

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1837, Page 1, Section A, Line 2, by inserting after all of said section and  
2 line the following:

3  
4 "326.319. 1. All moneys payable pursuant to the provisions of this chapter shall be  
5 collected by the division of professional registration who shall transmit them to the department of  
6 revenue for deposit in the state treasury to the credit of a fund to be known as the "State Board of  
7 Accountancy Fund" which is hereby created.

8 2. Notwithstanding the provisions of section 33.080 to the contrary, money in the fund shall  
9 not be transferred and placed to the credit of general revenue until the amount in the fund at the end  
10 of the biennium exceeds two times the average amount of [the appropriation] expenses from the  
11 board's funds for the preceding three completed fiscal [year or, if the board requires by rule  
12 certificate or permit renewal less frequently than yearly, then three times the appropriation from the  
13 board's funds for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse  
14 is that amount in the fund [which] that exceeds two times the [appropriate multiple of the  
15 appropriations from the board's funds for the preceding fiscal year] amount of such three-year  
16 average. However, no moneys in this fund shall be transferred and placed to the credit of general  
17 revenue in fiscal year 2020.

18 3. In any proceeding in which a remedy provided by subsection 1 or 2 of section 326.310 is  
19 imposed, the board may also require the respondent licensee to pay the costs of the proceeding if the  
20 board is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the  
21 credit of the "Missouri State Board of Accountancy Investigation Fund", which is hereby created, to  
22 be used solely for investigations as provided in this chapter. The moneys shall not be considered in  
23 calculating amounts to be transferred to general revenue as provided in subsection 2 of this section.  
24 The fund shall be used solely for board investigations.

25 4. The board shall set the amount of the fees which this chapter authorizes and requires by  
26 rule pursuant to chapter 536. The fees shall be set at a level to produce revenue which shall not  
27 substantially exceed the cost and expense of administering this chapter.

28 327.081. 1. All funds received pursuant to the provisions of this chapter shall be deposited  
29 in the state treasury to the credit of the "State Board for Architects, Professional Engineers,  
30 Professional Land Surveyors and Professional Landscape Architects Fund" which is hereby  
31 established. All expenditures authorized by this chapter shall be paid from funds appropriated to the  
32 board by the general assembly from this fund.

33 2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
34 shall not be transferred and placed to the credit of general revenue until the amount in the fund at  
35 the end of the biennium exceeds two times the average amount of [the appropriation] expenses from  
36 the board's funds for the preceding three completed fiscal [year or, if the board requires by rule

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1 permit renewal less frequently than yearly, then three times the appropriation from the board's funds  
 2 for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount  
 3 in the fund [~~which] that exceeds two times the [appropriate multiple of the appropriations from the~~  
 4 ~~board's funds for the preceding fiscal year] amount of such three-year average. However, no~~  
 5 ~~moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year~~  
 6 ~~2020.~~

7 332.061. All funds received pursuant to the provisions of this chapter shall be transmitted  
 8 by the director of the division of professional registration to the department of revenue for deposit  
 9 in the state treasury to the credit of the "Dental Board Fund" which is hereby established. All  
 10 expenditures authorized by this chapter shall be paid from funds appropriated from the dental board  
 11 fund by the legislature. The provisions of section 33.080 to the contrary notwithstanding, money in  
 12 this fund shall not be transferred and placed to the credit of general revenue until the amount in the  
 13 fund at the end of the biennium is] exceeds two times the average amount of [the appropriation]  
 14 expenses from the board's funds for the preceding three completed fiscal [year or, if the board  
 15 requires by rule permit renewal less frequently than yearly, then three times the appropriation from  
 16 the board's funds for the preceding fiscal year] years. The amount, if any, in the fund which shall  
 17 lapse is that amount in the fund [which] that exceeds two times the [appropriate multiple of the  
 18 appropriations from the board's funds for the preceding fiscal year] amount of such three-year  
 19 average. However, no moneys in this fund shall be transferred and placed to the credit of general  
 20 revenue in fiscal year 2020.

21 333.231. 1. All fees payable under this chapter shall be collected by the division of  
 22 professional registration and transmitted to the department of revenue for deposit in the state  
 23 treasury to the credit of the fund to be known as the "Board of Embalmers and Funeral Directors'  
 24 Fund".

25 2. All compensation of board members and employees and all expenses incident to the  
 26 administration of this chapter shall be paid out of the board of embalmers and funeral directors'  
 27 fund. No expense of this board shall ever be paid out of any other fund of the state, either by  
 28 deficiency bill or otherwise.

29 3. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
 30 shall not be transferred and placed to the credit of general revenue until the amount in the fund at  
 31 the end of the biennium exceeds two times the average amount of [the appropriation] expenses from  
 32 the board's funds for the preceding three completed fiscal [year or, if the board requires by rule  
 33 permit renewal less frequently than yearly, then three times the appropriation from the board's funds  
 34 for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount  
 35 in the fund [which] that exceeds two times the [appropriate multiple of the appropriations from the  
 36 board's funds for the preceding fiscal year] amount of such three-year average. However, no  
 37 moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year  
 38 2020.

39 334.050. 1. There is hereby established in the office of the state treasurer a fund to be  
 40 known as the "Board of Registration for the Healing Arts Fund". All fees of any kind and character  
 41 authorized to be charged by the board shall be collected by the director of the division of  
 42 professional registration and shall be transmitted to the department of revenue for deposit in the  
 43 state treasury for credit to this fund, to be disbursed only in payment of expenses of maintaining the  
 44 board and for the enforcement of the provisions of law concerning professions regulated by the  
 45 board; and no other money shall be paid out of the state treasury for carrying out these provisions.  
 46 Warrants shall be issued on the state treasurer for payment out of said fund.

47 2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
 48 shall not be transferred and placed to the credit of general revenue until the amount in the fund at

1 the end of the biennium exceeds two times the average amount of [~~the appropriation~~] expenses from  
 2 the board's funds for the preceding three completed fiscal [~~year or, if the board requires by rule~~  
 3 ~~permit renewal less frequently than yearly, then three times the appropriation from the board's funds~~  
 4 ~~for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount  
 5 in the fund [~~which~~] that exceeds two times the [~~appropriate multiple of the appropriations from the~~  
 6 ~~board's funds for the preceding fiscal year] amount of such three-year average. However, no  
 7 moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year  
 8 2020.~~~~

9 3. The board shall charge each person applying to and appearing before it for examination  
 10 for certificate of licensure to practice as physician and surgeon, an examination fee. Should the  
 11 examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant  
 12 failing to pass the examination may return to any meeting and be examined upon payment of a  
 13 reexamination fee.

14 335.036. 1. The board shall:

15 (1) Elect for a one-year term a president and a secretary, who shall also be treasurer, and the  
 16 board may appoint, employ and fix the compensation of a legal counsel and such board personnel as  
 17 defined in subdivision (4) of subsection 10 of section 324.001 as are necessary to administer the  
 18 provisions of sections 335.011 to 335.096;

19 (2) Adopt and revise such rules and regulations as may be necessary to enable it to carry  
 20 into effect the provisions of sections 335.011 to 335.096;

21 (3) Prescribe minimum standards for educational programs preparing persons for licensure  
 22 pursuant to the provisions of sections 335.011 to 335.096;

23 (4) Provide for surveys of such programs every five years and in addition at such times as it  
 24 may deem necessary;

25 (5) Designate as "approved" such programs as meet the requirements of sections 335.011 to  
 26 335.096 and the rules and regulations enacted pursuant to such sections; and the board shall  
 27 annually publish a list of such programs;

28 (6) Deny or withdraw approval from educational programs for failure to meet prescribed  
 29 minimum standards;

30 (7) Examine, license, and cause to be renewed the licenses of duly qualified applicants;

31 (8) Cause the prosecution of all persons violating provisions of sections 335.011 to 335.096,  
 32 and may incur such necessary expenses therefor;

33 (9) Keep a record of all the proceedings; and make an annual report to the governor and to  
 34 the director of the department of insurance, financial institutions and professional registration;

35 (10) Establish an impaired nurse program.

36 2. The board shall set the amount of the fees which this chapter authorizes and requires by  
 37 rules and regulations. The fees shall be set at a level to produce revenue which shall not  
 38 substantially exceed the cost and expense of administering this chapter.

39 3. All fees received by the board pursuant to the provisions of sections 335.011 to 335.096  
 40 shall be deposited in the state treasury and be placed to the credit of the state board of nursing fund.  
 41 All administrative costs and expenses of the board shall be paid from appropriations made for those  
 42 purposes. The board is authorized to provide funding for the nursing education incentive program  
 43 established in sections 335.200 to 335.203.

44 4. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
 45 shall not be transferred and placed to the credit of general revenue until the amount in the fund at  
 46 the end of the biennium exceeds two times the average amount of [~~the appropriation~~] expenses from  
 47 the board's funds for the preceding three completed fiscal [~~year or, if the board requires by rule,~~  
 48 ~~permit renewal less frequently than yearly, then three times the appropriation from the board's funds~~

1 ~~for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount~~  
2 ~~in the fund [which] that exceeds two times the [appropriate multiple of the appropriations from the~~  
3 ~~board's funds for the preceding fiscal year] amount of such three-year average. However, no~~  
4 ~~moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year~~  
5 ~~2020.~~

6 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
7 under the authority delegated in this chapter shall become effective only if it complies with and is  
8 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking  
9 authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this  
10 section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to  
11 August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter  
12 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter  
13 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held  
14 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
15 August 28, 1999, shall be invalid and void.

16 338.070. 1. The board of pharmacy shall set the amount of the fees which this chapter  
17 authorizes and requires by rules and regulations promulgated pursuant to chapter 536. The fees  
18 shall be set at a level to produce revenue which shall not substantially exceed the cost and expense  
19 of administering this chapter. All fees shall be paid before an applicant may be admitted to  
20 examination or his or her name placed upon the register of pharmacists, or before any license or  
21 permit, or any renewal thereof, is issued by the board.

22 2. All fees payable pursuant to the provisions of this chapter shall be collected by the  
23 division of professional registration and transmitted to the department of revenue for deposit in the  
24 state treasury to the credit of the fund to be known as the "Board of Pharmacy Fund".

25 3. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
26 shall not be transferred and placed to the credit of general revenue until the amount in the fund at  
27 the end of the biennium exceeds two times the average amount of ~~[the appropriation]~~ expenses from  
28 the board's funds for the preceding three completed fiscal ~~[year or, if the board requires by rule~~  
29 ~~permit renewal less frequently than yearly, then three times the appropriation from the board's funds~~  
30 ~~for the preceding fiscal year] years. The amount, if any, in the fund which shall lapse is that amount~~  
31 ~~in the fund [which] that exceeds two times the [appropriate multiple of the appropriations from the~~  
32 ~~board's funds for the preceding fiscal year] amount of such three-year average. However, no~~  
33 ~~moneys in this fund shall be transferred and placed to the credit of general revenue in fiscal year~~  
34 ~~2020."; and~~

35  
36 Further amend said bill by amending the title, enacting clause, and intersectional references  
37 accordingly.