

SECOND REGULAR SESSION

# SENATE BILL NO. 693

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILSON.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3098S.011

## AN ACT

To amend chapters 143 and 453, RSMo, by adding thereto two new sections relating to foster care and adoption promotion.

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

Section A. Chapters 143 and 453, RSMo, are amended by adding thereto  
2 two new sections, to be known as sections 143.1015 and 453.600, to read as  
3 follows:

**143.1015. 1. In each taxable year beginning on or after January  
2 1, 2010, each individual or corporation entitled to a tax refund in an  
3 amount sufficient to make a designation under this section may  
4 designate that one dollar or any amount in excess of one dollar on a  
5 single return, and two dollars or any amount in excess of two dollars  
6 on a combined return, of the refund due be credited to the foster care  
7 and adoptive parents recruitment and retention fund as established  
8 under section 453.600, hereinafter referred to as the fund. If any  
9 individual or corporation that is not entitled to a tax refund in an  
10 amount sufficient to make a designation under this section wishes to  
11 make a contribution to the fund, such individual or corporation may,  
12 by separate check, draft, or other negotiable instrument, send in with  
13 the payment of taxes, or may send in separately, that amount, clearly  
14 designated for the foster care and adoptive parents recruitment and  
15 retention fund, the individual or corporation wishes to contribute. The  
16 department of revenue shall deposit such amount to the fund as  
17 provided in subsections 2 and 3 of this section. All moneys credited to  
18 the fund shall be considered nonstate funds under the provisions of  
19 article IV, section 15 of the Missouri Constitution.**

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 fund.

23 3. The director of revenue shall deposit at least monthly all  
24 contributions designated by corporations under this section, less an  
25 amount sufficient to cover the costs of collection and handling by the  
26 department of revenue, to the state treasury for deposit to the fund.

27 4. A contribution designated under this section shall only be  
28 deposited in the fund after all other claims against the refund from  
29 which such contribution is to be made have been satisfied.

30 5. Moneys deposited in the fund shall be distributed by the  
31 department of social services in accordance with the provisions of this  
32 section and section 453.600.

33 6. Under section 23.253 of the Missouri sunset act:

34 (1) The provisions of the new program authorized under this  
35 section shall automatically sunset six years after August 28, 2010,  
36 unless reauthorized by an act of the general assembly; and

37 (2) If such program is reauthorized, the program authorized  
38 under this section shall automatically sunset twelve years after the  
39 effective date of the reauthorization of this section; and

40 (3) This section shall terminate on December thirty-first of the  
41 calendar year immediately following the calendar year in which the  
42 program authorized under this section is sunset.

453.600. 1. There is hereby created in the state treasury the  
2 "Foster Care and Adoptive Parents Recruitment and Retention Fund"  
3 which shall consist of all gifts, donations, transfers, and moneys  
4 appropriated by the general assembly, and bequests to the fund. The  
5 fund shall be administered by the department of social services.

6 2. The state treasurer shall be custodian of the fund and may  
7 approve disbursements from the fund in accordance with sections  
8 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to  
9 the contrary, any moneys remaining in the fund at the end of the  
10 biennium shall not revert to the credit of the general revenue  
11 fund. The state treasurer shall invest moneys in the fund in the same  
12 manner as other funds are invested. Any interest and moneys earned  
13 on such investments shall be credited to the fund.

14 3. Upon appropriation, moneys in the fund shall be used for the  
15 department, either in-house or through private partnerships, to

16 **promote foster care and adoption recruitment programs. Such**  
17 **programs shall include, but not be limited to, the following:**

18 **(1) Promotional printings, advertisements, flyers, posters,**  
19 **billboards, and radio spots;**

20 **(2) Community and church presentations;**

21 **(3) Exhibits at community events;**

22 **(4) Public service announcements;**

23 **(5) Informational meetings open to the public;**

24 **(6) Child specific recruitment;**

25 **(7) A toll-free informational phone number;**

26 **(8) Foster parent newsletters; and**

27 **(9) Photo displays of children awaiting permanency from foster**  
28 **care.**

29 **4. Under section 23.253 of the Missouri sunset act:**

30 **(1) The provisions of the new fund authorized under this section**  
31 **shall automatically sunset six years after August 28, 2010, unless**  
32 **reauthorized by an act of the general assembly; and**

33 **(2) If such fund is reauthorized, the fund authorized under this**  
34 **section shall automatically sunset twelve years after the effective date**  
35 **of the reauthorization of this section; and**

36 **(3) This section shall terminate on December thirty-first of the**  
37 **calendar year immediately following the calendar year in which the**  
38 **fund authorized under this section is sunset.**

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