

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 557

96TH GENERAL ASSEMBLY

1196L.03P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 630.053 and 630.095, RSMo, and to enact in lieu thereof two new sections relating to the mental health earnings fund.

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

Section A. Sections 630.053 and 630.095, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 630.053 and 630.095, to read as follows:

630.053. 1. There is hereby created in the state treasury a fund to be known as the  
2 "Mental Health Earnings Fund". The state treasurer shall credit to the fund any interest earned  
3 from investing the moneys in the fund. Notwithstanding the provisions of section 33.080, money  
4 in the mental health earnings fund shall not be transferred and placed to the credit of general  
5 revenue at the end of the biennium.

6 2. Fees received pursuant to the substance abuse traffic offenders program shall be  
7 deposited in the mental health earnings fund. Such fees shall not be used for personal services,  
8 expenses and equipment or for any demonstration or other program. No other federal or state  
9 funds shall be deposited in the fund, except for the purposes provided in subsections 3 [and 4]  
10 **to 5** of this section. The moneys received from such fees shall be appropriated solely for  
11 assistance in securing alcohol and drug rehabilitation services for persons who are unable to pay  
12 for the services they receive.

13 3. The mental health earnings fund may be used for the deposit of revenue received for  
14 the provision of services under a managed care agreement entered into by the department of  
15 mental health. Subject to the approval through the appropriation process, such revenues may be  
16 expended for the purposes of providing such services pursuant to the managed care agreement

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.

17 and for no other purpose and shall be accounted for separately from all other revenues deposited  
18 in the fund.

19 4. The mental health earnings fund may, if approved through the appropriation process,  
20 be used for the deposit of revenue received pursuant to an agreement entered into by the  
21 department of mental health and an alcohol and drug abuse counselor certification board for the  
22 purpose of providing oversight of counselor certification. Such revenue shall be accounted for  
23 separately from all other revenues deposited in the fund.

24 5. **The mental health earnings fund may be used for the deposit of revenue received**  
25 **from proceeds of any sales and services from Mental Health First Aid USA. Subject to the**  
26 **approval through the appropriation process, such proceeds shall be used for the purpose**  
27 **of funding Mental Health First Aid USA activities and shall be accounted for separately**  
28 **from all other revenues deposited in the fund.**

29 6. The department of mental health shall promulgate rules and regulations to implement  
30 and administer the provisions of this section. No rule or portion of a rule promulgated pursuant  
31 to the authority of this chapter shall become effective unless it has been promulgated pursuant  
32 to the provisions of section 536.024.

630.095. The department may copyright or obtain a trademark for any instructional,  
2 training and informational audio-visual materials, manuals and documents which are prepared  
3 by department personnel or by persons who receive department funding to prepare such material.  
4 If the material is sold directly or for distribution, the department shall pay the proceeds of the  
5 sales to the director of revenue for deposit to the general revenue fund, **except for proceeds**  
6 **received under subsection 5 of section 630.053.**