

SECOND REGULAR SESSION

# HOUSE BILL NO. 2644

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROWLAND (29).

6586H.031

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 178.930, RSMo, and to enact in lieu thereof one new section relating to sheltered workshops, with an emergency clause.

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

Section A. Section 178.930, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 178.931, to read as follows:

**178.931. 1. Beginning July 1, 2018, and thereafter, the department of elementary and secondary education shall pay monthly, out of the funds appropriated to it for that purpose, to each sheltered workshop a sum equal to the amount calculated under subsection 2 of this section but at least the amount necessary to ensure that at least twenty-one dollars is paid for each six-hour or longer day worked by a handicapped employee.**

**2. In order to calculate the monthly amount due to each sheltered workshop, the department shall:**

**(1) Determine the quotient obtained by dividing the appropriation for the fiscal year by twelve; and**

**(2) Divide the amount calculated under subdivision (1) of this subsection among the sheltered workshops in proportion to each sheltered workshop's number of hours submitted to the department for the preceding calendar month.**

**3. The department shall accept, as prima facie proof of payment due to a sheltered workshop, information as designated by the department, either in paper or electronic format. A statement signed by the president, secretary, and manager of the sheltered workshop, setting forth the dates worked and the number of hours worked each day by each handicapped person employed by that sheltered workshop during the preceding**

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.

18 **calendar month, together with any other information required by the rules or regulations**  
19 **of the department, shall be maintained at the workshop location.**

2 ~~[178.930. 1. (1) Beginning July 1, 2009, and until June 30, 2010, the~~  
3 ~~department of elementary and secondary education shall pay monthly, out of the~~  
4 ~~funds appropriated to it for that purpose, to each sheltered workshop a sum equal~~  
5 ~~to ninety dollars for each standard workweek (Monday through Friday) of up to~~  
6 ~~and including thirty hours worked during the preceding calendar month.~~  
7 ~~Eighteen dollars shall be paid for each six-hour or longer day worked by a~~  
8 ~~handicapped employee on Saturdays or Sundays. For each handicapped worker~~  
9 ~~employed by a sheltered workshop for less than a thirty-hour week or a six-hour~~  
10 ~~day on Saturdays or Sundays, the workshop shall receive a percentage of the~~  
11 ~~corresponding amount normally paid based on the percentage of time worked by~~  
12 ~~the handicapped employee.~~

13 ~~(2) Beginning July 1, 2010, and thereafter, the department of elementary~~  
14 ~~and secondary education shall pay monthly, out of the funds appropriated to it for~~  
15 ~~that purpose, to each sheltered workshop a sum equal to ninety-five dollars for~~  
16 ~~each standard workweek (Monday through Friday) of up to and including thirty~~  
17 ~~hours worked during the preceding calendar month. Nineteen dollars shall be~~  
18 ~~paid for each six-hour or longer day worked by a handicapped employee on~~  
19 ~~Saturdays or Sundays. For each handicapped worker employed by a sheltered~~  
20 ~~workshop for less than a thirty-hour week or a six-hour day on Saturdays or~~  
21 ~~Sundays, the workshop shall receive a percentage of the corresponding amount~~  
22 ~~normally paid based on the percentage of time worked by the handicapped~~  
23 ~~employee.~~

24 ~~2. The department shall accept, as prima facie proof of payment due to~~  
25 ~~a sheltered workshop, information as designated by the department, either in~~  
26 ~~paper or electronic format. A statement signed by the president, secretary, and~~  
27 ~~manager of the sheltered workshop, setting forth the dates worked and the~~  
28 ~~number of hours worked each day by each handicapped person employed by that~~  
29 ~~sheltered workshop during the preceding calendar month, together with any other~~  
30 ~~information required by the rules or regulations of the department, shall be~~  
31 ~~maintained at the workshop location.~~

32 ~~3. There is hereby created in the state treasury the "Sheltered Workshop~~  
33 ~~Per Diem Revolving Fund" which shall be administered by the commissioner of~~  
34 ~~the department of elementary and secondary education. All moneys appropriated~~  
35 ~~pursuant to subsection 1 of this section shall be deposited in the fund and~~  
36 ~~expended as described in subsection 1 of this section.~~

37 ~~4. The balance of the sheltered workshop per diem revolving fund shall~~  
38 ~~not exceed five hundred thousand dollars at the end of each fiscal year and shall~~  
39 ~~be exempt from the provisions of section 33.080 relating to the transfer of~~  
40 ~~unexpended balances to the general revenue fund. Any unexpended balance in~~  
~~the sheltered workshop per diem revolving fund at the end of each fiscal year~~

41           ~~exceeding five hundred thousand dollars shall be deposited in the general revenue~~  
42           ~~fund.]~~  
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          Section B. Because immediate action is necessary to ensure that as many people can be  
2 employed in sheltered workshops as possible, and that the employment of people can occur as  
3 soon as possible, the repeal of section 178.930 and the enactment of section 178.931 of this act  
4 is deemed necessary for the immediate preservation of the public health, welfare, peace, and  
5 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and  
6 the repeal of section 178.930 and the enactment of section 178.931 of this act shall be in full  
7 force and effect on July 1, 2018, or upon its passage and approval, whichever occurs later.

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