, by separate check, draft, or other negotiable~~
 10 ~~instrument, send in with the payment of taxes, or may send in separately, that~~
 11 ~~amount the individual or corporation wishes to contribute. Such amounts shall~~
 12 ~~be clearly designated for the fund.~~

13 ~~2. There is hereby created in the state treasury the "American Red~~
 14 ~~Cross Trust Fund", which shall consist of money collected under this section.~~
 15 ~~The state treasurer shall be custodian of the fund. In accordance with sections~~
 16 ~~30.170 and 30.180, the state treasurer may approve disbursements. The fund~~
 17 ~~shall be a dedicated fund and, upon appropriation, money in the fund shall be~~
 18 ~~used solely for the administration of this section. Notwithstanding the~~
 19 ~~provisions of section 33.080 to the contrary, any moneys remaining in the fund~~
 20 ~~at the end of the biennium shall not revert to the credit of the general revenue~~
 21 ~~fund. The state treasurer shall invest moneys in the fund in the same manner~~
 22 ~~as other funds are invested. Any interest and moneys earned on such~~
 23 ~~investments shall be credited to the fund. All moneys credited to the trust fund~~
 24 ~~shall be considered nonstate funds under Section 15, Article IV, Constitution~~

25 of Missouri. The treasurer shall distribute all moneys deposited in the fund at
 26 times the treasurer deems appropriate to the American Red Cross.

27 3. The director of revenue shall deposit at least monthly all
 28 contributions designated by individuals under this section to the state
 29 treasurer for deposit to the fund. The director of revenue shall deposit at
 30 least monthly all contributions designated by the corporations under this
 31 section, less an amount sufficient to cover the costs of collection and handling
 32 by the department of revenue, to the state treasury for deposit to the fund. A
 33 contribution designated under this section shall only be deposited in the fund
 34 after all other claims against the refund from which such contribution is to be
 35 made have been satisfied.

36 4. Under section 23.253 of the Missouri sunset act:

37 (1) The provisions of the new program authorized under this section
 38 shall automatically sunset on December thirty-first six years after August 28,
 39 2011, unless reauthorized by an act of the general assembly; and

40 (2) If such program is reauthorized, the program authorized under this
 41 section shall automatically sunset on December thirty-first twelve years after
 42 the effective date of the reauthorization of this section; and

43 (3) This section shall terminate on September first of the calendar year
 44 immediately following the calendar year in which the program authorized
 45 under this section is sunset.]

46 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review
 47 Report on this section was sent to the Joint Committee on Legislative Research
 48 in September 2016.

49

[143.1014. 1. For all taxable years beginning on or after January 1,
 2 2011, each individual or corporation entitled to a tax refund in an amount
 3 sufficient to make a designation under this section may designate that one
 4 dollar or any amount in excess of one dollar on a single return, and two dollars
 5 or any amount in excess of two dollars on a combined return, of the refund due
 6 be credited to the puppy protection trust fund. If any individual or corporation
 7 that is not entitled to a tax refund in an amount sufficient to make a designation
 8 under this section wishes to make a contribution to the fund, such individual or
 9 corporation may, by separate check, draft, or other negotiable instrument, send
 10 in with the payment of taxes, or may send in separately, that amount the
 11 individual or corporation wishes to contribute. Such amounts shall be clearly
 12 designated for the fund.

13 2. There is hereby created in the state treasury the "Puppy Protection
 14 Trust Fund", which shall consist of money collected under this section. The
 15 state treasurer shall be custodian of the fund. In accordance with sections
 16 30.170 and 30.180, the state treasurer may approve disbursements. The fund
 17 shall be a dedicated fund and, upon appropriation, money in the fund shall be
 18 used solely for the state department of agriculture's administration of section
 19 273.345. Notwithstanding the provisions of section 33.080 to the contrary, any
 20 moneys remaining in the fund at the end of the biennium shall not revert to the
 21 credit of the general revenue fund. The state treasurer shall invest moneys in

22 the fund in the same manner as other funds are invested. Any interest and
 23 moneys earned on such investments shall be credited to the fund. All moneys
 24 credited to the trust fund shall be considered nonstate funds under Section 15,
 25 Article IV, Constitution of Missouri. The treasurer shall distribute all moneys
 26 deposited in the fund at times the treasurer deems appropriate to the
 27 department of agriculture.

28 3. ~~The director of revenue shall deposit at least monthly all~~
 29 ~~contributions designated by individuals under this section to the state~~
 30 ~~treasurer for deposit to the fund. The director of revenue shall deposit at~~
 31 ~~least monthly all contributions designated by the corporations under this~~
 32 ~~section, less an amount sufficient to cover the costs of collection and handling~~
 33 ~~by the department of revenue, to the state treasury for deposit to the fund. A~~
 34 ~~contribution designated under this section shall only be deposited in the fund~~
 35 ~~after all other claims against the refund from which such contribution is to be~~
 36 ~~made have been satisfied.~~

37 4. Under section 23.253 of the Missouri sunset act:

38 (1) The provisions of the new program authorized under this section
 39 shall automatically sunset on December thirty first six years after August 28,
 40 2011, unless reauthorized by an act of the general assembly; and

41 (2) If such program is reauthorized, the program authorized under this
 42 section shall automatically sunset on December thirty first twelve years after
 43 the effective date of the reauthorization of this section; and

44 (3) This section shall terminate on September first of the calendar year
 45 immediately following the calendar year in which the program authorized
 46 under this section is sunset.]

47 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review
 48 Report on this section was sent to the Joint Committee on Legislative Research
 49 in September 2016.

50
 1 [143.1017. 1. For all taxable years beginning on or after January 1,
 2 2011, each individual or corporation entitled to a tax refund in an amount
 3 sufficient to make a designation under this section may designate that one
 4 dollar or any amount in excess of one dollar on a single return, and two dollars
 5 or any amount in excess of two dollars on a combined return, of the refund due
 6 be credited to the developmental disabilities waiting list equity trust fund. If
 7 any individual or corporation that is not entitled to a tax refund in an amount
 8 sufficient to make a designation under this section wishes to make a
 9 contribution to the fund, such individual or corporation may, by separate
 10 check, draft, or other negotiable instrument, send in with the payment of taxes,
 11 or may send in separately, that amount the individual or corporation wishes to
 12 contribute. Such amounts shall be clearly designated for the fund.

13 2. There is hereby created in the state treasury the "Developmental
 14 Disabilities Waiting List Equity Trust Fund", which shall consist of money
 15 collected under this section. The state treasurer shall be custodian of the fund.
 16 In accordance with sections 30.170 and 30.180, the state treasurer may
 17 approve disbursements. The fund shall be a dedicated fund and, upon

18 ~~appropriation, money in the fund shall be used solely for the administration of~~
 19 ~~this section and for providing community services and support to people with~~
 20 ~~developmental disabilities and such person's families who are on the~~
 21 ~~developmental disabilities waiting list and are eligible for but not receiving~~
 22 ~~services. Notwithstanding the provisions of section 33.080 to the contrary, any~~
 23 ~~moneys remaining in the fund at the end of the biennium shall not revert to the~~
 24 ~~credit of the general revenue fund. The state treasurer shall invest moneys in~~
 25 ~~the fund in the same manner as other funds are invested. Any interest and~~
 26 ~~moneys earned on such investments shall be credited to the fund. All moneys~~
 27 ~~credited to the trust fund shall be considered nonstate funds under Section 15,~~
 28 ~~Article IV, Constitution of Missouri. The treasurer shall distribute all moneys~~
 29 ~~deposited in the fund at times the treasurer deems appropriate to the~~
 30 ~~department of mental health. The moneys in the developmental disabilities~~
 31 ~~waiting list equity trust fund established in this subsection shall not be~~
 32 ~~appropriated in lieu of general state revenues.~~

33 ~~3. The director of revenue shall deposit at least monthly all~~
 34 ~~contributions designated by individuals under this section to the state~~
 35 ~~treasurer for deposit to the fund. The director of revenue shall deposit at~~
 36 ~~least monthly all contributions designated by the corporations under this~~
 37 ~~section, less an amount sufficient to cover the costs of collection and handling~~
 38 ~~by the department of revenue, to the state treasury for deposit to the fund. A~~
 39 ~~contribution designated under this section shall only be deposited in the fund~~
 40 ~~after all other claims against the refund from which such contribution is to be~~
 41 ~~made have been satisfied.~~

42 ~~4. Under section 23.253 of the Missouri sunset act:~~

43 ~~(1) The provisions of the new program authorized under this section~~
 44 ~~shall automatically sunset on December thirty first six years after August 28,~~
 45 ~~2011, unless reauthorized by an act of the general assembly; and~~

46 ~~(2) If such program is reauthorized, the program authorized under this~~
 47 ~~section shall automatically sunset on December thirty first twelve years after~~
 48 ~~the effective date of the reauthorization of this section; and~~

49 ~~(3) This section shall terminate on September first of the calendar year~~
 50 ~~immediately following the calendar year in which the program authorized~~
 51 ~~under this section is sunset.]~~

52 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review
 53 Report on this section was sent to the Joint Committee on Legislative Research
 54 in September 2016.

55
 2 ~~[143.1027. 1. For all taxable years beginning on or after January 1,~~
 3 ~~2014, each individual or corporation entitled to a tax refund in an amount~~
 4 ~~sufficient to make a designation under this section may designate that one~~
 5 ~~dollar or any amount in excess of one dollar on a single return, and two dollars~~
 6 ~~or any amount in excess of two dollars on a combined return, of the refund due~~
 7 ~~be credited to the Missouri National Guard Foundation fund. If any individual~~
 8 ~~or corporation that is not entitled to a tax refund in an amount sufficient to~~
 9 ~~make a designation under this section wishes to make a contribution to the~~

9 fund, such individual or corporation may, by separate check, draft, or other
 10 negotiable instrument, send in with the payment of taxes, or may send in
 11 separately, that amount the individual or corporation wishes to contribute.
 12 Such amounts shall be clearly designated for the fund.

13 2. There is hereby created in the state treasury the "Missouri National
 14 Guard Foundation Fund", which shall consist of money collected under this
 15 section. The state treasurer shall be custodian of the fund. In accordance with
 16 sections 30.170 and 30.180, the state treasurer may approve disbursements.
 17 The fund shall be a dedicated fund and, upon appropriation, money in the fund
 18 shall be used solely for the administration of this section. Notwithstanding the
 19 provisions of section 33.080 to the contrary, any moneys remaining in the fund
 20 at the end of the biennium shall not revert to the credit of the general revenue
 21 fund. The state treasurer shall invest moneys in the fund in the same manner
 22 as other funds are invested. Any interest and moneys earned on such
 23 investments shall be credited to the fund. The treasurer shall distribute all
 24 moneys deposited in the fund at least monthly to the Missouri National Guard
 25 Foundation.

26 3. The director of revenue shall deposit at least monthly all
 27 contributions designated by individuals under this section to the state
 28 treasurer for deposit to the fund. The director of revenue shall deposit at
 29 least monthly all contributions designated by the corporations under this
 30 section, less an amount sufficient to cover the costs of collection and handling
 31 by the department of revenue, to the state treasury for deposit to the fund. A
 32 contribution designated under this section shall only be deposited in the fund
 33 after all other claims against the refund from which such contribution is to be
 34 made have been satisfied.

35 4. Under section 23.253 of the Missouri sunset act:

36 (1) The provisions of the new program authorized under this section
 37 shall automatically sunset on December thirty first six years after August 28,
 38 2014, unless reauthorized by an act of the general assembly; and

39 (2) If such program is reauthorized, the program authorized under this
 40 section shall automatically sunset on December thirty first twelve years after
 41 the effective date of the reauthorization of this section; and

42 (3) This section shall terminate on September first of the calendar year
 43 immediately following the calendar year in which the program authorized
 44 under this section is sunset.]

45 EXPLANATION: This section sunset 12-31-2020. NOTE: A Sunset Review
 46 Report on this section was voted on by the Joint Committee on Legislative
 47 Research on 9-10-2019.

48 [143.1100. 1. This section shall be known and may be cited as the
 2 "Bring Jobs Home Act".

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

4 (1) "Business unit":

5 (a) Any trade or business; and

6 (b) ~~Any line of business or function unit which is part of any trade or~~
7 ~~business;~~

8 (2) ~~"Deduction":~~

9 (a) ~~For individuals, an amount subtracted from the taxpayer's Missouri~~
10 ~~adjusted gross income to determine Missouri taxable income for the tax year in~~
11 ~~which such deduction is claimed; and~~

12 (b) ~~For corporations, an amount subtracted from the taxpayer's federal~~
13 ~~taxable income to determine Missouri taxable income for the tax year in which~~
14 ~~such deduction is claimed;~~

15 (3) ~~"Department", the department of economic development;~~

16 (4) ~~"Eligible expenses":~~

17 (a) ~~Any amount for which a deduction is allowed to the taxpayer under~~
18 ~~Section 162 of the Internal Revenue Code of 1986, as amended; and~~

19 (b) ~~Permit and license fees, lease brokerage fees, equipment~~
20 ~~installation costs, and other similar expenses;~~

21 (5) ~~"Eligible insourcing expenses":~~

22 (a) ~~Eligible expenses paid or incurred by the taxpayer in connection~~
23 ~~with the elimination of any business unit of the taxpayer or of any member of~~
24 ~~any expanded affiliated group in which the taxpayer is also a member located~~
25 ~~outside the state of Missouri; and~~

26 (b) ~~Eligible expenses paid or incurred by the taxpayer in connection~~
27 ~~with the establishment of any business unit of the taxpayer or of any member~~
28 ~~of any expanded affiliated group in which the taxpayer is also a member~~
29 ~~located within the state of Missouri if such establishment constitutes the~~
30 ~~relocation of the business unit so eliminated.~~

31
32 For purposes of this subdivision, expenses shall be eligible if such elimination
33 of the business unit in another state or country occurs in a different taxable
34 year from the establishment of the business unit in Missouri;

35 (6) ~~"Expanded affiliated group", an affiliated group as defined under~~
36 ~~Section 1504(a) of the Internal Revenue Code of 1986, as amended, except to~~
37 ~~be determined without regard to Section 1504(b)(3) of the Internal Revenue~~
38 ~~Code of 1986, as amended, and determined by substituting "at least eighty~~
39 ~~percent" with "more than fifty percent" each place the phrase appears under~~
40 ~~Section 1504(a) of the Internal Revenue Code of 1986, as amended. A~~
41 ~~partnership or any other entity other than a corporation shall be treated as a~~
42 ~~member of an expanded affiliated group if such entity is controlled by~~
43 ~~members of such group including any entity treated as a member of such group~~
44 ~~by reason of this subdivision;~~

45 (7) ~~"Full time equivalent employee", a number of employees equal to~~
46 ~~the number determined by dividing the total number of hours of service for~~
47 ~~which wages were paid by the employer to employees during the taxable year,~~
48 ~~by two thousand eighty;~~

49 (8) ~~"Insourcing plan", a written plan to carry out the establishment of a~~
50 ~~business unit in Missouri;~~

51 (9) ~~"Taxpayer", any individual, firm, partner in a firm, corporation,~~
52 ~~partnership, shareholder in an S corporation, or member of a limited liability~~

53 ~~company subject to the income tax imposed under this chapter, excluding~~
54 ~~withholding tax imposed under sections 143.191 to 143.265.~~

55 ~~3. For all taxable years beginning on or after January 1, 2016, a~~
56 ~~taxpayer shall be allowed a deduction equal to fifty percent of the taxpayer's~~
57 ~~eligible insourcing expenses in the taxable year chosen under subsection 5 of~~
58 ~~this section. The amount of the deduction claimed shall not exceed the amount~~
59 ~~of:~~

60 ~~(1) For individuals, the taxpayer's Missouri adjusted gross income for~~
61 ~~the taxable year the deduction is claimed; and~~

62 ~~(2) For corporations, the taxpayer's Missouri taxable income for the~~
63 ~~taxable year the deduction is claimed.~~

64
65 ~~However, any amount of the deduction that cannot be claimed in the taxable~~
66 ~~year may be carried over to the next five succeeding taxable years until the full~~
67 ~~deduction has been claimed.~~

68 ~~4. No deduction shall be allowed under this section until the~~
69 ~~department determines that the number of full-time equivalent employees of~~
70 ~~the taxpayer in the taxable year the deduction is claimed exceeds the number~~
71 ~~of full-time equivalent employees of the taxpayer in the taxable year prior to~~
72 ~~the taxpayer incurring any eligible insourcing expenses.~~

73 ~~5. Only eligible insourcing expenses that occur in the taxable year~~
74 ~~such expenses are paid or incurred and:~~

75 ~~(1) The taxpayer's insourcing plan is completed; or~~

76 ~~(2) The first taxable year after the taxpayer's insourcing plan is~~
77 ~~completed;~~

78
79 ~~shall be used to calculate the deduction allowed under this section.~~

80 ~~6. Notwithstanding any other provision of law to the contrary, no~~
81 ~~deduction shall be allowed for any expenses incurred due to dissolving a~~
82 ~~business unit in Missouri and relocating such business unit to another state.~~

83 ~~7. The total amount of deductions authorized under this section shall~~
84 ~~not exceed five million dollars in any taxable year. In the event that more than~~
85 ~~five million dollars in deductions are claimed in a taxable year, deductions~~
86 ~~shall be issued on a first come, first served filing basis.~~

87 ~~8. A taxpayer who receives a deduction under the provisions of this~~
88 ~~section shall be ineligible to receive incentives under the provisions of any~~
89 ~~other state tax deduction program for the same expenses incurred.~~

90 ~~9. Any taxpayer allowed a deduction under this section who, within~~
91 ~~ten years of receiving such deduction, eliminates the business unit for which~~
92 ~~the deduction was allowed shall repay the amount of tax savings realized from~~
93 ~~the deduction to the state, prorated by the number of years the business unit~~
94 ~~was in this state.~~

95 ~~10. The department of economic development and the department of~~
96 ~~revenue shall promulgate rules to implement the provisions of this section.~~
97 ~~Any rule or portion of a rule, as that term is defined in section 536.010, that is~~
98 ~~created under the authority delegated in this section shall become effective~~
99 ~~only if it complies with and is subject to all of the provisions of chapter 536~~
100 ~~and, if applicable, section 536.028. This section and chapter 536 are~~

nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

11. Under section 23.253:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2016, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]

EXPLANATION: This section sunset 8-28-2022.

~~[161.825. 1. This section shall be known and may be cited as "Bryce's Law".~~

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

(1) "Autism spectrum disorder", pervasive developmental disorder; Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and autism;

(2) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(3) "Department", the department of elementary and secondary education;

(4) "Director", the commissioner of education;

(5) "Dyslexia therapy", an appropriate specialized dyslexia instructional program that is systematic, multisensory, and research-based offered in a small group setting to teach students the components of reading instruction including but not limited to phonemic awareness, graphophonemic knowledge, morphology, semantics, syntax, and pragmatics, instruction on linguistic proficiency and fluency with patterns of language so that words and sentences are carriers of meaning, and strategies that students use for decoding, encoding, word recognition, fluency and comprehension delivered by qualified personnel;

(6) "Educational scholarships", grants to students or children to cover all or part of the tuition and fees at a qualified nonpublic school, a qualified public school, or a qualified service provider, including transportation;

(7) "Eligible child", any child from birth to age five living in Missouri who has an individualized family services program under the first steps program, sections 160.900 to 160.933, and whose parent or guardian has completed the complaint procedure under the Individuals with Disabilities Education Act, Part C, and has received an unsatisfactory response; or any child from birth to age five who has been evaluated for qualifying needs as defined in this section by a person qualified to perform evaluations under the

31 first steps program and has been determined to have a qualifying need but who
32 falls below the threshold for eligibility by no less than twenty five percent;

33 (8) ~~"Eligible student", any elementary or secondary student who~~
34 ~~attended public school in Missouri the preceding semester, or who will be~~
35 ~~attending school in Missouri for the first time, who has an individualized~~
36 ~~education program based on a qualifying needs condition or who has a medical~~
37 ~~or clinical diagnosis by a qualified health professional of a qualifying needs~~
38 ~~condition which in the case of dyslexia, may be based on the C TOPP~~
39 ~~assessment as an initial indicator of dyslexia and confirmed by further medical~~
40 ~~or clinical diagnosis;~~

41 (9) ~~"Parent", includes a guardian, custodian, or other person with~~
42 ~~authority to act on behalf of the student or child;~~

43 (10) ~~"Program", the program established in this section;~~

44 (11) ~~"Qualified health professional", a person licensed under chapter~~
45 ~~334 or 337 who possesses credentials as described in rules promulgated jointly~~
46 ~~by the department of elementary and secondary education and the department~~
47 ~~of mental health to make a diagnosis of a student's qualifying needs for this~~
48 ~~program;~~

49 (12) ~~"Qualified school", either an accredited public elementary or~~
50 ~~secondary school in a district that is accredited without provision outside of~~
51 ~~the district in which a student resides or an accredited nonpublic elementary or~~
52 ~~secondary school in Missouri that complies with all of the requirements of the~~
53 ~~program and complies with all state laws that apply to nonpublic schools~~
54 ~~regarding criminal background checks for employees and excludes from~~
55 ~~employment any person not permitted by state law to work in a nonpublic~~
56 ~~school;~~

57 (13) ~~"Qualified service provider", a person or agency authorized by~~
58 ~~the department to provide services under the first steps program, sections~~
59 ~~160.900 to 160.933, and in the case of a provider offering dyslexia therapy, the~~
60 ~~term also includes a person with national certification as an academic language~~
61 ~~therapist;~~

62 (14) ~~"Qualifying needs", an autism spectrum disorder, Down~~
63 ~~Syndrome, Angelman Syndrome, cerebral palsy, or dyslexia;~~

64 (15) ~~"Scholarship granting organization", a charitable organization~~
65 ~~that:~~

66 (a) ~~Is exempt from federal income tax;~~

67 (b) ~~Complies with the requirements of this program;~~

68 (c) ~~Provides education scholarships to students attending qualified~~
69 ~~schools of their parents' choice or to children receiving services from qualified~~
70 ~~service providers; and~~

71 (d) ~~Does not accept contributions on behalf of any eligible student or~~
72 ~~eligible child from any donor with any obligation to provide any support for~~
73 ~~the eligible student or eligible child.~~

74 3. ~~The department of elementary and secondary education shall~~
75 ~~develop a master list of resources available to the parents of children with an~~
76 ~~autism spectrum disorder or dyslexia and shall maintain a web page for the~~
77 ~~information. The department shall also actively seek financial resources in the~~
78 ~~form of grants and donations that may be devoted to scholarship funds or to~~

79 clinical trials for behavioral interventions that may be undertaken by qualified
80 service providers. The department may contract out or delegate these duties to
81 a nonprofit organization. Priority in referral for funding shall be given to
82 children who have not yet entered elementary school.

83 4. The director shall determine, at least annually, which organizations
84 in this state may be classified as scholarship granting organizations. The
85 director may require of an organization seeking to be classified as a
86 scholarship granting organization whatever information that is reasonably
87 necessary to make such a determination. The director shall classify an
88 organization as a scholarship granting organization if such organization meets
89 the definition set forth in this section.

90 5. The director shall establish a procedure by which a donor can
91 determine if an organization has been classified as a scholarship granting
92 organization. Scholarship granting organizations shall be permitted to decline
93 a contribution from a donor.

94 6. Each scholarship granting organization shall provide information to
95 the director concerning the identity of each donor making a contribution to the
96 scholarship granting organization.

97 7. (1) The director shall annually make a determination on the number
98 of students in Missouri with an individualized education program based upon
99 qualifying needs as defined in this section. The director shall use ten percent
100 of this number to determine the maximum number of students to receive
101 scholarships from a scholarship granting organization in that year for students
102 with qualifying needs who have at the time of application an individualized
103 education program, plus a number calculated by the director by applying the
104 state's latest available autism, cerebral palsy, Down Syndrome, Angelman
105 Syndrome, and dyslexia incidence rates to the state's population of children
106 from age five to nineteen who are not enrolled in public schools and taking ten
107 percent of that number. The total of these two calculations shall constitute the
108 maximum number of scholarships available to students.

109 (2) The director shall also annually make a determination on the
110 number of children in Missouri whose parent or guardian has enrolled the
111 child in first steps, received an individualized family services program based
112 on qualifying needs, and filed a complaint through the Individuals with
113 Disabilities Education Act, Part C, and received an unsatisfactory response. In
114 addition to this number, the director shall apply the latest available autism,
115 cerebral palsy, Down Syndrome, Angelman Syndrome, and dyslexia incidence
116 rates to the latest available census information for children from birth to age
117 five and determine ten percent of that number for the maximum number of
118 scholarships for children.

119 (3) The director shall publicly announce the number of each category
120 of scholarship opportunities available each year. Once a scholarship granting
121 organization has decided to provide a student or child with a scholarship, it
122 shall promptly notify the director. The director shall keep a running tally of
123 the number of scholarships granted in the order in which they were reported.
124 Once the tally reaches the annual limit of scholarships for eligible students or
125 children, the director shall notify all of the participating scholarship granting
126 organizations that they shall not issue any more scholarships and any more

127 ~~receipts for contributions. If the scholarship granting organizations have not~~
128 ~~expended all of their available scholarship funds in that year at the time when~~
129 ~~the limit is reached, the available scholarship funds may be carried over into~~
130 ~~the next year. These unexpended funds shall not be counted as part of the~~
131 ~~requirement in subdivision (3) of subsection 8 of this section for that year.~~
132 ~~Any receipt for a scholarship contribution issued by a scholarship granting~~
133 ~~organization before the director has publicly announced the student or child~~
134 ~~limit has been reached shall be valid. Beginning with school year 2016-17, the~~
135 ~~director may adjust the allocation of the proportion of scholarships using~~
136 ~~information on unmet need and use patterns from the previous school years.~~
137 ~~The director shall provide notice of the change to the state board of education~~
138 ~~for its approval.~~

139 ~~8. Each scholarship granting organization participating in the program~~
140 ~~shall:~~

141 ~~(1) Notify the department of its intent to provide educational~~
142 ~~scholarships to students attending qualified schools or children receiving~~
143 ~~services from qualified service providers;~~

144 ~~(2) Provide a department approved receipt to donors for contributions~~
145 ~~made to the organization;~~

146 ~~(3) Ensure that at least ninety percent of its revenue from donations is~~
147 ~~spent on educational scholarships, and that all revenue from interest or~~
148 ~~investments is spent on educational scholarships;~~

149 ~~(4) Ensure that the scholarships provided do not exceed an average of~~
150 ~~twenty thousand dollars per eligible child or fifty thousand dollars per eligible~~
151 ~~student;~~

152 ~~(5) Inform the parent or guardian of the student or child applying for a~~
153 ~~scholarship that accepting the scholarship is tantamount to a parentally placed~~
154 ~~private school student pursuant to 34 CFR 300.130 and, thus, neither the~~
155 ~~department nor any Missouri public school is responsible to provide the~~
156 ~~student with a free appropriate public education pursuant to the Individuals~~
157 ~~with Disabilities Education Act or Section 504 of the Rehabilitation Act of~~
158 ~~1973;~~

159 ~~(6) Distribute periodic scholarship payments as checks made out to a~~
160 ~~student's or child's parent and mailed to the qualified school where the student~~
161 ~~is enrolled or qualified service provider used by the child. The parent or~~
162 ~~guardian shall endorse the check before it can be deposited;~~

163 ~~(7) Cooperate with the department to conduct criminal background~~
164 ~~checks on all of its employees and board members and exclude from~~
165 ~~employment or governance any individual who might reasonably pose a risk to~~
166 ~~the appropriate use of contributed funds;~~

167 ~~(8) Ensure that scholarships are portable during the school year and~~
168 ~~can be used at any qualified school that accepts the eligible student or at a~~
169 ~~different qualified service provider for an eligible child according to a parent's~~
170 ~~wishes. If a student moves to a new qualified school during a school year or to~~
171 ~~a different qualified service provider for an eligible child, the scholarship~~
172 ~~amount may be prorated;~~

173 ~~(9) Demonstrate its financial accountability by:~~

- 174 ~~(a) Submitting a financial information report for the organization that~~
175 ~~complies with uniform financial accounting standards established by the~~
176 ~~department and conducted by a certified public accountant; and~~
177 ~~(b) Having the auditor certify that the report is free of material~~
178 ~~misstatements;~~
179 ~~(10) Demonstrate its financial viability, if the organization is to receive~~
180 ~~donations of fifty thousand dollars or more during the school year, by filing~~
181 ~~with the department before the start of the school year;~~
182 ~~(a) A surety bond payable to the state in an amount equal to the~~
183 ~~aggregate amount of contributions expected to be received during the school~~
184 ~~year; or~~
185 ~~(b) Financial information that demonstrates the financial viability of~~
186 ~~the scholarship granting organization.~~
187 ~~9. Each scholarship granting organization shall ensure that each~~
188 ~~participating school or service provider that accepts its scholarship students or~~
189 ~~children shall:~~
190 ~~(1) Comply with all health and safety laws or codes that apply to~~
191 ~~nonpublic schools or service providers;~~
192 ~~(2) Hold a valid occupancy permit if required by its municipality;~~
193 ~~(3) Certify that it will comply with 42 U.S.C. Section 1981, as~~
194 ~~amended;~~
195 ~~(4) Provide academic accountability to parents of the students or~~
196 ~~children in the program by regularly reporting to the parent on the student's or~~
197 ~~child's progress;~~
198 ~~(5) Certify that in providing any educational services or behavior~~
199 ~~strategies to a scholarship recipient with a medical or clinical diagnosis of or~~
200 ~~an individualized education program based upon autism spectrum disorder it~~
201 ~~will:~~
202 ~~(a) Adhere to the best practices recommendations of the Missouri~~
203 ~~Autism Guidelines Initiative or document why it is varying from the~~
204 ~~guidelines;~~
205 ~~(b) Not use any evidence-based interventions that have been found~~
206 ~~ineffective by the Centers for Medicare and Medicaid Services as described in~~
207 ~~the Missouri Autism Guidelines Initiative guide to evidence-based~~
208 ~~interventions; and~~
209 ~~(c) Provide documentation in the student's or child's record of the~~
210 ~~rationale for the use of any intervention that is categorized as unestablished,~~
211 ~~insufficient evidence, or level 3 by the Missouri Autism Guidelines Initiative~~
212 ~~guide to evidence-based interventions; and~~
213 ~~(6) Certify that in providing any educational services or behavior~~
214 ~~strategies to a scholarship recipient with a medical or clinical diagnosis of, or~~
215 ~~an individualized family services program based upon Down Syndrome,~~
216 ~~Angelman Syndrome, cerebral palsy, or dyslexia, it will use student, teacher,~~
217 ~~teaching, and school influences that rank in the zone of desired effects in the~~
218 ~~meta-analysis of John Hattie, or equivalent analyses as determined by the~~
219 ~~department, or document why it is using a method that has not been~~
220 ~~determined by analysis to rank in the zone of desired effects.~~

221 ~~10. Scholarship granting organizations shall not provide educational~~
222 ~~scholarships for students to attend any school or children to receive services~~
223 ~~from any qualified service provider with paid staff or board members who are~~
224 ~~relatives within the first degree of consanguinity or affinity.~~

225 ~~11. A scholarship granting organization shall publicly report to the~~
226 ~~department, by June first of each year, the following information prepared by a~~
227 ~~certified public accountant regarding its grants in the previous calendar year:~~

228 ~~(1) The name and address of the scholarship granting organization;~~
229 ~~(2) The total number and total dollar amount of contributions received~~
230 ~~during the previous calendar year; and~~

231 ~~(3) The total number and total dollar amount of educational~~
232 ~~scholarships awarded during the previous calendar year, including the~~
233 ~~category of each scholarship, and the total number and total dollar amount~~
234 ~~of educational scholarships awarded during the previous year to students~~
235 ~~eligible for free and reduced lunch.~~

236 ~~12. The department shall adopt rules and regulations consistent with~~
237 ~~this section as necessary to implement the program.~~

238 ~~13. The department shall provide a standardized format for a receipt to~~
239 ~~be issued by a scholarship granting organization to a donor to indicate the~~
240 ~~value of a contribution received.~~

241 ~~14. The department shall provide a standardized format for scholarship~~
242 ~~granting organizations to report the information in this section.~~

243 ~~15. The department may conduct either a financial review or audit of a~~
244 ~~scholarship granting organization.~~

245 ~~16. If the department believes that a scholarship granting organization~~
246 ~~has intentionally and substantially failed to comply with the requirements of~~
247 ~~this section, the department may hold a hearing before the director or the~~
248 ~~director's designee to bar a scholarship granting organization from~~
249 ~~participating in the program. The director or the director's designee shall~~
250 ~~issue a decision within thirty days. A scholarship granting organization may~~
251 ~~appeal the director's decision to the administrative hearing commission for a~~
252 ~~hearing in accordance with the provisions of chapter 621.~~

253 ~~17. If the scholarship granting organization is barred from~~
254 ~~participating in the program, the department shall notify affected scholarship~~
255 ~~students or children and their parents of this decision within fifteen days.~~

256 ~~18. Any rule or portion of a rule, as that term is defined in section~~
257 ~~536.010, that is created under the authority delegated in this section shall~~
258 ~~become effective only if it complies with and is subject to all of the provisions~~
259 ~~of chapter 536 and, if applicable, section 536.028. This section and chapter~~
260 ~~536 are nonseverable and if any of the powers vested with the general~~
261 ~~assembly pursuant to chapter 536 to review, to delay the effective date, or to~~
262 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
263 ~~grant of rulemaking authority and any rule proposed or adopted after August~~
264 ~~28, 2013, shall be invalid and void.~~

265 ~~19. The department shall conduct a study of the program with funds~~
266 ~~other than state funds. The department may contract with one or more~~
267 ~~qualified researchers who have previous experience evaluating similar~~
268 ~~programs. The department may accept grants to assist in funding this study.~~

- 269 20. ~~The study shall assess:~~
 270 (1) ~~The level of participating students' and children's satisfaction with~~
 271 ~~the program in a manner suitable to the student or child;~~
 272 (2) ~~The level of parental satisfaction with the program;~~
 273 (3) ~~The percentage of participating students who were bullied or~~
 274 ~~harassed because of their special needs status at their resident school district~~
 275 ~~compared to the percentage so bullied or harassed at their qualified school;~~
 276 (4) ~~The percentage of participating students who exhibited behavioral~~
 277 ~~problems at their resident school district compared to the percentage exhibiting~~
 278 ~~behavioral problems at their qualified school;~~
 279 (5) ~~The class size experienced by participating students at their~~
 280 ~~resident school district and at their qualified school; and~~
 281 (6) ~~The fiscal impact to the state and resident school districts of the~~
 282 ~~program.~~
 283 21. ~~The study shall be completed using appropriate analytical and~~
 284 ~~behavioral sciences methodologies to ensure public confidence in the study.~~
 285 22. ~~The department shall provide the general assembly with a final~~
 286 ~~copy of the evaluation of the program by December 31, 2016.~~
 287 23. ~~The public and nonpublic participating schools and service~~
 288 ~~providers from which students transfer to participate in the program shall~~
 289 ~~cooperate with the research effort by providing student or child assessment~~
 290 ~~instrument scores and any other data necessary to complete this study.~~
 291 24. ~~The general assembly may require periodic updates on the status of~~
 292 ~~the study from the department. The individuals completing the study shall~~
 293 ~~make their data and methodology available for public review while complying~~
 294 ~~with the requirements of the Family Educational Rights and Privacy Act, as~~
 295 ~~amended.~~
 296 25. ~~Under section 23.253 of the Missouri sunset act:~~
 297 (1) ~~The provisions of the new program authorized under this section~~
 298 ~~shall sunset automatically on December 31, 2019, unless reauthorized by an~~
 299 ~~act of the general assembly; and~~
 300 (2) ~~If such program is reauthorized, the program authorized under this~~
 301 ~~section shall sunset automatically on December 31, 2031; and~~
 302 (3) ~~This section shall terminate on December thirty first of the~~
 303 ~~calendar year immediately following the calendar year in which the program~~
 304 ~~authorized under this section is sunset.]~~

305 EXPLANATION: This section sunset 12-31-2019. NOTE: A Sunset Review
 306 Report on this section was voted on by the Joint Committee on Legislative
 307 Research on 9-10-2019.

308

- 2 ~~[161.1055. 1. Subject to appropriations, the department of elementary~~
 3 ~~and secondary education shall establish the "Trauma Informed Schools Pilot~~
 4 ~~Program".~~
 5 2. ~~Under the trauma informed schools pilot program, the department~~
 6 ~~of elementary and secondary education shall choose five schools to receive~~
~~intensive training on the trauma informed approach.~~

7 3. The five schools chosen for the pilot program shall be located in the
8 following areas:

9 (1) ~~One public school located in a metropolitan school district;~~

10 (2) ~~One public school located in a home rule city with more than four
11 hundred thousand inhabitants and located in more than one county;~~

12 (3) ~~One public school located in a school district that has most or all of
13 its land area located in a county with a charter form of government and with
14 more than nine hundred fifty thousand inhabitants;~~

15 (4) ~~One public school located in a school district that has most or all of
16 its land area located in a county with a charter form of government and with
17 more than six hundred thousand but fewer than seven hundred thousand
18 inhabitants; and~~

19 (5) ~~One public school located in any one of the following counties:~~

20 (a) ~~A county of the third classification without a township form of
21 government and with more than forty one thousand but fewer than forty five
22 thousand inhabitants;~~

23 (b) ~~A county of the third classification without a township form of
24 government and with more than six thousand but fewer than seven thousand
25 inhabitants and with a city of the fourth classification with more than eight
26 hundred but fewer than nine hundred inhabitants as the county seat;~~

27 (c) ~~A county of the third classification with a township form of
28 government and with more than thirty one thousand but fewer than thirty five
29 thousand inhabitants;~~

30 (d) ~~A county of the third classification without a township form of
31 government and with more than fourteen thousand but fewer than sixteen
32 thousand inhabitants and with a city of the third classification with more than
33 five thousand but fewer than six thousand inhabitants as the county seat;~~

34 (e) ~~A county of the third classification without a township form of
35 government and with more than eighteen thousand but fewer than twenty
36 thousand inhabitants and with a city of the fourth classification with more than
37 three thousand but fewer than three thousand seven hundred inhabitants as the
38 county seat;~~

39 (f) ~~A county of the third classification without a township form of
40 government and with more than eighteen thousand but fewer than twenty
41 thousand inhabitants and with a city of the third classification with more than
42 six thousand but fewer than seven thousand inhabitants as the county seat;~~

43 (g) ~~A county of the third classification without a township form of
44 government and with more than fourteen thousand but fewer than sixteen
45 thousand inhabitants and with a city of the fourth classification with more than
46 one thousand nine hundred but fewer than two thousand one hundred
47 inhabitants as the county seat;~~

48 (h) ~~A county of the third classification without a township form of
49 government and with more than thirty seven thousand but fewer than forty one
50 thousand inhabitants and with a city of the fourth classification with more than
51 eight hundred but fewer than nine hundred inhabitants as the county seat;~~

52 (i) ~~A county of the third classification with a township form of
53 government and with more than twenty eight thousand but fewer than thirty
54 one thousand inhabitants; or~~

55 ~~(j) A county of the third classification without a township form of~~
56 ~~government and with more than twelve thousand but fewer than fourteen~~
57 ~~thousand inhabitants and with a city of the fourth classification with more than~~
58 ~~five hundred but fewer than five hundred fifty inhabitants as the county seat.~~

59 ~~4. The department of elementary and secondary education shall:~~

60 ~~(1) Train the teachers and administrators of the five schools chosen for~~
61 ~~the pilot program regarding the trauma-informed approach and how to become~~
62 ~~trauma-informed schools;~~

63 ~~(2) Provide the five schools with funds to implement the trauma-~~
64 ~~informed approach; and~~

65 ~~(3) Closely monitor the progress of the five schools in becoming~~
66 ~~trauma informed schools and provide further assistance if necessary.~~

67 ~~5. The department of elementary and secondary education shall~~
68 ~~terminate the trauma-informed schools pilot program on August 28, 2019.~~
69 ~~Before December 31, 2019, the department of elementary and secondary~~
70 ~~education shall submit a report to the general assembly that contains the results~~
71 ~~of the pilot program, including any benefits experienced by the five schools~~
72 ~~chosen for the program.~~

73 ~~6. (1) There is hereby created in the state treasury the "Trauma-~~
74 ~~Informed Schools Pilot Program Fund". The fund shall consist of any~~
75 ~~appropriations to such fund. The state treasurer shall be custodian of the fund.~~
76 ~~In accordance with sections 30.170 and 30.180, the state treasurer may~~
77 ~~approve disbursements of public moneys in accordance with distribution~~
78 ~~requirements and procedures developed by the department of elementary and~~
79 ~~secondary education. The fund shall be a dedicated fund and, upon~~
80 ~~appropriation, moneys in the fund shall be used solely for the administration of~~
81 ~~this section.~~

82 ~~(2) Notwithstanding the provisions of section 33.080 to the contrary,~~
83 ~~any moneys remaining in the fund at the end of the biennium shall not revert to~~
84 ~~the credit of the general revenue fund.~~

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

88 ~~7. For purposes of this section, the following terms mean:~~

89 ~~(1) "Trauma informed approach", an approach that involves~~
90 ~~understanding and responding to the symptoms of chronic interpersonal~~
91 ~~trauma and traumatic stress across the lifespan;~~

92 ~~(2) "Trauma informed school", a school that:~~

93 ~~(a) Realizes the widespread impact of trauma and understands~~
94 ~~potential paths for recovery;~~

95 ~~(b) Recognizes the signs and symptoms of trauma in students,~~
96 ~~teachers, and staff;~~

97 ~~(c) Responds by fully integrating knowledge about trauma into its~~
98 ~~policies, procedures, and practices; and~~

99 ~~(d) Seeks to actively resist retraumatization.~~

100 ~~8. The provisions of this section shall expire December 31, 2019.]~~

101 EXPLANATION: This section expired 12-31-2019.

102

~~[167.910. 1. There is hereby established the "Career Readiness Course Task Force" to explore the possibility of a course covering the topics described in this section being offered in the public schools to students in eighth grade or ninth grade. Task force members shall be chosen to represent the geographic diversity of the state. All task force members shall be appointed before October 31, 2018. The task force members shall be appointed as follows:~~

~~(1) A parent of a student attending elementary school, appointed by the joint committee on education;~~

~~(2) A parent of a student attending a grade not lower than the sixth nor higher than the eighth grade, appointed by the joint committee on education;~~

~~(3) A parent of a student attending high school, appointed by the joint committee on education;~~

~~(4) An elementary education professional from an accredited school district, appointed by the joint committee on education from names submitted by statewide education employee organizations;~~

~~(5) Two education professionals giving instruction in a grade or grades not lower than the sixth nor higher than the eighth grade in accredited school districts, appointed by the joint committee on education from names submitted by statewide education employee organizations;~~

~~(6) Two secondary education professionals from accredited school districts, appointed by the joint committee on education from names submitted by statewide education employee organizations;~~

~~(7) A career and technical education professional who has experience serving as an advisor to a statewide career and technical education organization, appointed by a statewide career and technical education organization;~~

~~(8) An education professional from an accredited technical high school, appointed by a statewide career and technical education organization;~~

~~(9) A public school board member, appointed by a statewide association of school boards;~~

~~(10) A secondary school principal, appointed by a statewide association of secondary school principals;~~

~~(11) A principal of a school giving instruction in a grade or grades not lower than the sixth nor higher than the eighth grade, appointed by a statewide association of secondary school principals;~~

~~(12) An elementary school counselor, appointed by a statewide association of school counselors;~~

~~(13) Two school counselors from a school giving instruction in a grade or grades not lower than the sixth nor higher than the eighth grade, appointed by a statewide association of school counselors;~~

~~(14) A secondary school counselor, appointed by a statewide association of school counselors;~~

~~(15) A secondary school career and college counselor, appointed by a statewide association of school counselors;~~

~~(16) An apprenticeship professional, appointed by the division of workforce development of economic development;~~

46

47 (17) ~~A representative of Missouri Project Lead the Way, appointed by~~
48 ~~the statewide Project Lead the Way organization;~~

49 (18) ~~A representative of the state technical college, appointed by the~~
50 ~~state technical college;~~

51 (19) ~~A representative of a public community college, appointed by a~~
52 ~~statewide organization of community colleges; and~~

53 (20) ~~A representative of a public four-year institution of higher~~
54 ~~education, appointed by the commissioner of higher education.~~

55 2. ~~The members of the task force established under subsection 1 of this~~
56 ~~section shall elect a chair from among the membership of the task force. The~~
57 ~~task force shall meet as needed to complete its consideration of the course~~
58 ~~described in subsection 5 of this section and provide its findings and~~
59 ~~recommendations as described in subsection 6 of this section. Members of the~~
60 ~~task force shall serve without compensation. No school district policy or~~
61 ~~administrative action shall require any education employee member to use~~
62 ~~personal leave or incur a reduction in pay for participating on the task force.~~

63 3. ~~The task force shall hold at least three public hearings to provide an~~
64 ~~opportunity to receive public testimony including, but not limited to, testimony~~
65 ~~from educators, local school boards, parents, representatives from business~~
66 ~~and industry, labor and community leaders, members of the general assembly,~~
67 ~~and the general public.~~

68 4. ~~The department of elementary and secondary education shall~~
69 ~~provide such legal, research, clerical, and technical services as the task force~~
70 ~~may require in the performance of its duties.~~

71 5. ~~The task force established under subsection 1 of this section shall~~
72 ~~consider a course that:~~

73 (1) ~~Gives students an opportunity to explore various career and~~
74 ~~educational opportunities by:~~

75 (a) ~~Administering career surveys to students and helping students use~~
76 ~~Missouri Connections to determine their career interests and develop plans to~~
77 ~~meet their career goals;~~

78 (b) ~~Explaining the differences between types of colleges, including~~
79 ~~two-year and four-year colleges and noting the availability of registered~~
80 ~~apprenticeship programs as alternatives to college for students;~~

81 (c) ~~Describing technical degrees offered by colleges;~~

82 (d) ~~Explaining the courses and educational experiences offered at~~
83 ~~community colleges;~~

84 (e) ~~Describing the various certificates and credentials available to earn~~
85 ~~at the school or other schools including, but not limited to, career and technical~~
86 ~~education certificates described under section 170.029 and industry-~~
87 ~~recognized certificates and credentials;~~

88 (f) ~~Advising students of any advanced placement courses that they~~
89 ~~may take at the school;~~

90 (g) ~~Describing any opportunities at the school for dual enrollment;~~

91 (h) ~~Advising students of any Project Lead the Way courses offered at~~
92 ~~the school and explaining how Project Lead the Way courses help students~~
93 ~~learn valuable skills;~~

94 ~~(i) Informing students of the availability of funding for postsecondary~~
95 ~~education through the A+ schools program described under section 160.545;~~
96 ~~(j) Describing the availability of virtual courses;~~
97 ~~(k) Describing the types of skills and occupations most in demand in~~
98 ~~the current job market and those skills and occupations likely to be in high~~
99 ~~demand in future years;~~
100 ~~(l) Describing the typical salaries for occupations, salary trends, and~~
101 ~~opportunities for advancement in various occupations;~~
102 ~~(m) Emphasizing the opportunities available in careers involving~~
103 ~~science, technology, engineering, and math;~~
104 ~~(n) Advising students of the resources offered by workforce or job~~
105 ~~centers;~~
106 ~~(o) Preparing students for the ACT assessment or the ACT WorkKeys~~
107 ~~assessments required for the National Career Readiness Certificate;~~
108 ~~(p) Administering a practice ACT assessment or practice ACT~~
109 ~~WorkKeys assessments required for the National Career Readiness Certificate~~
110 ~~to students;~~
111 ~~(q) Advising students of opportunities to take the SAT and the Armed~~
112 ~~Services Vocational Aptitude Battery;~~
113 ~~(r) Administering a basic math test to students so that they can assess~~
114 ~~their math skills;~~
115 ~~(s) Administering a basic writing test to students so that they can~~
116 ~~assess their writing skills;~~
117 ~~(t) Helping each student prepare a personal plan of study that outlines~~
118 ~~a sequence of courses and experiences that concludes with the student reaching~~
119 ~~his or her postsecondary goals; and~~
120 ~~(u) Explaining how to complete college applications and the Free~~
121 ~~Application for Federal Student Aid;~~
122 ~~(2) Focuses on career readiness and emphasizes the importance of~~
123 ~~work ethic, communication, collaboration, critical thinking, and creativity;~~
124 ~~(3) Demonstrates that graduation from a four-year college is not the~~
125 ~~only pathway to success by describing to students at least sixteen pathways to~~
126 ~~success in detail and including guest visitors who represent each pathway~~
127 ~~described. In exploring how these pathways could be covered in the course,~~
128 ~~the task force shall consider how instructors for the course may be able to rely~~
129 ~~on assistance from Missouri's career pathways within the department of~~
130 ~~elementary and secondary education;~~
131 ~~(4) Provides student loan counseling; and~~
132 ~~(5) May include parent-student meetings.~~
133 ~~6. Before December 1, 2019, the task force established under~~
134 ~~subsection 1 of this section shall present its findings and recommendations to~~
135 ~~the speaker of the house of representatives, the president pro tempore of the~~
136 ~~senate, the joint committee on education, and the state board of education.~~
137 ~~Upon presenting the findings and recommendations as described in this~~
138 ~~subsection, the task force shall dissolve.]~~

2 ~~[167.910. 1. There is hereby established the "Career Readiness Course~~
3 ~~Task Force" to explore the possibility of a course covering the topics described~~
4 ~~in this section being offered in the public schools to students in eighth grade or~~
5 ~~ninth grade. Task force members shall be chosen to represent the geographic~~
6 ~~diversity of the state. All task force members shall be appointed before~~
7 ~~October 31, 2018. The task force members shall be appointed as follows:~~

8 ~~(1) A parent of a student attending elementary school, appointed by a~~
9 ~~statewide association of parents and teachers;~~

10 ~~(2) A parent of a student attending a grade not lower than the sixth nor~~
11 ~~higher than the eighth grade, appointed by a statewide association of parents~~
12 ~~and teachers;~~

13 ~~(3) A parent of a student attending high school, appointed by a~~
14 ~~statewide association of parents and teachers;~~

15 ~~(4) An elementary education professional from an accredited school~~
16 ~~district, appointed by agreement among the Missouri State Teachers~~
17 ~~Association, the Missouri National Education Association, and the American~~
18 ~~Federation of Teachers of Missouri;~~

19 ~~(5) An education professional giving instruction in a grade or grades~~
20 ~~not lower than the sixth nor higher than the eighth grade in an accredited~~
21 ~~school district, appointed by agreement among the Missouri State Teachers~~
22 ~~Association, the Missouri National Education Association, and the American~~
23 ~~Federation of Teachers of Missouri;~~

24 ~~(6) A secondary education professional from an accredited school~~
25 ~~district, appointed by agreement among the Missouri State Teachers~~
26 ~~Association, the Missouri National Education Association, and the American~~
27 ~~Federation of Teachers of Missouri;~~

28 ~~(7) A career and technical education professional who has experience~~
29 ~~serving as an advisor to a statewide career and technical education~~
30 ~~organization, appointed by a statewide career and technical education~~
31 ~~organization;~~

32 ~~(8) An education professional from an accredited technical high~~
33 ~~school, appointed by a statewide career and technical education organization;~~

34 ~~(9) A public school board member, appointed by a statewide~~
35 ~~association of school boards;~~

36 ~~(10) A secondary school principal, appointed by a statewide~~
37 ~~association of secondary school principals;~~

38 ~~(11) A principal of a school giving instruction in a grade or grades not~~
39 ~~lower than the sixth nor higher than the eighth grade, appointed by a statewide~~
40 ~~association of secondary school principals;~~

41 ~~(12) An elementary school counselor, appointed by a statewide~~
42 ~~association of school counselors;~~

43 ~~(13) A school counselor from a school giving instruction in a grade or~~
44 ~~grades not lower than the sixth nor higher than the eighth grade, appointed by~~
45 ~~a statewide association of school counselors;~~

46 ~~(14) A secondary school counselor, appointed by a statewide~~
47 ~~association of school counselors;~~

48 ~~(15) A secondary school career and college counselor, appointed by a~~
~~statewide association of school counselors;~~

49 ~~(16) An apprenticeship professional, appointed by the division of~~
50 ~~workforce development of the department of economic development;~~

51 ~~(17) A representative of Missouri Project Lead the Way, appointed by~~
52 ~~the statewide Project Lead the Way organization;~~

53 ~~(18) A representative of the State Technical College of Missouri,~~
54 ~~appointed by the State Technical College of Missouri;~~

55 ~~(19) A representative of a public community college, appointed by a~~
56 ~~statewide organization of community colleges; and~~

57 ~~(20) A representative of a public four-year institution of higher~~
58 ~~education, appointed by the commissioner of higher education.~~

59 ~~2. The members of the task force established under subsection 1 of this~~
60 ~~section shall elect a chair from among the membership of the task force. The~~
61 ~~task force shall meet as needed to complete its consideration of the course~~
62 ~~described in subsection 5 of this section and provide its findings and~~
63 ~~recommendations as described in subsection 6 of this section. Members of the~~
64 ~~task force shall serve without compensation. No school district policy or~~
65 ~~administrative action shall require any education employee member to use~~
66 ~~personal leave or incur a reduction in pay for participating on the task force.~~

67 ~~3. The task force shall hold at least three public hearings to provide an~~
68 ~~opportunity to receive public testimony including, but not limited to, testimony~~
69 ~~from educators, local school boards, parents, representatives from business~~
70 ~~and industry, labor and community leaders, members of the general assembly,~~
71 ~~and the general public.~~

72 ~~4. The department of elementary and secondary education shall~~
73 ~~provide such legal, research, clerical, and technical services as the task force~~
74 ~~may require in the performance of its duties.~~

75 ~~5. The task force established under subsection 1 of this section shall~~
76 ~~consider a course that:~~

77 ~~(1) Gives students an opportunity to explore various career and~~
78 ~~educational opportunities by:~~

79 ~~(a) Administering career surveys to students and helping students use~~
80 ~~Missouri Connections to determine their career interests and develop plans to~~
81 ~~meet their career goals;~~

82 ~~(b) Explaining the differences between types of colleges, including~~
83 ~~two year and four year colleges, and noting the availability of registered~~
84 ~~apprenticeship programs as alternatives to college for students;~~

85 ~~(c) Describing technical degrees offered by colleges;~~

86 ~~(d) Explaining the courses and educational experiences offered at~~
87 ~~community colleges;~~

88 ~~(e) Describing the various certificates and credentials available to earn~~
89 ~~at the school or other schools including, but not limited to, career and technical~~
90 ~~education certificates described under section 170.029 and industry-~~
91 ~~recognized certificates and credentials;~~

92 ~~(f) Advising students of any advanced placement courses that they~~
93 ~~may take at the school;~~

94 ~~(g) Describing any opportunities at the school for dual enrollment;~~

95 (h) ~~Advising students of any Project Lead the Way courses offered at~~
96 ~~the school and explaining how Project Lead the Way courses help students~~
97 ~~learn valuable skills;~~
98 (i) ~~Informing students of the availability of funding for postsecondary~~
99 ~~education through the A+ schools program described under section 160.545;~~
100 (j) ~~Describing the availability of virtual courses;~~
101 (k) ~~Describing the types of skills and occupations most in demand in~~
102 ~~the current job market and those skills and occupations likely to be in high~~
103 ~~demand in future years;~~
104 (l) ~~Describing the typical salaries for occupations, salary trends, and~~
105 ~~opportunities for advancement in various occupations;~~
106 (m) ~~Emphasizing the opportunities available in careers involving~~
107 ~~science, technology, engineering, and math;~~
108 (n) ~~Advising students of the resources offered by workforce or job~~
109 ~~centers;~~
110 (o) ~~Preparing students for the ACT assessment or the ACT WorkKeys~~
111 ~~assessments required for the National Career Readiness Certificate;~~
112 (p) ~~Administering a practice ACT assessment or practice ACT~~
113 ~~WorkKeys assessments required for the National Career Readiness Certificate~~
114 ~~to students;~~
115 (q) ~~Advising students of opportunities to take the SAT and the Armed~~
116 ~~Services Vocational Aptitude Battery;~~
117 (r) ~~Administering a basic math test to students so that they can assess~~
118 ~~their math skills;~~
119 (s) ~~Administering a basic writing test to students so that they can~~
120 ~~assess their writing skills;~~
121 (t) ~~Helping each student prepare a personal plan of study that outlines~~
122 ~~a sequence of courses and experiences that concludes with the student reaching~~
123 ~~his or her postsecondary goals; and~~
124 (u) ~~Explaining how to complete college applications and the Free~~
125 ~~Application for Federal Student Aid;~~
126 (2) ~~Focuses on career readiness and emphasizes the importance of~~
127 ~~work ethic, communication, collaboration, critical thinking, and creativity;~~
128 (3) ~~Demonstrates that graduation from a four-year college is not the~~
129 ~~only pathway to success by describing to students at least sixteen pathways to~~
130 ~~success in detail and including guest visitors who represent each pathway~~
131 ~~described. In exploring how these pathways could be covered in the course,~~
132 ~~the task force shall consider how instructors for the course may be able to rely~~
133 ~~on assistance from Missouri Career Pathways within the department of~~
134 ~~elementary and secondary education;~~
135 (4) ~~Provides student loan counseling; and~~
136 (5) ~~May include parent-student meetings.~~
137 6. ~~Before December 1, 2019, the task force established under~~
138 ~~subsection 1 of this section shall present its findings and recommendations to~~
139 ~~the speaker of the house of representatives, the president pro tempore of the~~
140 ~~senate, the joint committee on education, and the state board of education.~~
141 ~~Upon presenting the findings and recommendations as described in this~~
142 ~~subsection, the task force shall dissolve.]~~

143 EXPLANATION: The task force under this section was dissolved 12-01-2019
144 (two versions).

145

2 ~~[171.034. Any school district that is eligible to reduce its requirement~~
3 ~~to make up days pursuant to subsection 3 of section 171.033 may provide food~~
4 ~~service on a summer school food service basis if it resumes school with double~~
5 ~~sessions.]~~

6 EXPLANATION: This section became obsolete when subsection 3 of section
7 171.033 was repealed in 2014.

7

2 ~~[172.287. 1. The University of Missouri shall annually request an~~
3 ~~appropriation under capital improvements, subject to availability of funds, for~~
4 ~~a program of grants established for the engineering colleges of the University~~
5 ~~of Missouri for the purpose of assisting such colleges in the purchase of~~
6 ~~teaching and research laboratory equipment exclusive of laboratory or~~
7 ~~classroom furniture. The amount granted for each engineering college may~~
8 ~~not exceed the lesser of an amount equal to one thousand two hundred dollars~~
9 ~~per each such bachelor's degree awarded in the previous fiscal year in all~~
10 ~~engineering programs currently accredited by the accreditation board for~~
11 ~~engineering and technology, or the dollar value of new funds for equipment~~
12 ~~purchase which such colleges may obtain from sources other than state~~
13 ~~appropriations for laboratory equipment.~~

14 ~~2. For purposes of this section, the fair market value of in-kind~~
15 ~~contributions of laboratory equipment to the colleges may be included as funds~~
16 ~~for equipment purchase from sources other than state appropriations. In the~~
17 ~~event that new funds for laboratory equipment purchase obtained by any~~
18 ~~college of engineering from such nonstate sources exceed the amount~~
19 ~~necessary to reach the maximum dollar limits herein specified, such excess~~
20 ~~amounts will be carried over to the following fiscal year and considered the~~
21 ~~same as that year's new equipment funds from nonstate sources.~~

22 ~~3. In the event that the appropriations for this grant program are~~
23 ~~insufficient to fund all grants approved for a given fiscal year, all such grants~~
24 ~~shall be reduced pro rata as necessary.~~

25 ~~4. The provisions of this section shall terminate on June 30, 2017.]~~

26 EXPLANATION: This section terminated 6-30-2017.

26

2 ~~[173.196. 1. Any business firm, as defined in section 32.105, may~~
3 ~~make a donation to the "Missouri Higher Education Scholarship Donation~~
4 ~~Fund", which is hereby created in the state treasury. A donating business firm~~
5 ~~shall receive a tax credit as provided in this section equal to fifty percent of the~~
6 ~~amount of the donation, except that tax credits shall be awarded each fiscal~~
7 ~~year in the order donations are received and the amount of tax credits~~
8 ~~authorized shall total no more than two hundred and fifty thousand dollars for~~
9 ~~each fiscal year.~~

9 2. ~~The department of revenue shall grant tax credits approved under~~
 10 ~~this section which shall be applied in the order specified in subsection 1 of~~
 11 ~~section 32.115 until used. The tax credits provided under this section shall be~~
 12 ~~refundable, and any tax credit not used in the fiscal year in which approved~~
 13 ~~may be carried over the next five succeeding calendar or fiscal years until the~~
 14 ~~full credit has been claimed. Notwithstanding any other law to the contrary,~~
 15 ~~any tax credits granted under this section may be assigned, transferred, sold, or~~
 16 ~~otherwise conveyed without consent or approval. Such taxpayer, hereinafter~~
 17 ~~the assignor for purposes of this section, may sell, assign, exchange, or~~
 18 ~~otherwise transfer earned tax credits:~~

19 (1) ~~For no less than seventy five percent of the par value of such~~
 20 ~~credits; and~~

21 (2) ~~In an amount not to exceed one hundred percent of annual earned~~
 22 ~~credits.~~

23 3. ~~No tax credit authorized under this section may be applied against~~
 24 ~~any tax applied in a tax year beginning prior to January 1, 1995.~~

25 4. ~~All revenues credited to the fund shall be used, subject to~~
 26 ~~appropriations, to provide scholarships authorized under sections 173.197 to~~
 27 ~~173.199, and for no other purpose.~~

28 5. ~~For all tax years beginning on or after January 1, 2005, no tax~~
 29 ~~credits shall be authorized, awarded, or issued to any person or entity claiming~~
 30 ~~any tax credit under this section.]~~

31 EXPLANATION: The authority to issue the tax credit under this section
 32 expired 1-1-2005 and the carry-forward provision expired in 2010.

33 [173.236. 1. As used in this section, unless the context clearly requires
 2 otherwise, the following terms mean:

3 (1) "Board", the coordinating board for higher education;

4 (2) "Grant", the Vietnam veteran's survivors grant as established in this
 5 section;

6 (3) "Institution of postsecondary education", any approved public or
 7 private institution as defined in section 173.205;

8 (4) "Survivor", a child or spouse of a Vietnam veteran as defined in
 9 this section;

10 (5) "Tuition", any tuition or incidental fee or both charged by an
 11 institution of postsecondary education, as defined in this section, for
 12 attendance at the institution by a student as a resident of this state;

13 (6) "Vietnam veteran", a person who served in the military in Vietnam
 14 or the war zone in Southeast Asia and to whom the following criteria shall
 15 apply:

16 (a) The veteran was a Missouri resident when first entering the
 17 military service and at the time of death;

18 (b) The veteran's death was attributable to illness that could possibly
 19 be a result of exposure to toxic chemicals during the Vietnam Conflict; and

20 (c) The veteran served in the Vietnam theater between 1961 and 1972.

21 ~~2. Within the limits of the amounts appropriated therefor, the~~
22 ~~coordinating board for higher education shall award annually up to twelve~~
23 ~~grants to survivors of Vietnam veterans to attend institutions of postsecondary~~
24 ~~education in this state. If the waiting list of eligible survivors exceeds fifty, the~~
25 ~~coordinating board may petition the general assembly to expand the quota. If~~
26 ~~the quota is not expanded the eligibility of survivors on the waiting list shall be~~
27 ~~extended.~~

28 ~~3. A survivor may receive a grant pursuant to this section only so long~~
29 ~~as the survivor is enrolled in a program leading to a certificate, or an associate~~
30 ~~or baccalaureate degree. In no event shall a survivor receive a grant beyond~~
31 ~~the completion of the first baccalaureate degree, regardless of age. No~~
32 ~~survivor shall receive more than one hundred percent of tuition when~~
33 ~~combined with similar funds made available to such survivor.~~

34 ~~4. The coordinating board for higher education shall:~~

35 ~~(1) Promulgate all necessary rules and regulations for the~~
36 ~~implementation of this section;~~

37 ~~(2) Determine minimum standards of performance in order for a~~
38 ~~survivor to remain eligible to receive a grant under this program;~~

39 ~~(3) Make available on behalf of a survivor an amount toward the~~
40 ~~survivor's tuition which is equal to the grant to which the survivor is entitled~~
41 ~~under the provisions of this section;~~

42 ~~(4) Provide the forms and determine the procedures necessary for a~~
43 ~~survivor to apply for and receive a grant under this program.~~

44 ~~5. In order to be eligible to receive a grant pursuant to this section, a~~
45 ~~survivor shall be certified as eligible by a Missouri state veterans service~~
46 ~~officer. Such certification shall be made upon qualified medical certification~~
47 ~~by a Veterans Administration medical authority that exposure to toxic~~
48 ~~chemicals contributed to or was the cause of death of the veteran, as defined in~~
49 ~~subsection 1 of this section.~~

50 ~~6. A survivor who is enrolled or has been accepted for enrollment as~~
51 ~~an undergraduate postsecondary student at an approved institution of~~
52 ~~postsecondary education shall receive a grant in an amount not to exceed~~
53 ~~the least of the following:~~

54 ~~(1) The actual tuition, as defined in this section, charged at an~~
55 ~~approved institution where the child is enrolled or accepted for enrollment; or~~

56 ~~(2) The average amount of tuition charged a Missouri resident at the~~
57 ~~institutions identified in section 174.020 for attendance as a full-time student,~~
58 ~~as defined in section 173.205.~~

59 ~~7. A survivor who is a recipient of a grant may transfer from one~~
60 ~~approved public or private institution of postsecondary education to another~~
61 ~~without losing his entitlement under this section. The board shall make~~
62 ~~necessary adjustments in the amount of the grant. If a grant recipient at any~~
63 ~~time withdraws from the institution of postsecondary education so that under~~
64 ~~the rules and regulations of that institution he is entitled to a refund of any~~
65 ~~tuition, fees, or other charges, the institution shall pay the portion of the refund~~
66 ~~to which he is entitled attributable to the grant for that semester or similar~~
67 ~~grading period to the board.~~

68 ~~8. If a survivor is granted financial assistance under any other student~~
 69 ~~aid program, public or private, the full amount of such aid shall be reported to~~
 70 ~~the board by the institution and the eligible survivor.~~

71 ~~9. Nothing in this section shall be construed as a promise or guarantee~~
 72 ~~that a person will be admitted to an institution of postsecondary education or to~~
 73 ~~a particular institution of postsecondary education, will be allowed to continue~~
 74 ~~to attend an institution of postsecondary education after having been admitted,~~
 75 ~~or will be graduated from an institution of postsecondary education.~~

76 ~~10. The benefits conferred by this section shall be available to any~~
 77 ~~academically qualified surviving children and spouses of Vietnam veterans as~~
 78 ~~defined in subsection 1 of this section, regardless of the survivor's age, until~~
 79 ~~December 31, 1995. After December 31, 1995, the benefits conferred by this~~
 80 ~~section shall not be available to such persons who are twenty-five years of age~~
 81 ~~or older, except spouses will remain eligible until the fifth anniversary after the~~
 82 ~~death of the veteran.~~

83 ~~11. This section shall expire on December 31, 2015.]~~

84 EXPLANATION: This section expired 12-31-2015.

85

~~[173.680. 1. The department of higher education and workforce~~
 2 ~~development shall conduct a study to identify the information technology~~
 3 ~~industry certifications most frequently requested by employers in Missouri.~~
 4 ~~The department of higher education and workforce development may conduct~~
 5 ~~the study with the assistance of other state departments and agencies, the~~
 6 ~~Missouri mathematics and science coalition, and the governor's advisory~~
 7 ~~council on science, technology, engineering, and mathematical issues.~~

8 ~~2. The department of higher education and workforce development~~
 9 ~~shall complete the study no later than January 31, 2015. The department shall~~
 10 ~~prepare the findings in a report and provide it to:~~

- 11 ~~(1) The president pro tempore of the senate;~~
- 12 ~~(2) The speaker of the house of representatives;~~
- 13 ~~(3) The joint committee on education;~~
- 14 ~~(4) The governor;~~
- 15 ~~(5) The coordinating board for higher education; and~~
- 16 ~~(6) The state board of education.]~~

17 EXPLANATION: The study under this section was due to be completed by 1-
 18 31-2015.

19

~~[184.384. The district and subdistricts and the officers and employees~~
 2 ~~thereof shall be subject to the provisions of chapter 296 or any amendment~~
 3 ~~thereto hereafter enacted.]~~

4 EXPLANATION: This section became obsolete when all of the provisions of
 5 Chapter 296 were repealed in 1986.

6

2 ~~[190.450. By December 31, 2017, the department of public safety~~
3 ~~shall complete a study of the number of public safety answering points~~
4 ~~necessary to provide the best possible 911 technology and service to all areas~~
5 ~~of the state in the most efficient and economical manner possible, issue a state~~
6 ~~public safety answering point consolidation plan based on the study, and~~
7 ~~provide such plan to the Missouri 911 service board.]~~

7 EXPLANATION: Study required to be completed by December 31, 2017.

8

2 ~~[191.425. 1. Upon receipt of federal funding in accordance with~~
3 ~~subsection 4 of this section, there is hereby established within the department~~
4 ~~of health and senior services the "Women's Heart Health Program" to provide~~
5 ~~heart disease risk screening to uninsured and underinsured women.~~

5 ~~2. The following women shall be eligible for program services:~~

6 ~~(1) Women between the ages of thirty five and sixty four years;~~

7 ~~(2) Women who are receiving breast and cervical cancer screenings~~
8 ~~under the Missouri show me healthy women program;~~

9 ~~(3) Women who are uninsured or whose insurance does not provide~~
10 ~~coverage for heart disease risk screenings; and~~

11 ~~(4) Women with a gross family income at or below two hundred~~
12 ~~percent of the federal poverty level.~~

13 ~~3. The department shall contract with health care providers who are~~
14 ~~currently providing services under the Missouri show me healthy women~~
15 ~~program to provide screening services under the women's heart health~~
16 ~~program. Screening shall include but not be limited to height, weight, and~~
17 ~~body mass index (BMI), blood pressure, total cholesterol, HDL, and blood~~
18 ~~glucose. Any woman whose screening indicates an increased risk for heart~~
19 ~~disease shall be referred for appropriate follow-up health care services and be~~
20 ~~offered lifestyle education services to reduce her risk for heart disease.~~

21 ~~4. The women's heart health program shall be subject to receipt of~~
22 ~~federal funding which designates such funding for heart disease risk screening~~
23 ~~to uninsured and underinsured women. In the event that federal funds are not~~
24 ~~available for such program, the department shall not be required to establish or~~
25 ~~implement the program.~~

26 ~~5. Under section 23.253 of the Missouri sunset act:~~

27 ~~(1) The provisions of the program authorized under this section shall~~
28 ~~automatically sunset three years after August 28, 2012, unless reauthorized by~~
29 ~~an act of the general assembly; and~~

30 ~~(2) If such program is reauthorized, the program authorized under this~~
31 ~~section shall automatically sunset three years after the effective date of the~~
32 ~~reauthorization of this section; and~~

33 ~~(3) This section shall terminate on September first of the calendar year~~
34 ~~immediately following the calendar year in which the program authorized~~
35 ~~under this section is sunset.]~~

36 EXPLANATION: This section sunset 8-28-2015. NOTE: A Sunset Review
37 Report on this section was sent to the Joint Committee on Legislative Research
38 in September 2014.

39

~~[191.950. 1. As used in this section, the following terms mean:~~

~~(1) "Department", the department of health and senior services;~~

~~(2) "Economically challenged men", men who have a gross income up
4 to one hundred fifty percent of the federal poverty level;~~

~~(3) "Program", the prostate cancer pilot program established in this
5 section;~~

~~(4) "Rural area", a rural area which is in either any county of the third
6 classification without a township form of government and with more than
7 twenty thousand but fewer than twenty thousand one hundred inhabitants, any
8 county of the second classification with more than nineteen thousand seven
9 hundred but fewer than nineteen thousand eight hundred inhabitants, or any
10 county of the third classification with a township form of government and with
11 more than thirty three thousand one hundred but fewer than thirty three
12 thousand two hundred inhabitants;~~

~~(5) "Uninsured men", men for whom services provided by the program
13 are not covered by private insurance, MO HealthNet or Medicare;~~

~~(6) "Urban area", an urban area which is located in a city not within a
14 county.~~

~~2. Subject to securing a cooperative agreement with a nonprofit entity
15 for funding of the program, there is hereby established within the department
16 of health and senior services two "Prostate Cancer Pilot Programs" to fund
17 prostate cancer screening and treatment services and to provide education to
18 men residing in this state. One prostate cancer pilot program shall be located
19 in an urban area and one prostate cancer pilot program shall be located in a
20 rural area. The department may directly contract with the Missouri
21 Foundation for Health, or a successor entity, in the delivery of the pilot
22 program. For purposes of this section, the contracting process of the
23 department with these entities need not be governed by the provisions of
24 chapter 34.~~

~~3. The program shall be open to:~~

~~(1) Uninsured men or economically challenged men who are at least
25 fifty years old; and~~

~~(2) On the advice of a physician or at the request of the individual,
26 uninsured men or economically challenged men who are at least thirty-five
27 years of age but less than fifty years of age and who are at high risk for
28 prostate cancer.~~

~~4. The program shall provide:~~

~~(1) Prostate cancer screening;~~

~~(2) Referral services, including services necessary for diagnosis;~~

~~(3) Treatment services for individuals who are diagnosed with prostate
29 cancer after being screened; and~~

41

42 ~~(4) Outreach and education activities to ensure awareness and~~
 43 ~~utilization of program services by uninsured men and economically challenged~~
 44 ~~men.~~

45 ~~5. Upon appropriation, the department shall distribute grants to~~
 46 ~~administer the program to:~~

47 ~~(1) Local health departments; and~~

48 ~~(2) Federally qualified health centers.~~

49 ~~6. Three years from the date on which the grants were first~~
 50 ~~administered under this section, the department shall report to the governor~~
 51 ~~and general assembly:~~

52 ~~(1) The number of individuals screened and treated under the program,~~
 53 ~~including racial and ethnic data on the individuals who were screened and~~
 54 ~~treated; and~~

55 ~~(2) To the extent possible, any cost savings achieved by the program as~~
 56 ~~a result of early detection of prostate cancer.~~

57 ~~7. The department shall promulgate rules to establish guidelines~~
 58 ~~regarding eligibility for the program and to implement the provisions of this~~
 59 ~~section. Any rule or portion of a rule, as that term is defined in section~~
 60 ~~536.010, that is created under the authority delegated in this section shall~~
 61 ~~become effective only if it complies with and is subject to all of the provisions~~
 62 ~~of chapter 536 and, if applicable, section 536.028. This section and chapter~~
 63 ~~536 are nonseverable and if any of the powers vested with the general~~
 64 ~~assembly pursuant to chapter 536 to review, to delay the effective date, or to~~
 65 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
 66 ~~grant of rulemaking authority and any rule proposed or adopted after August~~
 67 ~~28, 2011, shall be invalid and void.~~

68 ~~8. Under and pursuant to section 23.253 of the Missouri sunset act:~~

69 ~~(1) The provisions of the new program authorized under this section~~
 70 ~~shall automatically sunset six years after August 28, 2011, unless reauthorized~~
 71 ~~by an act of the general assembly; and~~

72 ~~(2) If such program is reauthorized, the program authorized under this~~
 73 ~~section shall automatically sunset six years after the effective date of the~~
 74 ~~reauthorization of this section; and~~

75 ~~(3) This section shall terminate on September first of the calendar year~~
 76 ~~immediately following the calendar year in which the program authorized~~
 77 ~~under this section is sunset.]~~

78 EXPLANATION: This section sunset 8-28-2017 (report is due 3 years from
 79 the date of grants under subsection 6). NOTE: A Sunset Review Report on
 80 this section was sent to the Joint Committee on Legislative Research in
 81 September 2016.

82 ~~[191.1075. As used in sections 191.1075 to 191.1085, the following~~
 2 ~~terms shall mean:~~

3 ~~(1) "Department", the department of health and senior services;~~

4 (2) ~~"Health care professional", a physician or other health care~~
5 ~~practitioner licensed, accredited, or certified by the state of Missouri to~~
6 ~~perform specified health services;~~

7 (3) ~~"Hospital":~~

8 (a) ~~A place devoted primarily to the maintenance and operation of~~
9 ~~facilities for the diagnosis, treatment, or care of not less than twenty-four~~
10 ~~consecutive hours in any week of three or more nonrelated individuals~~
11 ~~suffering from illness, disease, injury, deformity, or other abnormal physical~~
12 ~~conditions; or~~

13 (b) ~~A place devoted primarily to provide for not less than twenty-four~~
14 ~~consecutive hours in any week medical or nursing care for three or more~~
15 ~~unrelated individuals. "Hospital" does not include convalescent, nursing,~~
16 ~~shelter, or boarding homes as defined in chapter 198.]~~

2 ~~[191.1080. 1. There is hereby created within the department of health~~
3 ~~and senior services the "Missouri Palliative Care and Quality of Life~~
4 ~~Interdisciplinary Council", which shall be a palliative care consumer and~~
5 ~~professional information and education program to improve quality and~~
6 ~~delivery of patient-centered and family focused care in this state.~~

7 ~~2. On or before December 1, 2016, the following members shall be~~
8 ~~appointed to the council:~~

9 ~~(1) Two members of the senate, appointed by the president pro~~
10 ~~tempore of the senate;~~

11 ~~(2) Two members of the house of representatives, appointed by the~~
12 ~~speaker of the house of representatives;~~

13 ~~(3) Two board-certified hospice and palliative medicine physicians~~
14 ~~licensed in this state, appointed by the governor with the advice and consent of~~
15 ~~the senate;~~

16 ~~(4) Two certified hospice and palliative nurses licensed in this state,~~
17 ~~appointed by the governor with the advice and consent of the senate;~~

18 ~~(5) A certified hospice and palliative social worker, appointed by the~~
19 ~~governor with the advice and consent of the senate;~~

20 ~~(6) A patient and family caregiver advocate representative, appointed~~
21 ~~by the governor with the advice and consent of the senate; and~~

22 ~~(7) A spiritual professional with experience in palliative care and~~
23 ~~health care, appointed by the governor with the advice and consent of the~~
24 ~~senate.~~

25 ~~3. Council members shall serve for a term of three years. The~~
26 ~~members of the council shall elect a chair and vice chair whose duties shall be~~
27 ~~established by the council. The department shall determine a time and place~~
28 ~~for regular meetings of the council, which shall meet at least biannually.~~

29 ~~4. Members of the council shall serve without compensation, but shall,~~
30 ~~subject to appropriations, be reimbursed for their actual and necessary~~
31 ~~expenses incurred in the performance of their duties as members of the~~
32 ~~council.~~

33 ~~5. The council shall consult with and advise the department on matters~~
34 ~~related to the establishment, maintenance, operation, and outcomes evaluation~~
~~of palliative care initiatives in this state, including the palliative care consumer~~

35 and professional information and education program established in section
36 191.1085.

37 6. The council shall submit an annual report to the general assembly,
38 which includes an assessment of the availability of palliative care in this state
39 for patients at early stages of serious disease and an analysis of barriers to
40 greater access to palliative care.

41 7. The council authorized under this section shall automatically expire
42 August 28, 2022.]

2 [191.1085. 1. There is hereby established the "Palliative Care
3 Consumer and Professional Information and Education Program" within the
4 department of health and senior services.

5 2. The purpose of the program is to maximize the effectiveness of
6 palliative care in this state by ensuring that comprehensive and accurate
7 information and education about palliative care is available to the public,
8 health care providers, and health care facilities.

9 3. The department shall publish on its website information and
10 resources, including links to external resources, about palliative care for the
11 public, health care providers, and health care facilities, including but not
12 limited to:

13 (1) Continuing education opportunities for health care providers;

14 (2) Information about palliative care delivery in the home, primary,
15 secondary, and tertiary environments; and

16 (3) Consumer educational materials and referral information for
17 palliative care, including hospice.

18 4. Each hospital in this state is encouraged to have a palliative care
19 presence on its intranet or internet website which provides links to one or more
20 of the following organizations: the Institute of Medicine, the Center to
21 Advance Palliative Care, the Supportive Care Coalition, the National Hospice
22 and Palliative Care Organization, the American Academy of Hospice and
23 Palliative Medicine, and the National Institute on Aging.

24 5. Each hospital in this state is encouraged to have patient education
25 information about palliative care available for distribution to patients.

26 6. The department shall consult with the palliative care and quality of
27 life interdisciplinary council established in section 191.1080 in implementing
28 the section.

29 7. The department may promulgate rules to implement the provisions
30 of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is
31 defined in section 536.010, that is created under the authority delegated in
32 sections 191.1075 to 191.1085 shall become effective only if it complies with
33 and is subject to all of the provisions of chapter 536 and, if applicable, section
34 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable
35 and if any of the powers vested with the general assembly pursuant to chapter
36 536 to review, to delay the effective date, or to disapprove and annul a rule are
37 subsequently held unconstitutional, then the grant of rulemaking authority and
38 any rule proposed or adopted after August 28, 2016, shall be invalid and void.

39 8. Notwithstanding the provisions of section 23.253 to the contrary,
40 the program authorized under this section shall automatically expire on August
28, 2022.]

41 EXPLANATION: These sections became obsolete or expired 8-28-2022.

42

2 ~~[192.926. 1. By September 1, 2015, the department of social services~~
3 ~~in cooperation with the department of health and senior services and the~~
4 ~~department of mental health shall establish a committee to assess the~~
5 ~~continuation of the money follows the person demonstration program in order~~
6 ~~to support Missourians who have disabilities and those who are aging to~~
7 ~~transition from nursing facilities or habilitation centers to quality community~~
8 ~~settings. The committee shall study sustainability of the program beyond the~~
9 ~~current demonstration time frame for all transitions to occur by September 30,~~
10 ~~2018. The committee shall be administered and its members, with the~~
11 ~~exception of the members from the house of representatives and the senate,~~
12 ~~chosen by the director of the department of social services.~~

12 ~~2. The committee shall:~~

13 ~~(1) Review the extent to which the demonstration program has~~
14 ~~achieved its purposes;~~

15 ~~(2) Assess any possible improvements to the program;~~

16 ~~(3) Investigate program elements and costs to sustain the program~~
17 ~~beyond its current demonstration period;~~

18 ~~(4) Explore cost savings achieved through the demonstration program;~~

19 ~~(5) Investigate the possibility and need to apply for a waiver from the~~
20 ~~Centers for Medicare and Medicaid Services.~~

21 ~~3. The committee shall include fiscal staff from the department of~~
22 ~~social services, the department of health and senior services, the department of~~
23 ~~mental health, and the office of administration's division of budget and~~
24 ~~planning. The committee shall also be comprised of a representative from~~
25 ~~each of the following:~~

26 ~~(1) The division of senior and disability services within the department~~
27 ~~of health and senior services;~~

28 ~~(2) The MO HealthNet division within the department of social~~
29 ~~services;~~

30 ~~(3) The division of developmental disabilities within the department of~~
31 ~~mental health;~~

32 ~~(4) Centers for independent living and area agencies on aging~~
33 ~~currently serving as money follows the person local contact agencies;~~

34 ~~(5) The Missouri assistive technology council;~~

35 ~~(6) The Missouri developmental disabilities council;~~

36 ~~(7) The skilled nursing community predominately serving MO~~
37 ~~HealthNet participants;~~

38 ~~(8) The Missouri house of representatives, appointed by the speaker of~~
39 ~~the house of representatives; and~~

40 ~~(9) The Missouri senate, appointed by the president pro tempore of the~~
41 ~~senate.~~

42 ~~4. The committee may also include other members or work groups~~
43 ~~deemed necessary to accomplish its purposes, including but not limited to~~
44 ~~representatives from state agencies, local advisory groups and community~~
45 ~~members, and members of the general assembly with valuable input regarding~~
46 ~~the activities of the money follows the person demonstration program.~~

47 ~~5. The department of social services in cooperation with the~~
 48 ~~department of health and senior services and the department of mental~~
 49 ~~health shall make recommendations based on the findings of the committee~~
 50 ~~and report them to the general assembly and the governor by July 1, 2016.~~

51 ~~6. The provisions of this section shall expire on January 1, 2017.]~~

52 EXPLANATION: This section expired 1-01-2017.

53

~~[199.020. 1. The following officers and their families shall, with the~~
 2 ~~permission of the department of health and senior services, reside on the~~
 3 ~~premises or other property of the center: center director, assistant director,~~
 4 ~~physicians, and other personnel required for the center's operation as~~
 5 ~~recommended by the center's director. Personnel residing at the center shall~~
 6 ~~pay a monthly rental determined annually at the lower of cost or fair market~~
 7 ~~value; except that the center director, with the approval of the director of the~~
 8 ~~department of health and senior services, may establish a lower rate as~~
 9 ~~required to fill the center's personnel needs.~~

10 ~~2. This section shall terminate thirty days following the date notice is~~
 11 ~~provided to the revisor of statutes that an agreement has been executed which~~
 12 ~~transfers the Missouri rehabilitation center from the department of health and~~
 13 ~~senior services to the board of curators of the University of Missouri.]~~

14 EXPLANATION: This section terminated 3-27-1997. (The Revisor of
 15 Statutes received notice of the transfer on February 25, 1997. Termination
 16 date was thirty days following the date of notice.).

17

~~[208.482. 1. The MO HealthNet division shall not recover~~
 2 ~~disproportionate share hospital audit recoupments from any tier 1 safety net~~
 3 ~~hospital, excluding department of mental health state-operated psychiatric~~
 4 ~~hospitals, for which an intergovernmental transfer was used for the nonfederal~~
 5 ~~share of its disproportionate share hospital payments. General revenue funds~~
 6 ~~shall not be used to offset any expenditure of funds to pay such recoupments to~~
 7 ~~the federal government.~~

8 ~~2. The provisions of this section shall expire on September 30, 2022.]~~

9 EXPLANATION: This section expired 9-30-2022.

10

~~[208.627. 1. The department of social services shall seek input from~~
 2 ~~the department of mental health and community-based social service agencies,~~
 3 ~~which provide case management services to the elderly, for the purpose of~~
 4 ~~developing a report outlining areas and strategies by which the department can~~
 5 ~~deliver case management services to the elderly by collaboration and~~
 6 ~~cooperation with community-based social service agencies, employing~~
 7 ~~licensed personnel. The report shall include, but not be limited to, the~~
 8 ~~identification of at-risk elderly, transportation services, case management~~
 9 ~~services, nutrition services, health services, and socialization activities and~~
 10 ~~programs. The goal of strategies outlined should be to enhance the quality of~~

11 ~~life and welfare of Missouri's elderly population, and specifically Missouri's~~
12 ~~at risk elderly.~~

13 ~~2. The report required by subsection 1 of this section shall be delivered~~
14 ~~to the governor, the president pro tem of the senate, and the speaker of the~~
15 ~~house not later than January 1, 1995. The report shall identify effective and~~
16 ~~efficient methods of delivering necessary services to at risk elderly.]~~

17 EXPLANATION: The report required under this section was due 1-01-1995.

18
19 ~~[210.154. 1. There is hereby created within the department of social~~
2 ~~services the "Missouri Task Force on the Prevention of Infant Abuse and~~
3 ~~Neglect" to study and make recommendations to the governor and general~~
4 ~~assembly concerning the prevention of infant abuse and neglect in Missouri.~~
5 ~~The task force shall consist of the following nine members:~~

6 ~~(1) Two members of the senate from different political parties,~~
7 ~~appointed by the president pro tempore of the senate;~~

8 ~~(2) Two members of the house of representatives from different~~
9 ~~political parties, appointed by the speaker of the house of representatives;~~

10 ~~(3) The director of the department of social services, or his or her~~
11 ~~designee;~~

12 ~~(4) The director of the department of health and senior services, or his~~
13 ~~or her designee;~~

14 ~~(5) A SAFE CARE provider as described in section 334.950;~~

15 ~~(6) A representative of a child advocacy organization specializing in~~
16 ~~prevention of child abuse and neglect; and~~

17 ~~(7) A representative of a licensed Missouri hospital or licensed~~
18 ~~Missouri birthing center.~~

19
20 ~~Members of the task force, other than the legislative members and the directors~~
21 ~~of state departments, shall be appointed by the governor with the advice and~~
22 ~~consent of the senate by September 15, 2016.~~

23 ~~2. A majority vote of a quorum of the task force is required for any~~
24 ~~action.~~

25 ~~3. The task force shall elect a chair and vice chair at its first meeting,~~
26 ~~which shall be convened by the director of the department of social services, or~~
27 ~~his or her designee, no later than October 1, 2016. Meetings may be held by~~
28 ~~telephone or video conference at the discretion of the chair.~~

29 ~~4. Members shall serve on the task force without compensation but~~
30 ~~may, subject to appropriations, be reimbursed for actual and necessary~~
31 ~~expenses incurred in the performance of their official duties as members of the~~
32 ~~task force.~~

33 ~~5. On or before December 31, 2016, the task force shall submit a~~
34 ~~report on its findings and recommendations to the governor and general~~
35 ~~assembly.~~

36 ~~6. The task shall develop recommendations to reduce infant abuse and~~
37 ~~neglect, including but not limited to:~~

38 ~~(1) Sharing information between the children's division and hospitals~~
 39 ~~and birthing centers for the purpose of identifying newborn infants who may~~
 40 ~~be at risk of abuse and neglect; and~~

41 ~~(2) Training division employees and medical providers to recognize~~
 42 ~~the signs of infant child abuse and neglect.~~

43
 44 ~~The recommendations may include proposals for specific statutory and~~
 45 ~~regulatory changes and methods to foster cooperation between state and local~~
 46 ~~governmental bodies, medical providers, and child welfare agencies.~~

47 ~~7. The task force shall expire on January 1, 2017, or upon submission~~
 48 ~~of a report as provided for under subsection 5 of this section.]~~

49 EXPLANATION: The task force under this section expired 1-01-2017.

50
 1 ~~[210.1030. 1. There is hereby created the "Trauma-Informed Care for~~
 2 ~~Children and Families Task Force". The mission of the task force shall be to~~
 3 ~~promote the healthy development of children and their families living in~~
 4 ~~Missouri communities by promoting comprehensive trauma-informed children~~
 5 ~~and family support systems and interagency cooperation.~~

6 ~~2. The task force shall consist of the following members:~~

7 ~~(1) The directors, or their designees, of the departments of elementary~~
 8 ~~and secondary education, health and senior services, mental health, social~~
 9 ~~services, public safety, and corrections;~~

10 ~~(2) The director, or his or her designee, of the office of child advocate;~~

11 ~~(3) Six members from the private sector with knowledge of trauma-~~
 12 ~~informed care methods, two of whom shall be appointed by the speaker of the~~
 13 ~~house of representatives, one of whom shall be appointed by the minority~~
 14 ~~leader of the house of representatives, two of whom shall be appointed by the~~
 15 ~~president pro tempore of the senate, and one of whom shall be appointed by~~
 16 ~~the minority leader of the senate;~~

17 ~~(4) Two members of the house of representatives appointed by the~~
 18 ~~speaker of the house of representatives and one member of the house of~~
 19 ~~representatives appointed by the minority leader of the house of~~
 20 ~~representatives;~~

21 ~~(5) Two members of the senate appointed by the president pro tempore~~
 22 ~~of the senate and one member of the senate appointed by the minority leader of~~
 23 ~~the senate; and~~

24 ~~(6) The executive director, or his or her designee, of the Missouri~~
 25 ~~Juvenile Justice Association.~~

26 ~~3. The task force shall incorporate evidence based and evidence-~~
 27 ~~informed best practices including, but not limited to, the Missouri Model: A~~
 28 ~~Developmental Framework for Trauma-Informed, with respect to:~~

29 ~~(1) Early identification of children and youth and their families, as~~
 30 ~~appropriate, who have experienced or are at risk of experiencing trauma;~~

31 ~~(2) The expeditious referral of such children and youth and their~~
 32 ~~families, as appropriate, who require specialized services to the appropriate~~
 33 ~~trauma-informed support services, including treatment, in accordance with~~
 34 ~~applicable privacy laws; and~~

35 ~~(3) The implementation of trauma-informed approaches and~~
 36 ~~interventions in child and youth serving schools, organizations, homes, and~~
 37 ~~other settings to foster safe, stable, and nurturing environments and~~
 38 ~~relationships that prevent and mitigate the effects of trauma.~~

39 ~~4. The department of social services shall provide such research,~~
 40 ~~clerical, technical, and other services as the task force may require in the~~
 41 ~~performance of its duties.~~

42 ~~5. The task force, its members, and any staff assigned to the task force~~
 43 ~~shall receive reimbursement for their actual and necessary expenses incurred~~
 44 ~~in attending meetings of the task force or any subcommittee thereof.~~

45 ~~6. The task force shall meet within two months of August 28, 2018.~~

46 ~~7. The task force shall report a summary of its activities and any~~
 47 ~~recommendations for legislation to the general assembly and to the joint~~
 48 ~~committee on child abuse and neglect under section 21.771 by January 1,~~
 49 ~~2019.~~

50 ~~8. The task force shall terminate on January 1, 2019.]~~

51 EXPLANATION: The task force under this section terminated 1-01-2019.

52

2 ~~[215.263. 1. For purposes of sections 215.261 to 215.263, the term~~
 3 ~~"affordable housing" means all residential structures newly constructed or~~
 4 ~~rehabilitated, which a person earning one hundred fifteen percent or less of the~~
 5 ~~median income for the person's county, as determined by the United States~~
 6 ~~Census Bureau's American Community Survey, based on the most recent of~~
 7 ~~five-year period estimate data in which the final year of the estimate ends in~~
 8 ~~either zero or five, could afford if spending twenty nine percent of that~~
 9 ~~person's gross income annually on such housing.~~

10 ~~2. Clerical, research and general administrative support staff for the~~
 11 ~~commission shall be provided by the Missouri department of economic~~
 12 ~~development.]~~

12 EXPLANATION: This section became obsolete when sections 215.261 and
 13 215.262 were repealed in 2015.

14

2 ~~[217.147. 1. There is hereby created the "Sentencing and Corrections~~
 3 ~~Oversight Commission". The commission shall be composed of thirteen~~
 4 ~~members as follows:~~

5 ~~(1) A circuit court judge to be appointed by the chief justice of the~~
 6 ~~Missouri supreme court;~~

7 ~~(2) Three members to be appointed by the governor with the advice~~
 8 ~~and consent of the senate, one of whom shall be a victim's advocate, one of~~
 9 ~~whom shall be a representative from the Missouri Sheriffs' Association, and~~
 10 ~~one of whom shall be a representative of the Missouri Association of Counties;~~

11 ~~(3) The following shall be ex-officio, voting members:~~

12 ~~(a) The chair of the senate judiciary committee, or any successor~~
 committee that reviews legislation involving crime and criminal procedure,

13 ~~who shall serve as co chair of the commission and the ranking minority~~
14 ~~member of such senate committee;~~

15 ~~(b) The chair of the appropriations public safety and corrections~~
16 ~~committee of the house of representatives, or any successor committee that~~
17 ~~reviews similar legislation, who shall serve as co chair and the ranking~~
18 ~~minority member of such house committee;~~

19 ~~(c) The director of the Missouri state public defender system, or his or~~
20 ~~her designee who is a practicing public defender;~~

21 ~~(d) The executive director of the Missouri office of prosecution~~
22 ~~services, or his or her designee who is a practicing prosecutor;~~

23 ~~(e) The director of the department of corrections, or his or her~~
24 ~~designee;~~

25 ~~(f) The chairman of the board of probation and parole, or his or her~~
26 ~~designee;~~

27 ~~(g) The chief justice of the Missouri supreme court, or his or her~~
28 ~~designee.~~

29 ~~2. Beginning with the appointments made after August 28, 2012, the~~
30 ~~circuit court judge member shall be appointed for four years, two of the~~
31 ~~members appointed by the governor shall be appointed for three years, and one~~
32 ~~member appointed by the governor shall be appointed for two years.~~
33 ~~Thereafter, the members shall be appointed to serve four year terms and shall~~
34 ~~serve until a successor is appointed. A vacancy in the office of a member shall~~
35 ~~be filled by appointment for the remainder of the unexpired term.~~

36 ~~3. The co chairs are responsible for establishing and enforcing~~
37 ~~attendance and voting rules, bylaws, and the frequency, location, and time of~~
38 ~~meetings, and distributing meeting notices, except that the commission's first~~
39 ~~meeting shall occur by February 28, 2013, and the commission shall meet at~~
40 ~~least twice each calendar year.~~

41 ~~4. The duties of the commission shall include:~~

42 ~~(1) Monitoring and assisting the implementation of sections 217.703,~~
43 ~~217.718, and subsection 4 of section 559.036, and evaluating recidivism~~
44 ~~reductions, cost savings, and other effects resulting from the implementation;~~

45 ~~(2) Determining ways to reinvest any cost savings to pay for the~~
46 ~~continued implementation of the sections listed in subdivision (1) of this~~
47 ~~subsection and other evidence based practices for reducing recidivism; and~~

48 ~~(3) Examining the issue of restitution for crime victims, including the~~
49 ~~amount ordered and collected annually, methods and costs of collection, and~~
50 ~~restitution's order of priority in official procedures and documents.~~

51 ~~5. The department, board, and office of state courts administrator shall~~
52 ~~collect and report any data requested by the commission in a timely fashion.~~

53 ~~6. The commission shall issue a report to the speaker of the house of~~
54 ~~representatives, senate president pro tempore, chief justice of the Missouri~~
55 ~~supreme court, and governor on December 31, 2013, and annually thereafter,~~
56 ~~detailing the effects of the sections listed in subdivision (1) of subsection 4 and~~
57 ~~providing the data and analysis demonstrating those effects. The report may~~
58 ~~also recommend ways to reinvest any cost savings into evidence based~~
59 ~~practices to reduce recidivism and possible changes to sentencing and~~
60 ~~corrections policies and statutes.~~

61 ~~7. The department of corrections shall provide administrative support~~
 62 ~~to the commission to carry out the duties of this section.~~

63 ~~8. No member shall receive any compensation for the performance of~~
 64 ~~official duties, but the members who are not otherwise reimbursed by their~~
 65 ~~agency shall be reimbursed for travel and other expenses actually and~~
 66 ~~necessarily incurred in the performance of their duties.~~

67 ~~9. The provisions of this section shall automatically expire on August~~
 68 ~~28, 2018.]~~

69 EXPLANATION: This section expired 8-28-2018.

70

~~[227.817. The portion of U.S. Highway 169 from State Highway VV~~
 2 ~~continuing to State Highway DD in Clinton and Clay counties shall be~~
 3 ~~designated the "Championship Way". The department of transportation shall~~
 4 ~~erect and maintain appropriate signs designating such highway, with the costs~~
 5 ~~to be paid by private donations. This designation shall expire on December~~
 6 ~~31, 2022.]~~

7 EXPLANATION: This highway designation expired 12-31-2022.

8

~~[260.900. As used in sections 260.900 to 260.960, unless the context~~
 2 ~~clearly indicates otherwise, the following terms mean:~~

3 ~~(1) "Abandoned dry cleaning facility", any real property premises or~~
 4 ~~individual leasehold space in which a dry cleaning facility formerly operated;~~

5 ~~(2) "Active dry cleaning facility", any real property premises or~~
 6 ~~individual leasehold space in which a dry cleaning facility currently operates;~~

7 ~~(3) "Chlorinated dry cleaning solvent", any dry cleaning solvent~~
 8 ~~which contains a compound which has a molecular structure containing the~~
 9 ~~element chlorine;~~

10 ~~(4) "Commission", the hazardous waste management commission~~
 11 ~~created in section 260.365;~~

12 ~~(5) "Corrective action", those activities described in subsection 1 of~~
 13 ~~section 260.925;~~

14 ~~(6) "Corrective action plan", a plan approved by the director to~~
 15 ~~perform corrective action at a dry cleaning facility;~~

16 ~~(7) "Department", the Missouri department of natural resources;~~

17 ~~(8) "Director", the director of the Missouri department of natural~~
 18 ~~resources;~~

19 ~~(9) "Dry cleaning facility", a commercial establishment that operates,~~
 20 ~~or has operated in the past in whole or in part for the purpose of cleaning~~
 21 ~~garments or other fabrics on site utilizing a process that involves any use of~~
 22 ~~dry cleaning solvents. Dry cleaning facility includes all contiguous land,~~
 23 ~~structures and other appurtenances and improvements on the land used in~~
 24 ~~connection with a dry cleaning facility but does not include prisons,~~
 25 ~~governmental entities, hotels, motels or industrial laundries. Dry cleaning~~
 26 ~~facility does include coin-operated dry cleaning facilities;~~

27 ~~(10) "Dry cleaning solvent", any and all nonaqueous solvents used or~~
 28 ~~to be used in the cleaning of garments and other fabrics at a dry cleaning~~

29 facility and includes but is not limited to perchloroethylene, also known as
 30 tetrachloroethylene, chlorinated dry cleaning, and the products into which
 31 such solvents degrade;

32 (11) ~~"Dry cleaning unit", a machine or device which utilizes dry-~~
 33 ~~cleaning solvents to clean garments and other fabrics and includes any~~
 34 ~~associated piping and ancillary equipment and any containment system;~~

35 (12) ~~"Environmental response surcharge", either the active dry-~~
 36 ~~cleaning facility registration surcharge or the dry cleaning solvent surcharge;~~

37 (13) ~~"Fund", the dry cleaning environmental response trust fund~~
 38 ~~created in section 260.920;~~

39 (14) ~~"Immediate response to a release", containment and control of a~~
 40 ~~known release in excess of a reportable quantity and notification to the~~
 41 ~~department of any known release in excess of a reportable quantity;~~

42 (15) ~~"Operator", any person who is or has been responsible for the~~
 43 ~~operation of dry cleaning operations at a dry cleaning facility;~~

44 (16) ~~"Owner", any person who owns the real property where a dry-~~
 45 ~~cleaning facility is or has operated;~~

46 (17) ~~"Person", an individual, trust, firm, joint venture, consortium,~~
 47 ~~joint stock company, corporation, partnership, association or limited liability~~
 48 ~~company. Person does not include any governmental organization;~~

49 (18) ~~"Release", any spill, leak, emission, discharge, escape, leak or~~
 50 ~~disposal of dry cleaning solvent from a dry cleaning facility into the soils or~~
 51 ~~waters of the state;~~

52 (19) ~~"Reportable quantity", a known release of a dry cleaning solvent~~
 53 ~~deemed reportable by applicable federal or state law or regulation.]~~

2 ~~[260.905. 1. The commission shall promulgate and adopt such initial~~
 3 ~~rules and regulations, effective no later than July 1, 2007, as shall be necessary~~
 4 ~~to carry out the purposes and provisions of sections 260.900 to 260.960. Prior~~
 5 ~~to the promulgation of such rules, the commission shall meet with~~
 6 ~~representatives of the dry cleaning industry and other interested parties.~~
 7 ~~The commission, thereafter, shall promulgate and adopt additional rules and~~
 8 ~~regulations or change existing rules and regulations when necessary to carry~~
 9 ~~out the purposes and provisions of sections 260.900 to 260.960.~~

10 ~~2. Any rule or regulation adopted pursuant to sections 260.900 to~~
 11 ~~260.960 shall be reasonably necessary to protect human health, to preserve,~~
 12 ~~protect and maintain the water and other natural resources of this state and to~~
 13 ~~provide for prompt corrective action of releases from dry cleaning facilities.~~
 14 ~~Consistent with these purposes, the commission shall adopt rules and~~
 15 ~~regulations, effective no later than July 1, 2007:~~

16 (1) ~~Establishing requirements that owners who close dry cleaning~~
 17 ~~facilities remove dry cleaning solvents and wastes from such facilities in order~~
 18 ~~to prevent any future releases;~~

19 (2) ~~Establishing criteria to prioritize the expenditure of funds from the~~
 20 ~~dry cleaning environmental response trust fund. The criteria shall include~~
 21 ~~consideration of:~~

22 (a) ~~The benefit to be derived from corrective action compared to the~~
~~cost of conducting such corrective action;~~

- 23 (b) ~~The degree to which human health and the environment are~~
 24 ~~actually affected by exposure to contamination;~~
 25 (c) ~~The present and future use of an affected aquifer or surface water;~~
 26 (d) ~~The effect that interim or immediate remedial measures will have~~
 27 ~~on future costs; and~~
 28 (e) ~~Such additional factors as the commission considers relevant;~~
 29 (3) ~~Establishing criteria under which a determination may be made by~~
 30 ~~the department of the level at which corrective action shall be deemed~~
 31 ~~completed. Criteria for determining completion of corrective action shall be~~
 32 ~~based on the factors set forth in subdivision (2) of this subsection and:~~
 33 (a) ~~Individual site characteristics including natural remediation~~
 34 ~~processes;~~
 35 (b) ~~Applicable state water quality standards;~~
 36 (e) ~~Whether deviation from state water quality standards or from~~
 37 ~~established criteria is appropriate, based on the degree to which the desired~~
 38 ~~remediation level is achievable and may be reasonably and cost effectively~~
 39 ~~implemented, subject to the limitation that where a state water quality standard~~
 40 ~~is applicable, a deviation may not result in the application of standards more~~
 41 ~~stringent than that standard; and~~
 42 (d) ~~Such additional factors as the commission considers relevant.]~~

[260.910. 1. No person shall:

- 2 (1) ~~Operate an active dry cleaning facility in violation of sections~~
 3 ~~260.900 to 260.960, rules and regulations adopted pursuant to sections~~
 4 ~~260.900 to 260.960 or orders of the director pursuant to sections 260.900 to~~
 5 ~~260.960, or operate an active dry cleaning facility in violation of any other~~
 6 ~~applicable federal or state environmental statutes, rules or regulations;~~
 7 (2) ~~Prevent or hinder a properly identified officer or employee of the~~
 8 ~~department or other authorized agent of the director from entering, inspecting,~~
 9 ~~sampling or responding to a release at reasonable times and with reasonable~~
 10 ~~advance notice to the operator as authorized by sections 260.900 to 260.960;~~
 11 (3) ~~Knowingly make any false material statement or representation in~~
 12 ~~any record, report or other document filed, maintained or used for the purpose~~
 13 ~~of compliance with sections 260.900 to 260.960;~~
 14 (4) ~~Knowingly destroy, alter or conceal any record required to be~~
 15 ~~maintained by sections 260.900 to 260.960 or rules and regulations adopted~~
 16 ~~pursuant to sections 260.900 to 260.960;~~
 17 (5) ~~Willfully allow a release in excess of a reportable quantity or~~
 18 ~~knowingly fail to make an immediate response to a release in accordance with~~
 19 ~~sections 260.900 to 260.960 and rules and regulations pursuant to sections~~
 20 ~~260.900 to 260.960.~~
 21 2. ~~The director may bring a civil damages action against any person~~
 22 ~~who violates any provisions of subsection 1 of this section. Such civil~~
 23 ~~damages may be assessed in an amount not to exceed five hundred dollars for~~
 24 ~~each violation and are in addition to any other penalty assessed by law.~~
 25 3. ~~In assessing any civil damages pursuant to this section, a court of~~
 26 ~~competent jurisdiction shall consider, when applicable, the following factors:~~

- 27 (1) ~~The extent to which the violation presents a hazard to human~~
 28 ~~health;~~
 29 (2) ~~The extent to which the violation has or may have an adverse effect~~
 30 ~~on the environment;~~
 31 (3) ~~The amount of the reasonable costs incurred by the state in~~
 32 ~~detection and investigation of the violation; and~~
 33 (4) ~~The economic savings realized by the person in not complying~~
 34 ~~with the provision for which a violation is charged.]~~

2 [260.915. Each operator of an active dry cleaning facility shall register
 3 with the department on a form provided by the department according to
 procedures established by the department by rule.]

2 [260.920. 1. There is hereby created within the state treasury a fund to
 3 be known as the "Dry cleaning Environmental Response Trust Fund". All
 4 moneys received from the environmental response surcharges, fees, gifts,
 5 bequests, donations and moneys recovered by the state pursuant to sections
 6 260.900 to 260.960, except for any moneys paid under an agreement with the
 7 director or as civil damages, or any other money so designated shall be
 8 deposited in the state treasury to the credit of the dry cleaning environmental
 9 response trust fund, and shall be invested to generate income to the fund.
 10 Notwithstanding the provisions of section 33.080, the unexpended balance in
 11 the dry cleaning environmental response trust fund at the end of each fiscal
 year shall not be transferred to the general revenue fund.

12 2. ~~Moneys in the fund may be expended for only the following~~
 13 ~~purposes and for no other governmental purpose:~~

14 (1) ~~The direct costs of administration and enforcement of sections~~
 15 ~~260.900 to 260.960; and~~

16 (2) ~~The costs of corrective action as provided in section 260.925.~~

17 3. ~~The state treasurer is authorized to deposit all of the moneys in the~~
 18 ~~dry cleaning environmental response trust fund in any of the qualified~~
 19 ~~depositories of the state. All such deposits shall be secured in such a manner~~
 20 ~~and shall be made upon such terms and conditions as are now or may hereafter~~
 21 ~~be provided by law relative to state deposits. Interest received on such~~
 22 ~~deposits shall be credited to the dry cleaning environmental response trust~~
 23 ~~fund.~~

24 4. ~~Any funds received pursuant to sections 260.900 to 260.960 and~~
 25 ~~deposited in the dry cleaning environmental response trust fund shall not be~~
 26 ~~considered a part of "total state revenue" as provided in Sections 17 and 18 of~~
 27 ~~Article X of the Missouri Constitution.]~~

2 [260.925. 1. On and after July 1, 2002, moneys in the fund shall be
 3 utilized to address contamination resulting from releases of dry cleaning
 4 solvents as provided in sections 260.900 to 260.960. Whenever a release
 5 poses a threat to human health or the environment, the department, consistent
 6 with rules and regulations adopted by the commission pursuant to subdivisions
 7 (2) and (3) of subsection 2 of section 260.905, shall expend moneys available
 in the fund to provide for:

8 ~~(1) Investigation and assessment of a release from a dry cleaning~~
9 ~~facility, including costs of investigations and assessments of contamination~~
10 ~~which may have moved off of the dry cleaning facility;~~

11 ~~(2) Necessary or appropriate emergency action, including but not~~
12 ~~limited to treatment, restoration or replacement of drinking water supplies, to~~
13 ~~assure that the human health or safety is not threatened by a release or~~
14 ~~potential release;~~

15 ~~(3) Remediation of releases from dry cleaning facilities, including~~
16 ~~contamination which may have moved off of the dry cleaning facility, which~~
17 ~~remediation shall consist of the preparation of a corrective action plan and the~~
18 ~~cleanup of affected soil, groundwater and surface waters, using an alternative~~
19 ~~that is cost effective, technologically feasible and reliable, provides adequate~~
20 ~~protection of human health and environment and to the extent practicable~~
21 ~~minimizes environmental damage;~~

22 ~~(4) Operation and maintenance of corrective action;~~

23 ~~(5) Monitoring of releases from dry cleaning facilities including~~
24 ~~contamination which may have moved off of the dry cleaning facility;~~

25 ~~(6) Payment of reasonable costs incurred by the director in providing~~
26 ~~field and laboratory services;~~

27 ~~(7) Reasonable costs of restoring property as nearly as practicable to~~
28 ~~the condition that existed prior to activities associated with the investigation of~~
29 ~~a release or cleanup or remediation activities;~~

30 ~~(8) Removal and proper disposal of wastes generated by a release of a~~
31 ~~dry cleaning solvent; and~~

32 ~~(9) Payment of costs of corrective action conducted by the department~~
33 ~~or by entities other than the department but approved by the department,~~
34 ~~whether or not such corrective action is set out in a corrective action plan;~~
35 ~~except that, there shall be no reimbursement for corrective action costs~~
36 ~~incurred before August 28, 2000.~~

37 ~~2. Nothing in subsection 1 of this section shall be construed to~~
38 ~~authorize the department to obligate moneys in the fund for payment of costs~~
39 ~~that are not integral to corrective action for a release of dry cleaning solvents~~
40 ~~from a dry cleaning facility. Moneys from the fund shall not be used:~~

41 ~~(1) For corrective action at sites that are contaminated by solvents~~
42 ~~normally used in dry cleaning operations where the contamination did not~~
43 ~~result from the operation of a dry cleaning facility;~~

44 ~~(2) For corrective action at sites, other than dry cleaning facilities, that~~
45 ~~are contaminated by dry cleaning solvents which were released while being~~
46 ~~transported to or from a dry cleaning facility;~~

47 ~~(3) To pay any fine or penalty brought against a dry cleaning facility~~
48 ~~operator under state or federal law;~~

49 ~~(4) To pay any costs related to corrective action at a dry cleaning~~
50 ~~facility that has been included by the United States Environmental Protection~~
51 ~~Agency on the national priorities list;~~

52 ~~(5) For corrective action at sites with active dry cleaning facilities~~
53 ~~where the owner or operator is not in compliance with sections 260.900 to~~
54 ~~260.960, rules and regulations adopted pursuant to sections 260.900 to~~

55 ~~260.960, orders of the director pursuant to sections 260.900 to 260.960, or any~~
56 ~~other applicable federal or state environmental statutes, rules or regulations; or~~

57 ~~(6) For corrective action at sites with abandoned dry cleaning facilities~~
58 ~~that have been taken out of operation prior to July 1, 2009, and not~~
59 ~~documented by or reported to the department by July 1, 2009. Any person~~
60 ~~reporting such a site to the department shall include any available evidence~~
61 ~~that the site once contained a dry cleaning facility.~~

62 ~~3. Nothing in sections 260.900 to 260.960 shall be construed to restrict~~
63 ~~the department from temporarily postponing completion of corrective action~~
64 ~~for which moneys from the fund are being expended whenever such~~
65 ~~postponement is deemed necessary in order to protect public health and the~~
66 ~~environment.~~

67 ~~4. At any multisource site, the department shall utilize the moneys in~~
68 ~~the fund to pay for the proportionate share of the liability for corrective action~~
69 ~~costs which is attributable to a release from one or more dry cleaning facilities~~
70 ~~and for that proportionate share of the liability only.~~

71 ~~5. At any multisource site, the director is authorized to make a~~
72 ~~determination of the relative liability of the fund for costs of corrective action,~~
73 ~~expressed as a percentage of the total cost of corrective action at a site,~~
74 ~~whether known or unknown. The director shall issue an order establishing~~
75 ~~such percentage of liability. Such order shall be binding and shall control the~~
76 ~~obligation of the fund until or unless amended by the director. In the event of~~
77 ~~an appeal from such order, such percentage of liability shall be controlling for~~
78 ~~costs incurred during the pendency of the appeal.~~

79 ~~6. Any authorized officer, employee or agent of the department, or any~~
80 ~~person under order or contract with the department, may enter onto any~~
81 ~~property or premises, at reasonable times and with reasonable advance notice~~
82 ~~to the operator, to take corrective action where the director determines that~~
83 ~~such action is necessary to protect the public health or environment. If consent~~
84 ~~is not granted by the operator regarding any request made by any officer,~~
85 ~~employee or agent of the department, or any person under order or contract~~
86 ~~with the department, under the provisions of this section, the director may~~
87 ~~issue an order directing compliance with the request. The order may be issued~~
88 ~~after such notice and opportunity for consultation as is reasonably appropriate~~
89 ~~under the circumstances.~~

90 ~~7. Notwithstanding any other provision of sections 260.900 to~~
91 ~~260.960, in the discretion of the director, an operator may be responsible for~~
92 ~~up to one hundred percent of the costs of corrective action attributable to such~~
93 ~~operator if the director finds, after notice and an opportunity for a hearing in~~
94 ~~accordance with chapter 536 that:~~

95 ~~(1) Requiring the operator to bear such responsibility will not~~
96 ~~prejudice another owner, operator or person who is eligible, pursuant to the~~
97 ~~provisions of sections 260.900 to 260.960, to have corrective action costs paid~~
98 ~~by the fund; and~~

99 ~~(2) The operator:~~

100 ~~(a) Caused a release in excess of a reportable quantity by willful or~~
101 ~~wanton actions and such release was caused by operating practices in violation~~
102 ~~of existing laws and regulations at the time of the release; or~~

103 ~~(b) Is in arrears for moneys owed pursuant to sections 260.900 to~~
104 ~~260.960, after notice and an opportunity to correct the arrearage; or~~

105 ~~(c) Materially obstructs the efforts of the department to carry out its~~
106 ~~obligations pursuant to sections 260.900 to 260.960; except that, the exercise~~
107 ~~of legal rights shall not constitute a substantial obstruction; or~~

108 ~~(d) Caused or allowed a release in excess of a reportable quantity~~
109 ~~because of a willful material violation of sections 260.900 to 260.960 or the~~
110 ~~rules and regulations adopted by the commission pursuant to sections 260.900~~
111 ~~to 260.960.~~

112 ~~8. For purposes of subsection 7 of this section, unless a transfer is~~
113 ~~made to take advantage of the provisions of subsection 7 of this section,~~
114 ~~purchasers of stock or other indicia of ownership and other successors in~~
115 ~~interest shall not be considered to be the same owner or operator as the seller~~
116 ~~or transferor of such stock or indicia of ownership even though there may be~~
117 ~~no change in the legal identity of the owner or operator. To the extent that an~~
118 ~~owner or operator is responsible for corrective action costs pursuant to~~
119 ~~subsection 7 of this section, such owner or operator shall not be entitled to the~~
120 ~~exemption provided in subsection 5 of section 260.930.~~

121 ~~9. The fund shall not be liable for the payment of costs in excess of~~
122 ~~one million dollars at any one contaminated dry cleaning site. Additionally,~~
123 ~~the fund shall not be liable for the payment of costs for any one site in excess~~
124 ~~of twenty five percent of the total moneys in the fund during any fiscal year.~~
125 ~~For purposes of this subsection, "contaminated dry cleaning site" means the~~
126 ~~areal extent of soil or ground water contaminated with dry cleaning solvents.~~

127 ~~10. The owner or operator of an active dry cleaning facility shall be~~
128 ~~liable for the first twenty five thousand dollars of corrective action costs~~
129 ~~incurred because of a release from an active dry cleaning facility. The owner~~
130 ~~of an abandoned dry cleaning facility shall be liable for the first twenty five~~
131 ~~thousand dollars of corrective action costs incurred because of a release from~~
132 ~~an abandoned dry cleaning facility. Nothing in this subsection shall be~~
133 ~~construed to prohibit the department from taking corrective action because the~~
134 ~~department cannot obtain the deductible.]~~

2 ~~[260.930. 1. Neither the state of Missouri, the fund, the commission,~~
3 ~~the director nor the department or agent or employees thereof shall be liable~~
4 ~~for loss of business, damages or taking of property associated with any~~
5 ~~corrective action taken pursuant to sections 260.900 to 260.960.~~

6 ~~2. Nothing in sections 260.900 to 260.960 shall establish or create any~~
7 ~~liability or responsibility on the part of the commission, the director, the~~
8 ~~department or the state of Missouri, or agents or employees thereof, to pay any~~
9 ~~corrective action costs from any source other than the fund or to take~~
10 ~~corrective action if the moneys in the fund are insufficient to do so.~~

11 ~~3. Nothing in sections 260.900 to 260.960 shall be construed to~~
12 ~~abrogate or limit any right, remedy, causes of action, or claim by any person~~
13 ~~sustaining personal injury or property damage as a result of any release from a~~
14 ~~dry cleaning facility, nor shall anything in sections 260.900 to 260.960 be~~
~~construed to abrogate or limit any liability of any person in any way~~

15 responsible for any release from a dry-cleaning facility or any damages for
16 personal injury or property damages caused by such a release.

17 4. Moneys in the fund shall not be used for compensating third parties
18 for bodily injury or property damage caused by a release from a dry-cleaning
19 facility, other than property damage included in the corrective action plan
20 approved by the director.

21 5. To the extent that an operator, owner or other person is eligible
22 pursuant to the provisions of sections 260.900 to 260.960 to have corrective
23 action costs paid by the fund, no administrative or judicial claim may be made
24 under state law against any such operator, owner or other person by or on
25 behalf of a state or local government or by any person to either compel
26 corrective action at the dry-cleaning facility site or seek recovery of the costs
27 of corrective action at the dry-cleaning facility which result from the release of
28 dry-cleaning solvents from that dry-cleaning facility or to compel corrective
29 action or seek recovery of the costs of corrective action which result from the
30 release of dry-cleaning solvents from a dry-cleaning facility. The provisions
31 of this subsection shall apply to any dry-cleaning facility or dry-cleaning
32 facility site which has been included in a corrective action plan approved by
33 the director. The director shall only approve a corrective action plan after
34 making a determination that a sufficient balance in the fund exists to
35 implement the plan. No administrative or judicial claim may be made unless
36 the director has rejected the corrective action plan submitted pursuant to
37 section 260.925.]

2 [260.935. 1. Every active dry-cleaning facility shall pay, in addition to
3 any other environmental response surcharges, an annual dry-cleaning facility
4 registration surcharge as follows:

5 (1) Five hundred dollars for facilities which use no more than one
6 hundred forty gallons of chlorinated solvents;

7 (2) One thousand dollars for facilities which use more than one
8 hundred forty gallons of chlorinated solvents and less than three hundred sixty
9 gallons of chlorinated solvents per year; and

10 (3) Fifteen hundred dollars for facilities which use at least three
11 hundred sixty gallons of chlorinated solvents per year.

12 2. The active dry-cleaning facility registration surcharge imposed by
13 this section shall be reported and paid to the department on an annual basis.
14 The commission shall prescribe by administrative rule the procedure for the
15 report and payment required by this section.

16 3. The department shall provide each person who pays a dry-cleaning
17 facility registration surcharge pursuant to this section with a receipt. The
18 receipt or the copy of the receipt shall be produced for inspection at the request
19 of any authorized representative of the department.

20 4. All moneys collected or received by the department pursuant to this
21 section shall be transmitted to the department of revenue for deposit in the
22 state treasury to the credit of the dry-cleaning environmental response trust
23 fund created in section 260.920. Following each annual reporting date, the
state treasurer shall certify the amount deposited in the fund to the department.

24 ~~5.—If any person does not pay the active dry cleaning facility~~
25 ~~registration surcharge or any portion of the active dry cleaning facility~~
26 ~~registration surcharge imposed by this section by the date prescribed for such~~
27 ~~payment, the department shall impose and such person shall pay, in addition to~~
28 ~~the active dry cleaning facility registration surcharge owed by such person, a~~
29 ~~penalty of fifteen percent of the active dry cleaning facility registration~~
30 ~~surcharge. Such penalty shall be deposited in the dry cleaning environmental~~
31 ~~response trust fund.~~

32 ~~6.—If any person does not pay the active dry cleaning facility~~
33 ~~registration surcharge or any portion of the active dry cleaning facility~~
34 ~~registration surcharge imposed by this section by the date prescribed for such~~
35 ~~payment, the department shall also impose interest upon the unpaid amount at~~
36 ~~the rate of ten percent per annum from the date prescribed for the payment of~~
37 ~~such surcharge and penalties until payment is actually made. Such interest~~
38 ~~shall be deposited in the dry cleaning environmental response trust fund.]~~

2 ~~[260.940. 1. Every seller or provider of dry cleaning solvent for use in~~
3 ~~this state shall pay, in addition to any other environmental response surcharges,~~
4 ~~a dry cleaning solvent surcharge on the sale or provision of dry cleaning~~
5 ~~solvent.~~

6 ~~2.—The amount of the dry cleaning solvent surcharge imposed by this~~
7 ~~section on each gallon of dry cleaning solvent shall be an amount equal to the~~
8 ~~product of the solvent factor for the dry cleaning solvent and the rate of eight~~
9 ~~dollars per gallon.~~

10 ~~3.—The solvent factor for each dry cleaning solvent is as follows:~~
11 ~~(1) For perchloroethylene, the solvent factor is 1.00;~~
12 ~~(2) For 1,1,1 trichloroethane, the solvent factor is 1.00; and~~
13 ~~(3) For other chlorinated dry cleaning solvents, the solvent factor is~~
14 ~~1.00.~~

15 ~~4.—In the case of a fraction of a gallon, the dry cleaning solvent~~
16 ~~surcharge imposed by this section shall be the same fraction of the fee imposed~~
17 ~~on a whole gallon.~~

18 ~~5.—The dry cleaning solvent surcharge required in this section shall be~~
19 ~~paid to the department by the seller or provider of the dry cleaning solvent,~~
20 ~~regardless of the location of such seller or provider.~~

21 ~~6.—The dry cleaning solvent surcharge required in this section shall be~~
22 ~~paid by the seller or provider on a quarterly basis and shall be paid to the~~
23 ~~department for the previous quarter. The commission shall prescribe by~~
24 ~~administrative rule the procedure for the payment required by this section.~~

25 ~~7.—The department shall provide each person who pays a dry cleaning~~
26 ~~solvent surcharge pursuant to this section with a receipt. The receipt or the~~
27 ~~copy of the receipt shall be produced for inspection at the request of any~~
28 ~~authorized representative of the department.~~

29 ~~8.—All moneys collected or received by the department pursuant to this~~
30 ~~section shall be transmitted to the department of revenue for deposit in the~~
31 ~~state treasury to the credit of the dry cleaning environmental response trust~~
32 ~~fund created in section 260.920. Following each annual or quarterly reporting~~
~~date, the state treasurer shall certify the amount deposited to the department.~~

33 9. ~~If any seller or provider of dry cleaning solvent fails or refuses to~~
34 ~~pay the dry cleaning solvent surcharge imposed by this section, the department~~
35 ~~shall impose and such seller or provider shall pay, in addition to the dry-~~
36 ~~cleaning solvent surcharge owed by the seller or provider, a penalty of fifteen~~
37 ~~percent of the dry cleaning solvent surcharge. Such penalty shall be deposited~~
38 ~~in the dry cleaning environmental response trust fund.~~

39 10. ~~If any person does not pay the dry cleaning solvent surcharge or~~
40 ~~any portion of the dry cleaning solvent surcharge imposed by this section by~~
41 ~~the date prescribed for such payment, the department shall impose and such~~
42 ~~person shall pay interest upon the unpaid amount at the rate of ten percent per~~
43 ~~annum from the date prescribed for the payment of such surcharge and~~
44 ~~penalties until payment is actually made. Such interest shall be deposited in~~
45 ~~the dry cleaning environmental response trust fund.~~

46 11. ~~An operator of a dry cleaning facility shall not purchase or obtain~~
47 ~~solvent from a seller or provider who does not pay the dry cleaning solvent~~
48 ~~charge, as provided in this section. Any operator of a dry cleaning facility~~
49 ~~who fails to obey the provisions of this section shall be required to pay the dry-~~
50 ~~cleaning solvent surcharge as provided in subsections 2, 3 and 4 of this section~~
51 ~~for any dry cleaning solvent purchased or obtained from a seller or provider~~
52 ~~who fails to pay the proper dry cleaning solvent surcharge as determined by~~
53 ~~the department. Any operator of a dry cleaning facility who fails to follow the~~
54 ~~provisions of this subsection shall also be charged a penalty of fifteen percent~~
55 ~~of the dry cleaning solvent surcharge owed. Any operator of a dry cleaning~~
56 ~~facility who fails to obey the provisions of this subsection shall also be subject~~
57 ~~to the interest provisions of subsection 10 of this section. If a seller or~~
58 ~~provider of dry cleaning solvent charges the operator of a dry cleaning facility~~
59 ~~the dry cleaning solvent surcharge provided for in this section when the~~
60 ~~solvent is purchased or obtained by the operator and the operator can prove~~
61 ~~that the operator made full payment of the surcharge to the seller or provider~~
62 ~~but the seller or provider fails to pay the surcharge to the department as~~
63 ~~required by this section, then the operator shall not be liable pursuant to this~~
64 ~~subsection for interest, penalties or the seller's or provider's unpaid surcharge.~~
65 ~~Such surcharges, penalties and interest shall be collected by the department,~~
66 ~~and all moneys collected pursuant to this subsection shall be deposited in the~~
67 ~~dry cleaning environmental response trust fund.]~~

2 [260.945. 1. ~~If the unobligated principal of the fund equals or exceeds~~
3 ~~five million dollars on April first of any year, the active dry cleaning facility~~
4 ~~registration surcharge imposed by section 260.935 and the dry cleaning~~
5 ~~solvent surcharge imposed by section 260.940 shall not be collected on or after~~
6 ~~the next July first until such time as on April first of any year thereafter the~~
7 ~~unobligated principal balance of the fund equals two million dollars or less,~~
8 ~~then the active dry cleaning facility registration surcharge imposed by section~~
9 ~~260.935 and the dry cleaning solvent surcharge imposed by section 260.940~~
10 ~~shall again be collected on and after the next July first.~~

11 2. ~~Not later than April fifth of each year, the state treasurer shall notify~~
12 ~~the department of the amount of the unobligated balance of the fund on April~~
~~first of such year. Upon receipt of the notice, the department shall notify the~~

13 ~~public if the active dry cleaning facility registration surcharge imposed by~~
 14 ~~section 260.935 and the dry cleaning solvent surcharge imposed by section~~
 15 ~~260.940 will terminate or be payable on the following July first.~~

16 ~~3. Moneys in the fund shall not be expended pursuant to sections~~
 17 ~~260.900 to 260.960 prior to July 1, 2002.]~~

~~[260.950. 1. All final orders and determinations of the commission or~~
 2 ~~the department made pursuant to the provisions of sections 260.900 to 260.960~~
 3 ~~are subject to judicial review pursuant to the provisions of chapter 536. All~~
 4 ~~final orders and determinations shall be deemed administrative decisions as~~
 5 ~~that term is defined in chapter 536; provided that, no judicial review shall be~~
 6 ~~available, unless all administrative remedies are exhausted.]~~

~~7 2. In any suit filed pursuant to section 536.050 concerning the validity~~
 8 ~~of the commission's or department's standards, rules or regulations, the court~~
 9 ~~shall review the record made before the commission or department to~~
 10 ~~determine the validity and such reasonableness of such standards, rules or~~
 11 ~~regulations and may hear such additional evidence as it deems necessary.]~~

~~[260.955. The department shall annually transmit a report to the~~
 2 ~~general assembly and the governor regarding:~~

~~3 (1) Receipts of the fund during the preceding calendar year and the~~
 4 ~~sources of the receipts;~~

~~5 (2) Disbursements from the fund during the preceding calendar year~~
 6 ~~and the purposes of the disbursements;~~

~~7 (3) The extent of corrective action taken pursuant to sections 260.900~~
 8 ~~to 260.960 during the preceding calendar year; and~~

~~9 (4) The prioritization of sites for expenditures from the fund.]~~

~~[260.960. Any rule or portion of a rule, as that term is defined in~~
 2 ~~section 536.010, that is created under the authority delegated in this section~~
 3 ~~shall become effective only if it complies with and is subject to all of the~~
 4 ~~provisions of chapter 536 and, if applicable, section 536.028. This section and~~
 5 ~~chapter 536 are nonseverable and if any of the powers vested with the general~~
 6 ~~assembly pursuant to chapter 536 to review, to delay the effective date or to~~
 7 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
 8 ~~grant of rulemaking authority and any rule proposed or adopted after the~~
 9 ~~effective date of this act shall be invalid and void.]~~

~~[260.965. The provisions of sections 260.900 to 260.965 shall expire~~
 2 ~~August 28, 2017.]~~

3 EXPLANATION: These sections expired 8-28-2017.

~~[301.213. 1. Notwithstanding the provisions of sections 301.200 and~~
 2 ~~301.210, any person licensed as a motor vehicle dealer under sections 301.550~~
 3 ~~to 301.580 that has provided to the director of revenue a surety bond or~~
 4 ~~irrevocable letter of credit in an amount not less than one hundred thousand~~
 5 ~~dollars in a form which complies with the requirements of section 301.560 and~~

6 in lieu of the fifty thousand dollar bond otherwise required for licensure as a
7 motor vehicle dealer shall be authorized to purchase or accept in trade any
8 motor vehicle for which there has been issued a certificate of ownership, and
9 to receive such vehicle subject to any existing liens thereon created and
10 perfected under sections 301.600 to 301.660 provided the licensed dealer
11 receives the following:

12 (1) ~~A signed written contract between the licensed dealer and the~~
13 ~~owner of the vehicle outlining the terms of the sale or acceptance in trade of~~
14 ~~such motor vehicle without transfer of the certificate of ownership; and~~

15 (2) ~~Physical delivery of the vehicle to the licensed dealer; and~~

16 (3) ~~A power of attorney from the owner to the licensed dealer, in~~
17 ~~accordance with subsection 4 of section 301.300, authorizing the licensed~~
18 ~~dealer to obtain a duplicate or replacement title in the owner's name and sign~~
19 ~~any title assignments on the owner's behalf.~~

20 2. ~~If the dealer complies with the requirements of subsection 1 of this~~
21 ~~section, the sale or trade of the vehicle to the dealer shall be considered final,~~
22 ~~subject to any existing liens created and perfected under sections 301.600 to~~
23 ~~301.660. Once the prior owner of the motor vehicle has physically delivered~~
24 ~~the motor vehicle to the licensed dealer, the prior owners' insurable interest in~~
25 ~~such vehicle shall cease to exist.~~

26 3. ~~If a licensed dealer complies with the requirements of subsection 1~~
27 ~~of this section, and such dealer has provided to the director of revenue a surety~~
28 ~~bond or irrevocable letter of credit in amount not less than one hundred~~
29 ~~thousand dollars in a form which complies with the requirements of section~~
30 ~~301.560 and in lieu of the fifty thousand dollar bond otherwise required for~~
31 ~~licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to~~
32 ~~receiving and assigning to the purchaser the certificate of ownership, provided~~
33 ~~such dealer complies with the following:~~

34 (1) ~~All outstanding liens created on the vehicle pursuant to sections~~
35 ~~301.600 to 301.660 have been paid in full, and the dealer provides a copy of~~
36 ~~proof or other evidence to the purchaser; and~~

37 (2) ~~The dealer has obtained proof or other evidence from the~~
38 ~~department of revenue confirming that no outstanding child support liens exist~~
39 ~~upon the vehicle at the time of sale and provides a copy of said proof or other~~
40 ~~evidence to the purchaser; and~~

41 (3) ~~The dealer has obtained proof or other evidence from the~~
42 ~~department of revenue confirming that all applicable state sales tax has been~~
43 ~~satisfied on the sale of the vehicle to the previous owner and provides a copy~~
44 ~~of said proof or other evidence to the purchaser; and~~

45 (4) ~~The dealer has signed an application for duplicate or replacement~~
46 ~~title for the vehicle under subsection 4 of section 301.300 and provides a copy~~
47 ~~of the application to the purchaser, along with a copy of the power of attorney~~
48 ~~required by subsection 1 of this section, and the dealer has prepared and~~
49 ~~delivered to the purchaser an application for title for the vehicle in the~~
50 ~~purchaser's name; and~~

51 (5) ~~The dealer and the purchaser have entered into a written agreement~~
52 ~~for the subsequent assignment and delivery of such certificate of ownership,~~
53 ~~on a form prescribed by the director of revenue, to take place at a time, not to~~

54 ~~exceed sixty calendar days, after the time of delivery of the motor vehicle to~~
55 ~~the purchaser. Such agreement shall require the purchaser to provide to the~~
56 ~~dealer proof of financial responsibility in accordance with chapter 303 and~~
57 ~~proof of comprehensive and collision coverage on the motor vehicle. Such~~
58 ~~dealer shall maintain the original or an electronic copy of the signed agreement~~
59 ~~and deliver a copy of the signed agreement to the purchaser. Such dealer shall~~
60 ~~also complete and deliver to the director of revenue such form as the director~~
61 ~~shall prescribe demonstrating that the purchaser has purchased the vehicle~~
62 ~~without contemporaneous delivery of the title.~~

63
64 ~~Notwithstanding any provision of law to the contrary, completion of the~~
65 ~~requirements of this subsection shall constitute prima facie evidence of an~~
66 ~~ownership interest vested in the purchaser of the vehicle for all purposes other~~
67 ~~than for a subsequent transfer of ownership of the vehicle by the purchaser,~~
68 ~~subject to the rights of any secured lienholder of record; however, the~~
69 ~~purchaser may use the dealer-supplied copy of the agreement to transfer his or~~
70 ~~her ownership of the vehicle to an insurance company in situations where the~~
71 ~~vehicle has been declared salvage or a total loss by the insurance company as a~~
72 ~~result of a settlement of a claim. Such insurance company may apply for a~~
73 ~~salvage certificate of title or junking certificate pursuant to the provisions of~~
74 ~~subsection 3 of section 301.193 in order to transfer its interest in such vehicle.~~
75 ~~The purchaser may also use the dealer-supplied copy of the agreement on the~~
76 ~~form prescribed by the director of revenue as proof of ownership interest. Any~~
77 ~~lender or insurance company may rely upon a copy of the signed written~~
78 ~~agreement on the form prescribed by the director of revenue as proof of~~
79 ~~ownership interest. Any lien placed upon a vehicle based upon such signed~~
80 ~~written agreement shall be valid and enforceable, notwithstanding the absence~~
81 ~~of a certificate of ownership.~~

82 ~~4. Following a sale or other transaction in which a certificate of~~
83 ~~ownership has not been assigned from the owner to the licensed dealer, the~~
84 ~~dealer shall, within ten business days, apply for a duplicate or replacement~~
85 ~~certificate of ownership. Upon receipt of a duplicate or replacement certificate~~
86 ~~of ownership applied for under subsection 4 of section 301.300, the dealer~~
87 ~~shall assign and deliver said certificate of ownership to the purchaser of the~~
88 ~~vehicle within five business days. The dealer shall maintain proof of the~~
89 ~~assignment and delivery of the certificate of ownership to the purchaser. For~~
90 ~~purposes of this subsection, a dealer shall be deemed to have delivered the~~
91 ~~certificate of ownership to the purchaser upon either:~~

92 ~~(1) Physical delivery of the certificate of ownership to any of the~~
93 ~~purchasers identified in the contract with such dealer; or~~

94 ~~(2) Mailing of the certificate, postage prepaid, return receipt requested,~~
95 ~~to any of the purchasers at any of their addresses identified in the contract with~~
96 ~~such dealer.~~

97 ~~5. If a licensed dealer fails to comply with subsection 3 of this section,~~
98 ~~and the purchaser of the vehicle is thereby damaged, then the dealer shall be~~
99 ~~liable to the purchaser of the vehicle for actual damages, plus court costs and~~
100 ~~reasonable attorney fees.~~

101 6. ~~If a licensed dealer fails or is unable to comply with subsection 4 of~~
102 ~~this section, and the purchaser of the vehicle is thereby damaged, then the~~
103 ~~dealer shall be liable to the purchaser of the vehicle for actual damages, plus~~
104 ~~court costs and reasonable attorney fees. If the dealer cannot be found by the~~
105 ~~purchaser after making reasonable attempts, or if the dealer fails to assign and~~
106 ~~deliver the duplicate or replacement certificate of ownership to the purchaser~~
107 ~~by the date agreed upon by the dealer and the purchaser, as required by~~
108 ~~subsection 4 of this section, then the purchaser may deliver to the director a~~
109 ~~copy of the contract for sale of the vehicle, a copy of the application for~~
110 ~~duplicate title provided by the dealer to the purchaser, a copy of the secure~~
111 ~~power of attorney allowing the dealer to assign the duplicate title, and the~~
112 ~~proof or other evidence obtained by the purchaser from the dealer under~~
113 ~~subsection 3 of this section. Thereafter, the director shall mail by certified~~
114 ~~mail, return receipt requested, a notice to the dealer at the last address given to~~
115 ~~the department by that dealer. That notice shall inform the dealer that the~~
116 ~~director intends to cancel any prior certificate of title which may have been~~
117 ~~issued to the dealer on the vehicle and issue to the purchaser a certificate of~~
118 ~~title in the name of the purchaser, subject to any liens incurred by the~~
119 ~~purchaser in connection with the purchase of the vehicle, unless the dealer,~~
120 ~~within ten business days from the date of the director's notice, files with the~~
121 ~~director a written objection to the director taking such action. If the dealer~~
122 ~~does file a timely, written objection with the director, then the director shall not~~
123 ~~take any further action without an order from a court of competent jurisdiction.~~
124 ~~However, if the dealer does not file a timely, written objection with the~~
125 ~~director, then the director shall cancel the prior certificate of title issued to the~~
126 ~~dealer on the vehicle and issue a certificate of title to the purchaser of the~~
127 ~~vehicle, subject to any liens incurred by the purchaser in connection with the~~
128 ~~purchase of the vehicle and subject to the purchaser satisfying all applicable~~
129 ~~taxes and fees associated with registering the vehicle.~~

130 7. ~~If a seller misrepresents to a dealer that the seller is the owner of a~~
131 ~~vehicle and the dealer, the owner, any subsequent purchaser, or any prior or~~
132 ~~subsequent lienholder is thereby damaged, then the seller shall be liable to~~
133 ~~each such party for actual and punitive damages, plus court costs and~~
134 ~~reasonable attorney fees.~~

135 8. ~~When a lienholder is damaged as a result of a licensed dealer's acts,~~
136 ~~errors, omissions, or violations of this section, then the dealer shall be liable to~~
137 ~~the lienholder for actual damages, plus court costs and reasonable attorney~~
138 ~~fees.~~

139 9. ~~No court costs or attorney fees shall be awarded under this section~~
140 ~~unless, prior to filing any such action, the following conditions have been met:~~

141 (1) ~~The aggrieved party seeking damages has delivered an itemized~~
142 ~~written demand of the party's actual damages to the party from whom damages~~
143 ~~are sought; and~~

144 (2) ~~The party from whom damages are sought has not satisfied the~~
145 ~~written demand within thirty days after receipt of the written demand.~~

146 10. ~~The department of revenue may use a dealer's repeated or~~
147 ~~intentional violation of this section as a cause to suspend, revoke, or refuse to~~
148 ~~issue or renew any license required pursuant to sections 301.550 to 301.580, in~~

149 addition to the causes set forth in section 301.562. The hearing process shall
 150 be the same as that established in subsection 6 of section 301.562.

151 11. ~~No dealer shall enter into a contract under this section after~~
 152 ~~December 31, 2020. Any contract entered into prior to December 31, 2020,~~
 153 ~~shall be enforceable as provided in this section. This section shall be repealed~~
 154 ~~effective December 31, 2020.]~~

155 EXPLANATION: This section expired 12-31-2020.

156

2 ~~[319.140. 1. There is established a task force of the general assembly~~
 3 ~~to be known as the "Task Force on the Petroleum Storage Tank Insurance~~
 4 ~~Fund". Such task force shall be composed of eight members. Three members~~
 5 ~~shall be from the house of representatives with two appointed by the speaker~~
 6 ~~of the house of representatives and one appointed by the minority floor leader~~
 7 ~~of the house of representatives. Three members shall be from the senate with~~
 8 ~~two appointed by the president pro tempore of the senate and one appointed by~~
 9 ~~the minority floor leader of the senate. Two members shall be industry~~
 10 ~~stakeholders with one appointed by the speaker of the house of representatives~~
 11 ~~and one appointed by the president pro tempore of the senate. No more than~~
 12 ~~two members from either the house of representatives or the senate shall be~~
 13 ~~from the same political party. A majority of the task force shall constitute a~~
 14 ~~quorum.~~

15 ~~2. The task force shall conduct research and compile a report for~~
 16 ~~delivery to the general assembly by December 31, 2018, on the following:~~

17 ~~(1) The efficacy of the petroleum storage tank insurance fund and~~
 18 ~~program;~~

19 ~~(2) The sustainability of the petroleum storage tank insurance fund and~~
 20 ~~program;~~

21 ~~(3) The administration of the petroleum storage tank insurance fund~~
 22 ~~and program;~~

23 ~~(4) The availability of private insurance for above and below ground~~
 24 ~~petroleum storage tanks, and the necessity of insurance subsidies created~~
 25 ~~through the petroleum storage tank insurance program;~~

26 ~~(5) Compliance with federal programs, regulations, and advisory~~
 27 ~~reports; and~~

28 ~~(6) The comparability of the petroleum storage tank insurance~~
 29 ~~program to other states' programs and states without such programs.~~

30 ~~3. The task force shall meet within thirty days after its creation and~~
 31 ~~organize by selecting a chairperson and vice chairperson, one of whom shall~~
 32 ~~be a member of the senate and the other a member of the house of~~
 33 ~~representatives. Thereafter, the task force may meet as often as necessary in~~
 34 ~~order to accomplish the tasks assigned to it.~~

35 ~~4. The task force shall be staffed by legislative staff as necessary to~~
 36 ~~assist the task force in the performance of its duties.~~

37 ~~5. The members of the task force shall serve without compensation but~~
 38 ~~shall be entitled to reimbursement for actual and necessary expenses incurred~~
 39 ~~in the performance of their official duties.~~

~~6. This section shall expire on December 31, 2018.]~~

40 EXPLANATION: This section expired 12-31-2018.

41

2 ~~[320.093. 1. Any person, firm or corporation who purchases a dry fire~~
3 ~~hydrant, as defined in section 320.273, or provides an acceptable means of~~
4 ~~water storage for such dry fire hydrant including a pond, tank or other storage~~
5 ~~facility with the primary purpose of fire protection within the state of Missouri,~~
6 ~~shall be eligible for a credit on income taxes otherwise due pursuant to chapter~~
7 ~~143, except sections 143.191 to 143.261, as an incentive to implement safe and~~
8 ~~efficient fire protection controls. The tax credit, not to exceed five thousand~~
9 ~~dollars, shall be equal to fifty percent of the cost in actual expenditure for any~~
10 ~~new water storage construction, equipment, development and installation of~~
11 ~~the dry hydrant, including pipes, valves, hydrants and labor for each such~~
12 ~~installation of a dry hydrant or new water storage facility. The amount of the~~
13 ~~tax credit claimed for in-kind contributions shall not exceed twenty-five~~
14 ~~percent of the total amount of the contribution for which the tax credit is~~
15 ~~claimed.~~

16 ~~2. Any amount of credit which exceeds the tax due shall not be~~
17 ~~refunded but may be carried over to any subsequent taxable year, not to exceed~~
18 ~~seven years. The person, firm or corporation may elect to assign to a third~~
19 ~~party the approved tax credit. The certificate of assignment and other~~
20 ~~appropriate forms shall be filed with the Missouri department of revenue and~~
21 ~~the department of economic development.~~

22 ~~3. The person, firm or corporation shall make application for the credit~~
23 ~~to the department of economic development after receiving approval of the~~
24 ~~state fire marshal. The fire marshal shall establish by rule promulgated~~
25 ~~pursuant to chapter 536 the requirements to be met based on the National~~
26 ~~Resources Conservation Service's Dry Hydrant Standard. The state fire~~
27 ~~marshal or designated local representative shall review and authorize the~~
28 ~~construction and installation of any dry fire hydrant site. Only approved dry~~
29 ~~fire hydrant sites shall be eligible for tax credits as indicated in this section.~~
30 ~~Under no circumstance shall such authority deny any entity the ability to~~
31 ~~provide a dry fire hydrant site when tax credits are not requested.~~

32 ~~4. The department of public safety shall certify to the department of~~
33 ~~revenue that the dry hydrant system meets the requirements to obtain a tax~~
34 ~~credit as specified in subsection 5 of this section.~~

35 ~~5. In order to qualify for a tax credit under this section, a dry hydrant~~
36 ~~or new water storage facility shall meet the following minimum requirements:~~

37 ~~(1) Each body of water or water storage structure shall be able to~~
38 ~~provide two hundred fifty gallons per minute for a continuous two-hour period~~
39 ~~during a fifty-year drought or freeze at a vertical lift of eighteen feet;~~

40 ~~(2) Each dry hydrant shall be located within twenty-five feet of an all-~~
41 ~~weather roadway and shall be accessible to fire protection equipment;~~

42 ~~(3) Dry hydrants shall be located a reasonable distance from other dry~~
43 ~~or pressurized hydrants; and~~

44 ~~(4) The site shall provide a measurable economic improvement~~
45 ~~potential for rural development.~~

46 ~~6. New credits shall not be awarded under this section after August 28,~~
~~2010. The total amount of all tax credits allowed pursuant to this section is~~

47 ~~five hundred thousand dollars in any one fiscal year as approved by the~~
 48 ~~director of the department of economic development.~~

49 ~~7. Any rule or portion of a rule, as that term is defined in section~~
 50 ~~536.010, that is created under the authority delegated in this section shall~~
 51 ~~become effective only if it complies with and is subject to all of the provisions~~
 52 ~~of chapter 536 and, if applicable, section 536.028. This section and chapter~~
 53 ~~536 are nonseverable and if any of the powers vested with the general~~
 54 ~~assembly pursuant to chapter 536 to review, to delay the effective date or to~~
 55 ~~disapprove and annul a rule are subsequently held unconstitutional, then the~~
 56 ~~grant of rulemaking authority and any rule proposed or adopted after August~~
 57 ~~28, 2007, shall be invalid and void.]~~

58 EXPLANATION: The authority to issue new tax credits under this section
 59 expired 8-28-2010 (7 yr. carry forward of credit allowed under subsection 2
 60 until 8-28-2017).

61 ~~[332.304. The specific duties of the committee shall include the~~
 2 ~~following:~~

3 ~~(1) Designing a training program for dental hygienists which allows~~
 4 ~~coursework to be completed off site from the educational institution, and~~
 5 ~~clinical and didactic training to be delivered in the office of a dentist licensed~~
 6 ~~under this chapter, if such offsite dental office is a part of an accredited dental~~
 7 ~~hygiene program through the Commission on Dental Accreditation of the~~
 8 ~~American Dental Association as an extended campus facility or any other~~
 9 ~~facility approved by the council on dental accreditation;~~

10 ~~(2) Developing suggestions for the creation of a contract between the~~
 11 ~~department and an institution of higher education to establish the training~~
 12 ~~program designed under subdivision (1) of this section;~~

13 ~~(3) Analyzing issues relating to the curriculum, funding, and~~
 14 ~~administration of the training program designed under subdivision (1) of~~
 15 ~~this section; and~~

16 ~~(4) On or before November 1, 2005, delivering to both houses of the~~
 17 ~~general assembly and the governor a report on the training program designed~~
 18 ~~under subdivision (1) of this section and any suggestions developed and~~
 19 ~~analysis made under subdivisions (2) and (3) of this section.]~~

2 ~~[332.305. The committee shall dissolve upon delivery of the report~~
 3 ~~required under subdivision (4) of section 332.304.]~~

3 EXPLANATION: The report in subdivision (4) of Section 332.304 was due
 4 11-01-2005 and the committee was dissolved under Section 332.305 upon
 5 delivery of report.

6 ~~[334.153. 1. No person other than a physician licensed under this~~
 2 ~~chapter shall perform the following interventions in the course of diagnosing~~

3 or treating pain which is chronic, persistent and intractable, or occurs outside
4 of a surgical, obstetrical, or postoperative course of care:

5 (1) Ablation of targeted nerves;

6 (2) Percutaneous precision needle placement within the spinal column
7 with placement of drugs, such as local anesthetics, steroids, and analgesics, in
8 the spinal column under fluoroscopic guidance. The provisions of this
9 subdivision shall not apply to interlaminar lumbar epidural injections
10 performed in a hospital as defined in section 197.020 or an ambulatory
11 surgery center as defined in section 197.200 if the standard of care for
12 Medicare reimbursement for interlaminar or translaminar lumbar epidural
13 injections is changed after August 28, 2012, to allow reimbursement only with
14 the use of image guidance; or

15 (3) Laser or endoscopic discectomy, or the surgical placement of
16 intrathecal infusion pumps, and or spinal cord stimulators.

17 2. Nothing in this section shall be construed to prohibit or restrict the
18 performance of surgical or obstetrical anesthesia services or postoperative pain
19 control by a certified registered nurse anesthetist pursuant to subsection 7 of
20 section 334.104 or by an anesthesiologist assistant licensed pursuant to
21 sections 334.400 to 334.434.

22 3. The state board of registration for the healing arts may promulgate
23 rules to implement the provisions of this section, except that such authority
24 shall not apply to rulemaking authority to define or regulate the scope of
25 practice of certified registered nurse anesthetists. Any rule or portion of a rule,
26 as that term is defined in section 536.010, that is created under the authority
27 delegated in this section shall become effective only if it complies with and is
28 subject to all of the provisions of chapter 536 and, if applicable, section
29 536.028. This section and chapter 536 are nonseverable and if any of the
30 powers vested with the general assembly pursuant to chapter 536 to review, to
31 delay the effective date, or to disapprove and annul a rule are subsequently
32 held unconstitutional, then the grant of rulemaking authority and any rule
33 proposed or adopted after August 28, 2012, shall be invalid and void.

34 4. The provisions of this section shall automatically expire four years
35 after August 28, 2012, unless reauthorized by an act of the general assembly.]

36 EXPLANATION: This section expired 08-28-2016.

37 [334.1135. 1. There is hereby established a joint task force to be
2 known as the "Joint Task Force on Radiologic Technologist Licensure".

3 2. The task force shall be composed of the following:

4 (1) Two members of the senate, one of whom shall be appointed by the
5 president pro tempore and one by the minority leader of the senate;

6 (2) Two members of the house of representatives, one of whom shall
7 be appointed by the speaker and one by the minority leader of the house of
8 representatives;

9 (3) A clinic administrator, or his or her designee, appointed by the
10 Missouri Association of Rural Health Clinics;

11 (4) A physician appointed by the Missouri State Medical Association;

- 12 (5) ~~A pain management physician appointed by the Missouri Society~~
13 ~~of Anesthesiologists;~~
14 (6) ~~A radiologic technologist appointed by the Missouri Society of~~
15 ~~Radiologic Technologists;~~
16 (7) ~~A nuclear medicine technologist appointed by the Missouri Valley~~
17 ~~Chapter of the Society of Nuclear Medicine and Molecular Imaging;~~
18 (8) ~~An administrator of an ambulatory surgical center appointed by the~~
19 ~~Missouri Ambulatory Surgical Center Association;~~
20 (9) ~~A physician appointed by the Missouri Academy of Family~~
21 ~~Physicians;~~
22 (10) ~~A certified registered nurse anesthetist appointed by the Missouri~~
23 ~~Association of Nurse Anesthetists;~~
24 (11) ~~A physician appointed by the Missouri Radiological Society;~~
25 (12) ~~The director of the Missouri state board of registration for the~~
26 ~~healing arts, or his or her designee; and~~
27 (13) ~~The director of the Missouri state board of nursing, or his or her~~
28 ~~designee.~~
29 3. ~~The task force shall review the current status of licensure of~~
30 ~~radiologic technologists in Missouri and shall develop a plan to address the~~
31 ~~most appropriate method to protect public safety when radiologic imaging and~~
32 ~~radiologic procedures are utilized. The plan shall include:~~
33 (1) ~~An analysis of the risks associated if radiologic technologists are~~
34 ~~not licensed;~~
35 (2) ~~The creation of a Radiologic Imaging and Radiation Therapy~~
36 ~~Advisory Commission;~~
37 (3) ~~Procedures to address the specific needs of rural health care and~~
38 ~~the availability of licensed radiologic technologists;~~
39 (4) ~~Requirements for licensure of radiographers, radiation therapists,~~
40 ~~nuclear medicine technologists, nuclear medicine advanced associates,~~
41 ~~radiologist assistants, and limited x-ray machine operators;~~
42 (5) ~~Reasonable exemptions to licensure;~~
43 (6) ~~Continuing education and training;~~
44 (7) ~~Penalty provisions; and~~
45 (8) ~~Other items that the task force deems relevant for the proper~~
46 ~~determination of licensure of radiologic technologists in Missouri.~~
47 4. ~~The task force shall meet within thirty days of its creation and select~~
48 ~~a chair and vice chair. A majority of the task force shall constitute a quorum,~~
49 ~~but the concurrence of a majority of total members shall be required for the~~
50 ~~determination of any matter within the task force's duties.~~
51 5. ~~The task force shall be staffed by legislative personnel as is deemed~~
52 ~~necessary to assist the task force in the performance of its duties.~~
53 6. ~~The members of the task force shall serve without compensation,~~
54 ~~but may, subject to appropriation, be entitled to reimbursement for actual and~~
55 ~~necessary expenses incurred in the performance of their official duties.~~
56 7. ~~The task force shall submit a full report of its activities, including~~
57 ~~the plan developed under subsection 3 of this section, to the general assembly~~
58 ~~on or before January 15, 2020. The task force shall send copies of the report to~~
59 ~~the director of the division of professional registration.]~~

60 EXPLANATION: The joint task force created under this section was required
61 to submit a report by 1-15-2020; no other duties are assigned to this joint task
62 force.
63

2 ~~[338.320. 1. There is hereby established the "Missouri Electronic~~
3 ~~Prior Authorization Committee" in order to facilitate, monitor, and report to~~
4 ~~the general assembly on Missouri-based efforts to contribute to the~~
5 ~~establishment of national electronic prior authorization standards. Such~~
6 ~~efforts shall include the Missouri based electronic prior authorization pilot~~
7 ~~program established under subsection 5 of this section and the study and~~
8 ~~dissemination of information by the committee of the efforts of the National~~
9 ~~Council on Prescription Drug Programs (NCPDP) to develop national~~
10 ~~electronic prior authorization standards. The committee shall advise the~~
11 ~~general assembly and the department of commerce and insurance as to whether~~
12 ~~there is a need for administrative rules to be promulgated by the department of~~
13 ~~commerce and insurance as soon as practically possible.~~

14 ~~2. The Missouri electronic prior authorization committee shall consist~~
15 ~~of the following members:~~

16 ~~(1) Two members of the senate, appointed by the president pro~~
17 ~~tempore of the senate;~~

18 ~~(2) Two members of the house of representatives, appointed by the~~
19 ~~speaker of the house of representatives;~~

20 ~~(3) One member from an organization of licensed physicians in the~~
21 ~~state;~~

22 ~~(4) One member who is a physician licensed in Missouri pursuant to~~
23 ~~chapter 334;~~

24 ~~(5) One member who is a representative of a Missouri pharmacy~~
25 ~~benefit management company;~~

26 ~~(6) One member from an organization representing licensed~~
27 ~~pharmacists in the state;~~

28 ~~(7) One member from the business community representing businesses~~
29 ~~on health insurance issues;~~

30 ~~(8) One member from an organization representing the leading~~
31 ~~research based pharmaceutical and biotechnology companies;~~

32 ~~(9) One member from an organization representing the largest generic~~
33 ~~pharmaceutical trade association;~~

34 ~~(10) One patient advocate;~~

35 ~~(11) One member from an electronic prescription network that~~
36 ~~facilitates the secure electronic exchange of clinical information between~~
37 ~~physicians, pharmacies, payers, and pharmacy benefit managers and other~~
38 ~~health care providers;~~

39 ~~(12) One member from a Missouri based electronic health records~~
40 ~~company;~~

41 ~~(13) One member from an organization representing the largest~~
42 ~~number of hospitals in the state;~~

43 ~~(14) One member from a health carrier as such term is defined under~~
~~section 376.1350;~~

44 ~~(15) One member from an organization representing the largest~~
45 ~~number of health carriers in the state, as such term is defined under section~~
46 ~~376.1350;~~

47 ~~(16) The director of the department of social services, or the director's~~
48 ~~designee;~~

49 ~~(17) The director of the department of commerce and insurance, who~~
50 ~~shall be chair of the committee.~~

51 ~~3. All of the members, except for the members from the general~~
52 ~~assembly, shall be appointed by the governor no later than September 1, 2012,~~
53 ~~with the advice and consent of the senate. The staff of the department of~~
54 ~~commerce and insurance shall provide assistance to the committee.~~

55 ~~4. The duties of the committee shall be as follows:~~

56 ~~(1) Before February 1, 2019, monitor and report to the general~~
57 ~~assembly on the Missouri-based electronic prior authorization pilot program~~
58 ~~created under subsection 5 of this section including a report of the outcomes~~
59 ~~and best practices developed as a result of the pilot program and how such~~
60 ~~information can be used to inform the national standard-setting process;~~

61 ~~(2) Obtain specific updates from the NCPDP and other pharmacy~~
62 ~~benefit managers and vendors that are currently engaged in pilot programs~~
63 ~~working toward national electronic prior authorization standards;~~

64 ~~(3) Correspond and collaborate with the NCPDP and other such pilots~~
65 ~~through the exchange of information and ideas;~~

66 ~~(4) Assist, when asked by the pharmacy benefit manager, with the~~
67 ~~development of the pilot program created under subsection 5 of this section~~
68 ~~with an understanding of information on the success and failures of other pilot~~
69 ~~programs across the country;~~

70 ~~(5) Prepare a report at the end of each calendar year to be distributed to~~
71 ~~the general assembly and governor with a summary of the committee's~~
72 ~~progress and plans for the next calendar year, including a report on Missouri-~~
73 ~~based efforts to contribute to the establishment of national electronic prior~~
74 ~~authorization standards. Such annual report shall continue until such time as~~
75 ~~the NCPDP has established national electronic prior authorization standards or~~
76 ~~this section has expired, whichever is sooner. The first report shall be~~
77 ~~completed before January 1, 2013;~~

78 ~~(6) Upon the adoption of national electronic prior authorization~~
79 ~~standards by the NCPDP, prepare a final report to be distributed to the general~~
80 ~~assembly and governor that identifies the appropriate Missouri administrative~~
81 ~~regulations, if any, that will need to be promulgated by the department of~~
82 ~~commerce and insurance, in order to make those standards effective as soon as~~
83 ~~practically possible, and advise the general assembly and governor if there are~~
84 ~~any legislative actions necessary to the furtherance of that end.~~

85 ~~5. The department of commerce and insurance and the Missouri~~
86 ~~electronic prior authorization committee shall recruit a Missouri-based~~
87 ~~pharmacy benefits manager doing business nationally to volunteer to~~
88 ~~conduct an electronic prior authorization pilot program in Missouri. The~~
89 ~~pharmacy benefits manager conducting the pilot program shall ensure that~~
90 ~~there are adequate Missouri licensed physicians and an electronic prior~~
91 ~~authorization vendor capable and willing to participate in a Missouri based~~

92 ~~pilot program. Such pilot program established under this section shall be~~
 93 ~~operational by January 1, 2014. The department and the committee may~~
 94 ~~provide advice or assistance to the pharmacy benefit manager conducting the~~
 95 ~~pilot program but shall not maintain control or lead with the direction of the~~
 96 ~~pilot program.~~

97 ~~6. Pursuant to section 23.253 of the Missouri sunset act:~~

98 ~~(1) The provisions of the new program authorized under this section~~
 99 ~~shall sunset automatically six years after August 28, 2012, unless reauthorized~~
 100 ~~by an act of the general assembly; and~~

101 ~~(2) If such program is reauthorized, the program authorized under this~~
 102 ~~section shall sunset automatically twelve years after the effective date of the~~
 103 ~~reauthorization of this section; and~~

104 ~~(3) This section shall terminate on September first of the calendar year~~
 105 ~~immediately following the calendar year in which the program authorized~~
 106 ~~under this section is sunset.]~~

107 EXPLANATION: This section sunset 8-28-2018. NOTE: No Sunset Review
 108 Report was prepared on this section.

109
 2 ~~[374.007. 1. The revisor of statutes shall change all references in the~~
 3 ~~revised statutes of Missouri from "department of insurance", "insurance~~
 4 ~~department" or "department of insurance, financial and professional~~
 5 ~~regulation" to "department of insurance, financial institutions and~~
 6 ~~professional registration".~~

7 ~~2. The revisor of statutes shall change all references in the revised~~
 8 ~~statutes of Missouri from "director of insurance" or "commissioner of~~
 9 ~~insurance" to "director of the department of insurance, financial institutions~~
 10 ~~and professional registration".]~~

11 EXPLANATION: The direction to change the department name in this section
 12 has been superseded by a subsequent name change of the same department by
 13 Executive Order 19-02 to the Department of Commerce and Insurance.

2 ~~[393.1072. 1. There is hereby established the "Task Force on Fair,~~
 3 ~~Nondiscriminatory Local Taxation Concerning Solar Energy Systems", which~~
 4 ~~shall be composed of the following members:~~

5 ~~(1) Three members of the house of representatives, with not more than~~
 6 ~~two members from the same political party and each member to be appointed~~
 7 ~~by the speaker of the house of representatives;~~

8 ~~(2) Three members of the senate, with not more than two members~~
 9 ~~from the same political party and each member to be appointed by the~~
 10 ~~president pro tempore of the senate;~~

11 ~~(3) Two currently elected county assessors from Missouri county~~
 12 ~~governments, with one to be appointed by the speaker of the house of~~
 13 ~~representatives and one to be appointed by the president pro tempore of the~~
 14 ~~senate;~~

14 ~~(4) Two representatives from the Missouri state tax commission to be~~
15 ~~appointed by the commissioners of the Missouri state tax commission;~~

16 ~~(5) Two representatives from a statewide agricultural organization,~~
17 ~~with one to be appointed by the speaker of the house of representatives and~~
18 ~~one to be appointed by the president pro tempore of the senate;~~

19 ~~(6) Two representatives from the private sector with experience in~~
20 ~~utility-scale solar energy development and operation, with one to be appointed~~
21 ~~by the speaker of the house of representatives and one to be appointed by the~~
22 ~~president pro tempore of the senate; and~~

23 ~~(7) One member from an organization that advocates for policy~~
24 ~~supporting solar energy appointed by the chair of the public service~~
25 ~~commission.~~

26 ~~2. The task force shall conduct public hearings and research and~~
27 ~~compile a report for delivery to the general assembly before December 31,~~
28 ~~2022. Such report shall include information on the following:~~

29 ~~(1) The economic benefits and drawbacks of solar energy systems to~~
30 ~~local communities and the state;~~

31 ~~(2) The fair, uniform, and standardized assessment and taxation of~~
32 ~~solar energy systems and their connected equipment owned by a retail or~~
33 ~~wholesale provider of electricity at the county level in all counties;~~

34 ~~(3) Compliance with existing federal and state programs and~~
35 ~~regulations; and~~

36 ~~(4) Potential legislation that will provide a uniform assessment and~~
37 ~~taxation methodology for solar energy systems and their connected equipment~~
38 ~~owned by a retail or wholesale provider of electricity that will be used in every~~
39 ~~county of Missouri.~~

40 ~~3. The task force shall meet within thirty days after its creation and~~
41 ~~shall organize by selecting a chair and vice chair, one of whom shall be a~~
42 ~~member of the senate and the other a member of the house of representatives.~~
43 ~~Thereafter, the task force may meet as often as necessary in order to~~
44 ~~accomplish the tasks assigned to it. Meetings may be held by telephone or~~
45 ~~video conference at the discretion of the chair. The chair shall designate a~~
46 ~~person to keep the records of the task force. A majority of the task force shall~~
47 ~~constitute a quorum, and a majority vote of such quorum shall be required for~~
48 ~~any action.~~

49 ~~4. The staff of house research and senate research shall provide~~
50 ~~necessary clerical, research, fiscal, and legal services to the task force as the~~
51 ~~task force may request.~~

52 ~~5. The members of the task force shall serve without compensation,~~
53 ~~but any actual and necessary expenses incurred by the task force, its members,~~
54 ~~and any staff assigned to the task force shall be reimbursed.~~

55 ~~6. This section shall expire on December 31, 2022.]~~

56 EXPLANATION: This section expired 12-31-2022.

57 ~~[454.849. The repeal of sections 454.850 to 454.999 shall become~~
2 ~~effective June 15, 2016.]~~

3 EXPLANATION: This section became obsolete after the 2016 repeal of
4 sections 454.850 to 454.999.

5

2 ~~[476.1000. All courts that require mandatory electronic filing shall
3 accept, file, and docket a notice of entry of appearance filed by an attorney in a
4 criminal case if such filing does not exceed one page in length and was sent by
5 fax or regular mail. The provisions of this section shall expire on December
31, 2016.]~~

6 EXPLANATION: This section expired 12-31-2016.

7

2 ~~[559.117. 1. The director of the department of corrections is
3 authorized to establish, as a three-year pilot program, a mental health
4 assessment process.~~

4 ~~2. Only upon a motion filed by the prosecutor in a criminal case, the
5 judge who is hearing the criminal case in a participating county may request
6 that an offender be placed in the department of corrections for one hundred
7 twenty days for a mental health assessment and for treatment if it appears that
8 the offender has a mental disorder or mental illness such that the offender may
9 qualify for probation including community psychiatric rehabilitation (CPR)
10 programs and such probation is appropriate and not inconsistent with public
11 safety. Before the judge rules upon the motion, the victim shall be given
12 notice of such motion and the opportunity to be heard. Upon recommendation
13 of the court, the department shall determine the offender's eligibility for the
14 mental health assessment process.~~

15 ~~3. Following this assessment and treatment period, an assessment
16 report shall be sent to the sentencing court and the sentencing court may, if
17 appropriate, release the offender on probation. The offender shall be
18 supervised on probation by a state probation and parole officer, who shall work
19 cooperatively with the department of mental health to enroll eligible offenders
20 in community psychiatric rehabilitation (CPR) programs.~~

21 ~~4. Notwithstanding any other provision of law, probation shall not be
22 granted under this section to offenders who:~~

23 ~~(1) Have been found guilty of, or plead guilty to, murder in the second
24 degree under section 565.021;~~

25 ~~(2) Have been found guilty of, or plead guilty to, rape in the first
26 degree under section 566.030 or forcible rape under section 566.030 as it
27 existed prior to August 28, 2013;~~

28 ~~(3) Have been found guilty of, or plead guilty to, statutory rape in the
29 first degree under section 566.032;~~

30 ~~(4) Have been found guilty of, or plead guilty to, sodomy in the first
31 degree under section 566.060 or forcible sodomy under section 566.060 as it
32 existed prior to August 28, 2013;~~

33 ~~(5) Have been found guilty of, or plead guilty to, statutory sodomy in
34 the first degree under section 566.062;~~

35 ~~(6) Have been found guilty of, or plead guilty to, child molestation in
36 the first degree under section 566.067 when classified as a class A felony;~~

37 ~~(7) Have been found to be a predatory sexual offender under section~~
 38 ~~566.125; or~~

39 ~~(8) Have been found guilty of, or plead guilty to, any offense for~~
 40 ~~which there exists a statutory prohibition against either probation or parole.~~

41 ~~5. At the end of the three year pilot, the director of the department of~~
 42 ~~corrections and the director of the department of mental health shall jointly~~
 43 ~~submit recommendations to the governor and to the general assembly by~~
 44 ~~December 31, 2015, on whether to expand the process statewide.]~~

45 EXPLANATION: Authorization for the three-year pilot project expired 12-31-
 46 2015.

47

~~[595.202. 1. There is hereby created the "Missouri Rights of Victims~~
 2 ~~of Sexual Assault Task Force" to consist of the following members:~~

3 ~~(1) The following four members of the general assembly:~~

4 ~~(a) Two members of the senate, with no more than one member from~~
 5 ~~the same political party and each member to be appointed by the president pro~~
 6 ~~tempore of the senate; and~~

7 ~~(b) Two members of the house of representatives, with no more than~~
 8 ~~one member from the same political party and each member to be appointed~~
 9 ~~by the speaker of the house of representatives;~~

10 ~~(2) The director of the department of health and senior services or his~~
 11 ~~or her designee;~~

12 ~~(3) A private citizen appointed by the governor;~~

13 ~~(4) A representative of a statewide coalition against domestic and~~
 14 ~~sexual violence appointed by the governor;~~

15 ~~(5) A representative of rape crisis centers appointed by the governor;~~

16 ~~(6) The superintendent of the Missouri highway patrol or his or her~~
 17 ~~designee;~~

18 ~~(7) A law enforcement officer appointed by the governor;~~

19 ~~(8) The director of the Missouri highway patrol crime lab or his or her~~
 20 ~~designee;~~

21 ~~(9) An attorney appointed by the governor; and~~

22 ~~(10) A representative of the Missouri Hospital Association.~~

23 ~~2. The task force shall study nationally recognized best practices and~~
 24 ~~make recommendations regarding:~~

25 ~~(1) The development and implementation of an effective mechanism~~
 26 ~~for submitting, tracking, and investigating complaints regarding the handling~~
 27 ~~of, or response to, a sexual assault report or investigation by any agency or~~
 28 ~~organization involved in the response;~~

29 ~~(2) The development of documentation for medical providers and law~~
 30 ~~enforcement officers, in conjunction with the department of public safety, to~~
 31 ~~provide to survivors informing them of their rights pursuant to section~~
 32 ~~595.201;~~

33 ~~(3) Whether a need exists for additional employees or volunteers of a~~
 34 ~~rape crisis center for victims of sexual assault, and if such a need does exist,~~
 35 ~~the task force shall:~~

36 ~~(a) Create a plan for how the state can provide, in conjunction with~~
 37 ~~rape crisis centers, victims' advocates organizations, and the department of~~
 38 ~~health and senior services, additional employees or volunteers of a rape crisis~~
 39 ~~center to meet the needs identified; and~~

40 ~~(b) Determine the cost of funding such a plan;~~

41 ~~(4) Whether a need exists to expand the right to an employee or~~
 42 ~~volunteer of a rape crisis center beyond the medical examination and law~~
 43 ~~enforcement interview settings, and if such a need does exist, the task force~~
 44 ~~shall:~~

45 ~~(a) Identify the scope and nature of the need; and~~

46 ~~(b) Make recommendations on how best to fill that need, whether~~
 47 ~~legislatively or otherwise;~~

48 ~~(5) Whether a need exists to provide for ongoing evaluation of the~~
 49 ~~implementation of these rights, and if such a need does exist, the task force~~
 50 ~~shall:~~

51 ~~(a) Identify the scope and nature of the need; and~~

52 ~~(b) Make recommendations on how best to fill that need, whether~~
 53 ~~legislatively or otherwise.~~

54 ~~3. The task force shall:~~

55 ~~(1) Collect data regarding sexual assault reporting, arrests, prosecution~~
 56 ~~rates, access to sexual assault victims services, and any other data important~~
 57 ~~for its deliberations and recommendations; and~~

58 ~~(2) Collect feedback from stakeholders, practitioners, and leadership~~
 59 ~~throughout the state and local law enforcement, victim services, forensic~~
 60 ~~science practitioners, and health care communities to inform development of~~
 61 ~~future best practices or clinical guidelines regarding the care and treatment of~~
 62 ~~survivors.~~

63 ~~4. The department of public safety shall provide administrative~~
 64 ~~support to the task force.~~

65 ~~5. On or before December 31, 2021, the task force shall submit a~~
 66 ~~report on its findings to the governor and general assembly. The report shall~~
 67 ~~include any dissenting opinions in addition to any majority opinions.~~

68 ~~6. The task force shall expire on December 31, 2021.]~~

69 EXPLANATION: The task force created under this section expired 12-31-
 70 2021.

71
 2 ~~[620.467. 1. The state treasurer shall annually deposit an amount~~
 3 ~~prescribed in this section out of the general revenue fund pursuant to section~~
 4 ~~144.700, in a fund hereby created in the state treasury, to be known as the~~
 5 ~~"Division of Tourism Supplemental Revenue Fund". The state treasurer shall~~
 6 ~~administer the fund, and the moneys in such fund, except the appropriate~~
 7 ~~percentage of any refund made of taxes collected under the provisions of~~
 8 ~~chapter 144, shall be used solely by the division of tourism of the department~~
 9 ~~of economic development to carry out the duties and functions of the division~~
 10 ~~as prescribed by law. Moneys deposited in the division of tourism~~
~~supplemental revenue fund shall be in addition to a budget base in each~~

11 ~~fiscal year. For fiscal year 1994, such budget base shall be six million two~~
12 ~~hundred thousand dollars, and in each succeeding fiscal year the budget base~~
13 ~~shall be the prior fiscal year's general revenue base plus any additional~~
14 ~~appropriations made to the division of tourism, including one hundred percent~~
15 ~~of the prior fiscal year's deposits made to the division of tourism supplemental~~
16 ~~revenue fund pursuant to this section. The general revenue base shall decrease~~
17 ~~by ten percent in each fiscal year following fiscal year 1994. Notwithstanding~~
18 ~~the provisions of section 33.080 to the contrary, moneys in the division of~~
19 ~~tourism supplemental revenue fund at the end of any biennium shall not be~~
20 ~~deposited to the credit of the general revenue fund.~~

21 ~~2. In fiscal years 1995 to 2020, a portion of general revenue~~
22 ~~determined pursuant to this subsection shall be deposited to the credit of the~~
23 ~~division of tourism supplemental revenue fund pursuant to subsection 1 of this~~
24 ~~section. The director of revenue shall determine the amount deposited to the~~
25 ~~credit of the division of tourism supplemental revenue fund in each fiscal year~~
26 ~~by computing the previous year's total appropriation into the division of~~
27 ~~tourism supplemental revenue fund and adding to such appropriation amount~~
28 ~~the total amount derived from the retail sale of tourist oriented goods and~~
29 ~~services collected pursuant to the following sales taxes: state sales taxes; sales~~
30 ~~taxes collected pursuant to sections 144.010 to 144.430 that are designated as~~
31 ~~local tax revenue to be deposited in the school district trust fund pursuant to~~
32 ~~section 144.701; sales taxes collected pursuant to Section 43(a) of Article IV of~~
33 ~~the Missouri Constitution; and sales taxes collected pursuant to Section 47(a)~~
34 ~~of Article IV of the Missouri Constitution. If the increase in such sales taxes~~
35 ~~derived from the retail sale of tourist oriented goods and services in the fiscal~~
36 ~~year three years prior to the fiscal year in which each deposit shall be made is~~
37 ~~at least three percent over such sales taxes derived from the retail sale of~~
38 ~~tourist oriented goods and services generated in the fiscal year four years prior~~
39 ~~to the fiscal year in which each deposit shall be made, an amount equal to one-~~
40 ~~half of such sales taxes generated above a three percent increase shall be~~
41 ~~calculated by the director of revenue and the amount calculated shall be~~
42 ~~deposited by the state treasurer to the credit of the division of tourism~~
43 ~~supplemental revenue fund.~~

44 ~~3. Total deposits in the supplemental revenue fund in any fiscal year~~
45 ~~pursuant to subsections 1 and 2 of this section shall not exceed the amount~~
46 ~~deposited into the division of tourism supplemental revenue fund in the fiscal~~
47 ~~year immediately preceding the current fiscal year by more than three million~~
48 ~~dollars.~~

49 ~~4. As used in this section, "sales of tourism oriented goods and~~
50 ~~services" are those sales by businesses registered with the department of~~
51 ~~revenue under the following SIC Codes:~~

- 52 ~~(1) SIC Code 5811;~~
- 53 ~~(2) SIC Code 5812;~~
- 54 ~~(3) SIC Code 5813;~~
- 55 ~~(4) SIC Code 7010;~~
- 56 ~~(5) SIC Code 7020;~~
- 57 ~~(6) SIC Code 7030;~~
- 58 ~~(7) SIC Code 7033;~~

- 59 ~~(8) SIC Code 7041;~~
- 60 ~~(9) SIC Code 7920;~~
- 61 ~~(10) SIC Code 7940;~~
- 62 ~~(11) SIC Code 7990;~~
- 63 ~~(12) SIC Code 7991;~~
- 64 ~~(13) SIC Code 7992;~~
- 65 ~~(14) SIC Code 7996;~~
- 66 ~~(15) SIC Code 7998;~~
- 67 ~~(16) SIC Code 7999; and~~
- 68 ~~(17) SIC Code 8420.~~

69 ~~5. Prior to each appropriation from the division of tourism~~
 70 ~~supplemental revenue fund, the division of tourism shall present to the~~
 71 ~~committee on tourism, recreational and cultural affairs of the house of~~
 72 ~~representatives and to the transportation and tourism committee of the senate,~~
 73 ~~or their successors, a promotional marketing strategy including, but not limited~~
 74 ~~to, targeted markets, duration of market plans, ensuing market strategies, and~~
 75 ~~the actual and estimated investment return, if any, resulting therefrom.~~

76 ~~6. This section shall become effective July 1, 1994. This section shall~~
 77 ~~expire June 30, 2020.]~~

78 EXPLANATION: This section expired 6-30-2020.

79

2 ~~[620.1910. 1. This section shall be known and may be cited as the~~
 3 ~~"Manufacturing Jobs Act".~~

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

5 ~~(1) "Approval", a document submitted by the department to the~~
 6 ~~qualified manufacturing company or qualified supplier that states the benefits~~
 7 ~~that may be provided under this section;~~

8 ~~(2) "Capital investment", expenditures made by a qualified~~
 9 ~~manufacturing company to retool or reconfigure a manufacturing facility~~
 10 ~~directly related to the manufacturing of a new product or the expansion or~~
 11 ~~modification of the manufacture of an existing product;~~

12 ~~(3) "County average wage", the same meaning as such term is defined~~
 13 ~~in section 620.1878;~~

14 ~~(4) "Department", the department of economic development;~~

15 ~~(5) "Facility", a building or buildings located in Missouri at which the~~
 16 ~~qualified manufacturing company manufactures a product;~~

17 ~~(6) "Full time job", a job for which a person is compensated for an~~
 18 ~~average of at least thirty five hours per week for a twelve month period, and~~
 19 ~~one for which the qualified manufacturing company or qualified supplier~~
 20 ~~offers health insurance and pays at least fifty percent of such insurance~~
 21 ~~premiums;~~

22 ~~(7) "NAICS industry classification", the most recent edition of the~~
 23 ~~North American Industry Classification System as prepared by the Executive~~
 24 ~~Office of the President, Office of Management and Budget;~~

25 ~~(8) "New job", the same meaning as such term is defined in section~~
 26 ~~620.1878;~~

26 (9) ~~"New product", a new model or line of a manufactured good that~~
27 ~~has not been manufactured in Missouri by the qualified manufacturing~~
28 ~~company at any time prior to the date of the notice of intent, or an existing~~
29 ~~brand, model, or line of a manufactured good that is redesigned with more than~~
30 ~~seventy five percent new exterior body parts and incorporates new powertrain~~
31 ~~options;~~

32 (10) ~~"Notice of intent", a form developed by the department,~~
33 ~~completed by the qualified manufacturing company or qualified supplier and~~
34 ~~submitted to the department which states the qualified manufacturing~~
35 ~~company's or qualified supplier's intent to create new jobs or retain current~~
36 ~~jobs and make additional capital investment, as applicable, and request~~
37 ~~benefits under this section. The notice of intent shall specify the minimum~~
38 ~~number of such new or retained jobs and the minimum amount of such capital~~
39 ~~investment;~~

40 (11) ~~"Qualified manufacturing company", a business with a NAICS~~
41 ~~code of 33611 that:~~

42 (a) ~~Manufactures goods at a facility in Missouri;~~

43 (b) ~~In the case of the manufacture of a new product, commits to make~~
44 ~~a capital investment of at least seventy five thousand dollars per retained job~~
45 ~~within no more than two years of the date the qualified manufacturing~~
46 ~~company begins to retain withholding tax under this section, or in the case of~~
47 ~~the modification or expansion of the manufacture of an existing product,~~
48 ~~commits to make a capital investment of at least fifty thousand dollars per~~
49 ~~retained job within no more than two years of the date the qualified~~
50 ~~manufacturing company begins to retain withholding tax under this section;~~

51 (c) ~~Manufactures a new product or has commenced making capital~~
52 ~~improvements to the facility necessary for the manufacturing of such new~~
53 ~~product, or modifies or expands the manufacture of an existing product or has~~
54 ~~commenced making capital improvements to the facility necessary for the~~
55 ~~modification or expansion of the manufacture of such existing product; and~~

56 (d) ~~Continues to meet the requirements of paragraphs (a) to (c) of this~~
57 ~~subdivision for the withholding period;~~

58 (12) ~~"Qualified supplier", a manufacturing company that:~~

59 (a) ~~Attests to the department that it derives more than ten percent of~~
60 ~~the total annual sales of the company from sales to a qualified manufacturing~~
61 ~~company;~~

62 (b) ~~Adds five or more new jobs;~~

63 (c) ~~Has an average wage, as defined in section 135.950, for such new~~
64 ~~jobs that are equal to or exceed the lower of the county average wage for~~
65 ~~Missouri as determined by the department using NAICS industry~~
66 ~~classifications, but not lower than sixty percent of the statewide average~~
67 ~~wage; and~~

68 (d) ~~Provides health insurance for all full-time jobs and pays at least~~
69 ~~fifty percent of the premiums of such insurance;~~

70 (13) ~~"Retained job", the number of full-time jobs of persons employed~~
71 ~~by the qualified manufacturing company located at the facility that existed as~~
72 ~~of the last working day of the month immediately preceding the month in~~
73 ~~which notice of intent is submitted;~~

74 (14) ~~"Statewide average wage", an amount equal to the quotient of the~~
75 ~~sum of the total gross wages paid for the corresponding four calendar quarters~~
76 ~~divided by the average annual employment for such four calendar quarters,~~
77 ~~which shall be computed using the Quarterly Census of Employment and~~
78 ~~Wages Data for All Private Ownership Businesses in Missouri, as published by~~
79 ~~the Bureau of Labor Statistics of the United States Department of Labor;~~

80 (15) ~~"Withholding period", the seven or ten-year period in which a~~
81 ~~qualified manufacturing company may receive benefits under this section;~~

82 (16) ~~"Withholding tax", the same meaning as such term is defined in~~
83 ~~section 620.1878.~~

84 3. ~~The department shall respond within thirty days to a qualified~~
85 ~~manufacturing company or a qualified supplier who provides a notice of intent~~
86 ~~with either an approval or a rejection of the notice of intent. Failure to respond~~
87 ~~on behalf of the department shall result in the notice of intent being deemed an~~
88 ~~approval for the purposes of this section.~~

89 4. ~~A qualified manufacturing company that manufactures a new~~
90 ~~product may, upon the department's approval of a notice of intent and the~~
91 ~~execution of an agreement that meets the requirements of subsection 9 of this~~
92 ~~section, but no earlier than January 1, 2012, retain one hundred percent of the~~
93 ~~withholding tax from full-time jobs at the facility for a period of ten years. A~~
94 ~~qualified manufacturing company that modifies or expands the manufacture of~~
95 ~~an existing product may, upon the department's approval of a notice of intent~~
96 ~~and the execution of an agreement that meets the requirements of subsection 9~~
97 ~~of this section, but no earlier than January 1, 2012, retain fifty percent of the~~
98 ~~withholding tax from full-time jobs at the facility for a period of seven years.~~
99 ~~Except as otherwise allowed under subsection 7 of this section, the~~
100 ~~commencement of the withholding period may be delayed by no more than~~
101 ~~twenty-four months after execution of the agreement at the option of the~~
102 ~~qualified manufacturing company. Such qualified manufacturing company~~
103 ~~shall be eligible for participation in the Missouri quality jobs program in~~
104 ~~sections 620.1875 to 620.1890 for any new jobs for which it does not retain~~
105 ~~withholding tax under this section, provided all qualifications for such~~
106 ~~program are met.~~

107 5. ~~A qualified supplier may, upon approval of a notice of intent by the~~
108 ~~department, retain all withholding tax from new jobs for a period of three years~~
109 ~~from the date of approval of the notice of intent or for a period of five years if~~
110 ~~the supplier pays wages for the new jobs equal to or greater than one hundred~~
111 ~~twenty percent of county average wage. Notwithstanding any other provision~~
112 ~~of law to the contrary, a qualified supplier that is awarded benefits under this~~
113 ~~section shall not receive any tax credit or exemption or be entitled to retain~~
114 ~~withholding under sections 100.700 to 100.850, sections 135.100 to 135.150,~~
115 ~~sections 135.200 to 135.286, section 135.535, sections 135.900 to 135.906,~~
116 ~~sections 135.950 to 135.970, or section 620.1881 for the same jobs.~~

117 6. ~~Notwithstanding any other provision of law to the contrary, the~~
118 ~~maximum amount of withholding tax that may be retained by any one~~
119 ~~qualified manufacturing company under this section shall not exceed ten~~
120 ~~million dollars per calendar year. The aggregate amount of withholding tax~~

121 that may be retained by all qualified manufacturing companies under this
122 section shall not exceed fifteen million dollars per calendar year.

123 7. Notwithstanding any other provision of law to the contrary, any
124 qualified manufacturing company that is awarded benefits under this section
125 shall not simultaneously receive tax credits or exemptions under sections
126 100.700 to 100.850, sections 135.100 to 135.150, sections 135.200 to 135.286,
127 section 135.535, or sections 135.900 to 135.906 for the jobs created or retained
128 or capital improvement which qualified for benefits under this section. The
129 benefits available to the qualified manufacturing company under any other
130 state programs for which the qualified manufacturing company is eligible and
131 which utilize withholding tax from the jobs at the facility shall first be credited
132 to the other state program before the applicable withholding period for benefits
133 provided under this section shall begin. These other state programs include,
134 but are not limited to, the Missouri works jobs training program under sections
135 620.800 to 620.809, the real property tax increment allocation redevelopment
136 act under sections 99.800 to 99.865, or the Missouri downtown and rural
137 economic stimulus act under sections 99.915 to 99.980. If any qualified
138 manufacturing company also participates in the Missouri works jobs training
139 program in sections 620.800 to 620.809, such qualified manufacturing
140 company shall not retain any withholding tax that has already been
141 allocated for use in the new jobs training program. Any qualified
142 manufacturing company or qualified supplier that is awarded benefits under
143 this program and knowingly hires individuals who are not allowed to work
144 legally in the United States shall immediately forfeit such benefits and shall
145 repay the state an amount equal to any withholding taxes already retained.
146 Subsection 5 of section 285.530 shall not apply to qualified manufacturing
147 companies or qualified suppliers which are awarded benefits under this
148 program.

149 8. The department may promulgate rules to implement the provisions
150 of this section. Any rule or portion of a rule, as that term is defined in section
151 536.010, that is created under the authority delegated in this section shall
152 become effective only if it complies with and is subject to all of the provisions
153 of chapter 536 and, if applicable, section 536.028. This section and chapter
154 536 are nonseverable and if any of the powers vested with the general
155 assembly under chapter 536 to review, to delay the effective date, or to
156 disapprove and annul a rule are subsequently held unconstitutional, then the
157 grant of rulemaking authority and any rule proposed or adopted after the
158 effective date of this section shall be invalid and void.

159 9. Within six months of completion of a notice of intent required under
160 this section, the qualified manufacturing company shall enter into an
161 agreement with the department that memorializes the content of the notice
162 of intent, the requirements of this section, and the consequences for failing to
163 meet such requirements, which shall include the following:

164 (1) If the amount of capital investment made by the qualified
165 manufacturing company is not made within the two-year period provided for
166 such investment, the qualified manufacturing company shall immediately
167 cease retaining any withholding tax with respect to jobs at the facility and it
168 shall forfeit all rights to retain withholding tax for the remainder of the

169 ~~withholding period. In addition, the qualified manufacturing company shall~~
 170 ~~repay any amounts of withholding tax retained plus interest of five percent per~~
 171 ~~annum. However, in the event that such capital investment shortfall is due to~~
 172 ~~economic conditions beyond the control of the qualified manufacturing~~
 173 ~~company, the director may, at the qualified manufacturing company's request,~~
 174 ~~suspend rather than terminate its privilege to retain withholding tax under this~~
 175 ~~section for up to three years. Any such suspension shall extend the~~
 176 ~~withholding period by the same amount of time. No more than one such~~
 177 ~~suspension shall be granted to a qualified manufacturing company;~~

178 ~~(2) If the qualified manufacturing company discontinues the~~
 179 ~~manufacturing of the new product and does not replace it with a subsequent~~
 180 ~~or additional new product manufactured at the facility at any time during the~~
 181 ~~withholding period, the qualified manufacturing company shall immediately~~
 182 ~~cease retaining any withholding tax with respect to jobs at that facility and it~~
 183 ~~shall forfeit all rights to retain withholding tax for the remainder of the~~
 184 ~~withholding period.~~

185 ~~10. Prior to March first each year, the department shall provide a~~
 186 ~~report to the general assembly including the names of participating qualified~~
 187 ~~manufacturing companies or qualified suppliers, location of such companies or~~
 188 ~~suppliers, the annual amount of benefits provided, the estimated net state fiscal~~
 189 ~~impact including direct and indirect new state taxes derived, and the number of~~
 190 ~~new jobs created or jobs retained.~~

191 ~~11. Under section 23.253 of the Missouri sunset act:~~

192 ~~(1) The provisions of the new program authorized under this section~~
 193 ~~shall automatically sunset October 12, 2016, unless reauthorized by an act of~~
 194 ~~the general assembly; and~~

195 ~~(2) If such program is reauthorized, the program authorized under this~~
 196 ~~section shall automatically sunset twelve years after the effective date of the~~
 197 ~~reauthorization of this section; and~~

198 ~~(3) This section shall terminate on September first of the calendar year~~
 199 ~~immediately following the calendar year in which the program authorized~~
 200 ~~under this section is sunset.]~~

201 EXPLANATION: This section sunset 10-12-2016. NOTE: A Sunset Review
 202 Report on this section was voted on by the Joint Committee on Legislative
 203 Research on 9-16-2015.

204

2 ~~[620.2100. 1. There is hereby established the "Ozark Exploration~~
 3 ~~Bicentennial Commission".~~

4 ~~2. The commission shall consist of the following members:~~

5 ~~(1) Two representatives appointed by the speaker of the house of~~
 6 ~~representatives;~~

7 ~~(2) Two senators appointed by the president pro tempore of the senate;~~

8 ~~(3) One faculty member of Missouri State University appointed by~~
 9 ~~university leadership;~~

9 ~~(4) The director of the division of tourism or his or her designee;~~

10 ~~(5) Two members representing historical societies within the area of~~
 11 ~~exploration, one appointed by the speaker of the house of representatives and~~
 12 ~~one appointed by the president pro tempore of the senate;~~

13 ~~(6) Two members of the public appointed by the speaker of the house~~
 14 ~~of representatives; and~~

15 ~~(7) Two members of the public appointed by the president pro tempore~~
 16 ~~of the senate.~~

17 ~~3. Members of the commission shall be appointed by October 1, 2017.~~

18 ~~4. Members of the commission shall serve without compensation. The~~
 19 ~~division of tourism shall provide administrative support for the commission.~~

20 ~~5. There is hereby established in the state treasury the "Ozark~~
 21 ~~Exploration Bicentennial Fund" to be held separate and apart from all other~~
 22 ~~public moneys and funds of the state. The fund may accept state and federal~~
 23 ~~appropriations, grants, bequests, gifts, fees, and awards to be held for use by~~
 24 ~~the Ozark exploration bicentennial commission. Notwithstanding the~~
 25 ~~provisions of section 33.080 to the contrary, moneys remaining in the fund~~
 26 ~~at the end of any biennium shall not revert to general revenue. The state~~
 27 ~~treasurer shall be custodian of the fund. In accordance with sections 30.170~~
 28 ~~and 30.180, the state treasurer may approve disbursements. The state treasurer~~
 29 ~~shall invest moneys in the fund in the same manner as other funds are invested.~~
 30 ~~Any interest and moneys earned on such investments shall be credited to the~~
 31 ~~fund.~~

32 ~~6. The duties of the commission shall include, but not be limited to:~~

33 ~~(1) Organizing and coordinating efforts relating to the bicentennial~~
 34 ~~celebration of the exploration of the Ozarks in 1819; and~~

35 ~~(2) Promoting public awareness of the importance and cultural~~
 36 ~~significance of the exploration to Missouri history.~~

37 ~~7. The commission shall be dissolved and the provisions of this section~~
 38 ~~shall expire on June 30, 2019.]~~

39 EXPLANATION: This section expired 6-30-2019.

40 ~~[620.2600. 1. This section shall be known and may be cited as the~~
 2 ~~"Innovation Campus Tax Credit Act".~~

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

4 ~~(1) "Certificate", a tax credit certificate issued under this section;~~

5 ~~(2) "Department", the Missouri department of economic development;~~

6 ~~(3) "Eligible donation", donations received from a taxpayer by~~
 7 ~~innovation campuses that are to be used solely for projects that advance~~
 8 ~~learning in the areas of science, technology, engineering, and mathematics.~~
 9 ~~Eligible donations may include cash, publicly traded stocks and bonds, and~~
 10 ~~real estate that shall and will be valued and documented according to the rules~~
 11 ~~promulgated by the department of economic development;~~

12 ~~(4) "Innovation education campus" or "innovation campus", as defined~~
 13 ~~in section 178.1100, an educational partnership consisting of at least one of~~
 14 ~~each of the following entities:~~

15 ~~(a) A local Missouri high school or K-12 school district;~~

16 ~~(b) A Missouri four-year public or private higher education institution;~~

- 17 ~~(c) A Missouri-based business or businesses; and~~
18 ~~(d) A Missouri two year public higher education institution or state~~
19 ~~technical college of Missouri;~~
20 ~~(5) "Taxpayer", any of the following individuals or entities who make~~
21 ~~an eligible donation to any innovation campus:~~
22 ~~(a) A person, firm, partner in a firm, corporation, or a shareholder in~~
23 ~~an S corporation doing business in the state of Missouri and subject to the state~~
24 ~~income tax imposed in chapter 143;~~
25 ~~(b) A corporation subject to the annual corporation franchise tax~~
26 ~~imposed in chapter 147;~~
27 ~~(c) An insurance company paying an annual tax on its gross premium~~
28 ~~receipts in this state;~~
29 ~~(d) Any other financial institution paying taxes to the state of Missouri~~
30 ~~or any political subdivisions of this state under chapter 148;~~
31 ~~(e) An individual subject to the state income tax imposed in chapter~~
32 ~~143;~~
33 ~~(f) Any charitable organization which is exempt from federal income~~
34 ~~tax and whose Missouri unrelated business taxable income, if any, would be~~
35 ~~subject to the state income tax imposed under chapter 143.~~
36 ~~3. For all taxable years beginning on or after January 1, 2015, any~~
37 ~~taxpayer shall be allowed a credit against the taxes otherwise due under~~
38 ~~chapters 147, 148, or 143, excluding withholding tax imposed by sections~~
39 ~~143.191 to 143.265, in an amount equal to fifty percent of the amount of an~~
40 ~~eligible donation, subject to the restrictions in this section. The amount of the~~
41 ~~tax credit claimed shall not exceed the amount of the taxpayer's state income~~
42 ~~tax liability in the tax year for which the credit is claimed. Any amount of~~
43 ~~credit that the taxpayer is prohibited by this section from claiming in a tax year~~
44 ~~shall not be refundable, but may be carried forward to any of the taxpayer's~~
45 ~~four subsequent taxable years.~~
46 ~~4. To claim the credit authorized in this section, an innovation campus~~
47 ~~may submit to the department an application for the tax credit authorized by~~
48 ~~this section on behalf of taxpayers. The department shall verify that the~~
49 ~~innovation campus has submitted the following items:~~
50 ~~(1) A valid application in the form and format required by the~~
51 ~~department;~~
52 ~~(2) A statement attesting to the eligible donation received, which shall~~
53 ~~include the name and taxpayer identification number of the individual or~~
54 ~~taxpayer making the eligible donation, the amount of the eligible donation, and~~
55 ~~the date the eligible donation was received by the innovation campus; and~~
56 ~~(3) Payment from the innovation campus equal to the value of the tax~~
57 ~~credit for which application is made.—~~
58
59 ~~If the innovation campus applying for the tax credit meets all criteria required~~
60 ~~by this subsection, the department shall issue a certificate in the appropriate~~
61 ~~amount.~~
62 ~~5. Tax credits issued under this section may be assigned, transferred,~~
63 ~~sold, or otherwise conveyed, and the new owner of the tax credit shall have the~~
64 ~~same rights in the credit as the taxpayer. Whenever a certificate is assigned,~~

65 transferred, sold, or otherwise conveyed, a notarized endorsement shall be
66 filed with the department specifying the name and address of the new owner of
67 the tax credit and the value of the credit.

68 6. The department may promulgate rules to implement the provisions
69 of this section. Any rule or portion of a rule, as that term is defined in section
70 536.010, that is created under the authority delegated in this section shall
71 become effective only if it complies with and is subject to all of the provisions
72 of chapter 536 and, if applicable, section 536.028. This section and chapter
73 536 are nonseverable and if any of the powers vested with the general
74 assembly under and pursuant to chapter 536 to review, to delay the effective
75 date, or to disapprove and annul a rule are subsequently held unconstitutional,
76 then the grant of rulemaking authority and any rule proposed or adopted after
77 August 28, 2014, shall be invalid and void.

78 7. Under section 23.253 of the Missouri sunset act:

79 (1) The program authorized under this section shall expire six years
80 after August 28, 2014, unless reauthorized by an act of the general assembly;
81 and

82 (2) If such program is reauthorized, the program authorized under this
83 section shall automatically sunset twelve years after August 28, 2014; and

84 (3) This section shall terminate on September first of the calendar year
85 immediately following the calendar year in which the program authorized
86 under this section is sunset.]

87 EXPLANATION: This section sunset 8-28-2020. NOTE: A Sunset Review
88 Report on this section was voted on by the Joint Committee on Legislative
89 Research on 9-10-2019.

90

2 ~~[633.420. 1. For the purposes of this section, the term "dyslexia"~~
3 ~~means a disorder that is neurological in origin, characterized by difficulties~~
4 ~~with accurate and fluent word recognition, and poor spelling and decoding~~
5 ~~abilities that typically result from a deficit in the phonological component of~~
6 ~~language, often unexpected in relation to other cognitive abilities and the~~
7 ~~provision of effective classroom instruction, and of which secondary~~
8 ~~consequences may include problems in reading comprehension and reduced~~
9 ~~reading experience that can impede growth of vocabulary and background~~
10 ~~knowledge. Nothing in this section shall prohibit a district from assessing~~
11 ~~students for dyslexia and offering students specialized reading instruction if a~~
12 ~~determination is made that a student suffers from dyslexia. Unless required by~~
13 ~~federal law, nothing in this definition shall require a student with dyslexia to be~~
14 ~~automatically determined eligible as a student with a disability. Nothing in~~
15 ~~this definition shall require a student with dyslexia to obtain an individualized~~
16 ~~education program (IEP) unless the student has otherwise met the federal~~
17 ~~conditions necessary.~~

18 2. There is hereby created the "Legislative Task Force on Dyslexia".
19 The joint committee on education shall provide technical and administrative
20 support as required by the task force to fulfill its duties; any such support
involving monetary expenses shall first be approved by the chairman of the

21 joint committee on education. The task force shall meet at least quarterly and
22 ~~may hold meetings by telephone or video conference. The task force shall~~
23 ~~advise and make recommendations to the governor, joint committee on~~
24 ~~education, and relevant state agencies regarding matters concerning~~
25 ~~individuals with dyslexia, including education and other adult and~~
26 ~~adolescent services.~~

27 3. ~~The task force shall be comprised of twenty-one members~~
28 ~~consisting of the following:~~

29 (1) ~~Two members of the senate appointed by the president pro tempore~~
30 ~~of the senate, with one member appointed from the minority party and one~~
31 ~~member appointed from the majority party;~~

32 (2) ~~Two members of the house of representatives appointed by the~~
33 ~~speaker of the house of representatives, with one member appointed from the~~
34 ~~minority party and one member appointed from the majority party;~~

35 (3) ~~The commissioner of education, or his or her designee;~~

36 (4) ~~One representative from an institution of higher education located~~
37 ~~in this state with specialized expertise in dyslexia and reading instruction;~~

38 (5) ~~A representative from a state teachers association or the Missouri~~
39 ~~National Education Association;~~

40 (6) ~~A representative from the International Dyslexia Association of~~
41 ~~Missouri;~~

42 (7) ~~A representative from Decoding Dyslexia of Missouri;~~

43 (8) ~~A representative from the Missouri Association of Elementary~~
44 ~~School Principals;~~

45 (9) ~~A representative from the Missouri Council of Administrators of~~
46 ~~Special Education;~~

47 (10) ~~A professional licensed in the state of Missouri with experience~~
48 ~~diagnosing dyslexia including, but not limited to, a licensed psychologist,~~
49 ~~school psychologist, or neuropsychologist;~~

50 (11) ~~A speech language pathologist with training and experience in~~
51 ~~early literacy development and effective research-based intervention~~
52 ~~techniques for dyslexia, including an Orton-Gillingham remediation program~~
53 ~~recommended by the Missouri Speech Language Hearing Association;~~

54 (12) ~~A certified academic language therapist recommended by the~~
55 ~~Academic Language Therapy Association who is a resident of this state;~~

56 (13) ~~A representative from an independent private provider or~~
57 ~~nonprofit organization serving individuals with dyslexia;~~

58 (14) ~~An assistive technology specialist with expertise in accessible~~
59 ~~print materials and assistive technology used by individuals with dyslexia~~
60 ~~recommended by the Missouri assistive technology council;~~

61 (15) ~~One private citizen who has a child who has been diagnosed with~~
62 ~~dyslexia;~~

63 (16) ~~One private citizen who has been diagnosed with dyslexia;~~

64 (17) ~~A representative of the Missouri State Council of the~~
65 ~~International Reading Association;~~

66 (18) ~~A pediatrician with knowledge of dyslexia; and~~

67 (19) ~~A member of the Missouri School Boards' Association.~~

68 4. ~~The members of the task force, other than the members from the~~
69 ~~general assembly and ex officio members, shall be appointed by the president~~
70 ~~pro tempore of the senate or the speaker of the house of representatives by~~
71 ~~September 1, 2016, by alternating appointments beginning with the president~~
72 ~~pro tempore of the senate. A chairperson shall be selected by the members of~~
73 ~~the task force. Any vacancy on the task force shall be filled in the same~~
74 ~~manner as the original appointment. Members shall serve on the task force~~
75 ~~without compensation.~~

76 5. ~~The task force shall make recommendations for a statewide system~~
77 ~~for identification, intervention, and delivery of supports for students with~~
78 ~~dyslexia, including the development of resource materials and professional~~
79 ~~development activities. These recommendations shall be included in a report~~
80 ~~to the governor and joint committee on education and shall include findings~~
81 ~~and proposed legislation and shall be made available no longer than twelve~~
82 ~~months from the task force's first meeting.~~

83 6. ~~The recommendations and resource materials developed by the task~~
84 ~~force shall:~~

85 (1) ~~Identify valid and reliable screening and evaluation assessments~~
86 ~~and protocols that can be used and the appropriate personnel to administer~~
87 ~~such assessments in order to identify children with dyslexia or the~~
88 ~~characteristics of dyslexia as part of an ongoing reading progress monitoring~~
89 ~~system, multitiered system of supports, and special education eligibility~~
90 ~~determinations in schools;~~

91 (2) ~~Recommend an evidence-based reading instruction, with~~
92 ~~consideration of the National Reading Panel Report and Orton-Gillingham~~
93 ~~methodology principles for use in all Missouri schools, and intervention~~
94 ~~system, including a list of effective dyslexia intervention programs, to address~~
95 ~~dyslexia or characteristics of dyslexia for use by schools in multitiered systems~~
96 ~~of support and for services as appropriate for special education eligible~~
97 ~~students;~~

98 (3) ~~Develop and implement preservice and in-service professional~~
99 ~~development activities to address dyslexia identification and intervention,~~
100 ~~including utilization of accessible print materials and assistive technology,~~
101 ~~within degree programs such as education, reading, special education, speech-~~
102 ~~language pathology, and psychology;~~

103 (4) ~~Review teacher certification and professional development~~
104 ~~requirements as they relate to the needs of students with dyslexia;~~

105 (5) ~~Examine the barriers to accurate information on the prevalence of~~
106 ~~students with dyslexia across the state and recommend a process for accurate~~
107 ~~reporting of demographic data; and~~

108 (6) ~~Study and evaluate current practices for diagnosing, treating, and~~
109 ~~educating children in this state and examine how current laws and regulations~~
110 ~~affect students with dyslexia in order to present recommendations to the~~
111 ~~governor and the joint committee on education.~~

112 7. ~~The task force shall hire or contract for hire specialist services to~~
113 ~~support the work of the task force as necessary with appropriations made by~~
114 ~~the general assembly to the joint committee on education for that purpose or~~
115 ~~from other available funding.~~

116 8. ~~The task force authorized under this section shall expire on August~~
117 ~~31, 2018, unless reauthorized by an act of the general assembly.]~~

118 EXPLANATION: This section expired 8-31-2018.

119 ~~[640.030. The department of natural resources and the department of~~
2 ~~conservation shall develop an interagency plan and execute an interagency~~
3 ~~agreement regarding the application and use of any portion of funds authorized~~
4 ~~for the respective departments by provisions of the Constitution, taking into~~
5 ~~consideration the purposes for which the voters approved the funds and the~~
6 ~~extent to which expenditures under the provisions of sections 252.300 to~~
7 ~~252.333, or sections 620.552 to 620.574, accomplish such purposes. Such~~
8 ~~interagency agreements shall not be subject to legislative review or oversight~~
9 ~~and are not rules within the meaning of any law providing for review by the~~
10 ~~general assembly or any committee thereof.]~~

11 EXPLANATION: This section expired 12-31-1992 (1990 H.B. 1653, § A).

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