

SECOND REGULAR SESSION

# HOUSE BILL NO. 1532

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BRINGER (Sponsor), JONES, WITTE, HENKE, RANSBALL,  
SHOEMYER AND WALLACE (Co-sponsors).

Read 1<sup>st</sup> time February 19, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4402L.011

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### AN ACT

To amend chapters 163 and 620, RSMo, by adding thereto two new sections relating to economic development through community schools fund.

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

Section A. Chapters 163 and 620, RSMo, are amended by adding thereto two new sections, to be known as sections 163.197 and 620.035, to read as follows:

2           **163.197. 1. In any fiscal year in which the foundation formula is funded at a rate**  
3 **less than ninety-five percent, any public school located in a county of the second, third, or**  
4 **fourth classification, or a public school in an area designated as a distressed community**  
5 **under section 135.530, RSMo, may apply to the economic development through community**  
6 **schools fund established under section 620.035, RSMo, for moneys to be used to preserve**  
7 **the presence of a school building when such school building is the only school serving those**  
8 **grades in the community, town, or municipality. Moneys shall be used for operation of**  
9 **building facilities, including, but not limited to, maintenance and upkeep, heating and**  
10 **cooling, utilities, and building supplies.**

11           **2. The department of elementary and secondary education shall notify the**  
12 **department of economic development in years in which the foundation formula is funded**  
13 **at a rate less than ninety-five percent.**

14           **3. The department of economic development shall promulgate rules to implement**  
15 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**  
16 **section 536.010, RSMo, that is created under the authority delegated in this section shall**  
17 **become effective only if it complies with and is subject to all of the provisions of chapter**  
**536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,**

18 **RSMo, are nonseverable and if any of the powers vested with the general assembly**  
19 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**  
20 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
21 **authority and any rule proposed or adopted after August 28, 2004, shall be invalid and**  
22 **void.**

2 **620.035. 1. There is hereby created in the state treasury the "Economic**  
3 **Development Through Community Schools Fund", which shall consist of moneys**  
4 **appropriated by the general assembly to the fund. The fund shall be administered by the**  
5 **department of economic development, in consultation with the department of elementary**  
6 **and secondary education. Moneys in the fund shall be used solely for the purposes**  
7 **established in section 163.197, RSMo.**

8 **2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**  
9 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**  
10 **the general revenue fund.**

11 **3. The state treasurer shall invest moneys in the fund in the same manner as other**  
12 **funds are invested. Any interest and moneys earned on such investments shall be credited**  
13 **to the fund.**