

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 594, Page 15, Section 67.142, Line 13, by inserting after all of said section and line
3 the following:
4

5 "67.453. Sections 67.453 to 67.475 are known and may be cited as the "Neighborhood
6 Improvement District Act", and the following words and terms, as used in sections 67.453 to 67.475
7 mean:

8 (1) "Acquire", the acquisition of property or interests in property by purchase, gift,
9 condemnation or other lawful means and may include the acquisition of existing property and
10 improvements already owned by the city or county;

11 (2) "Consultant", engineers, architects, planners, attorneys, financial advisors, accountants,
12 investment bankers and other persons deemed competent to advise and assist the governing body of
13 the city or county in planning and making improvements;

14 (3) "Cost", all costs incurred in connection with an improvement, including, but not limited
15 to, costs incurred for the preparation of preliminary reports, the preparation of plans and
16 specifications, the preparation and publication of notices of hearings, resolutions, ordinances and
17 other proceedings, fees and expenses of consultants, interest accrued on borrowed money during the
18 period of construction, underwriting costs and other costs incurred in connection with the issuance
19 of bonds or notes, establishment of reasonably required reserve funds for bonds or notes, the cost of
20 land, materials, labor and other lawful expenses incurred in planning, acquiring and doing any
21 improvement, reasonable construction contingencies, and work done or services performed by the
22 city or county in the administration and supervision of the improvement;

23 (4) "Improve", to construct, reconstruct, maintain, restore, replace, renew, repair, install,
24 equip, extend, or to otherwise perform any work which will provide a new public facility or
25 enhance, extend or restore the value or utility of an existing public facility;

26 (5) "Improvement", any one or more public facilities or improvements which confer a
27 benefit on property within a definable area and may include or consist of a reimprovement of a prior
28 improvement. Improvements include, but are not limited to, the following activities:

29 (a) To acquire property or interests in property when necessary or desirable for any purpose
30 authorized by sections 67.453 to 67.475;

31 (b) To open, widen, extend and otherwise to improve streets, paving and other surfacing,
32 gutters, curbs, sidewalks, crosswalks, driveway entrances and structures, drainage works incidental
33 thereto, and service connections from sewer, water, gas and other utility mains, conduits or pipes;

34 (c) To improve main and lateral storm water drains and sanitary sewer systems, and
35 appurtenances thereto;

36 (d) To improve street lights and street lighting systems;

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(e) To improve waterworks systems;

(f) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;

(g) To improve parks, playgrounds and recreational facilities;

~~[(g)]~~ (h) To improve any street or other facility by landscaping, planting of trees, shrubs, and other plants;

~~[(h)]~~ (i) To improve dikes, levees and other flood control works, gates, lift stations, bridges and streets appurtenant thereto;

~~[(i)]~~ (j) To improve vehicle and pedestrian bridges, overpasses and tunnels;

~~[(j)]~~ (k) To improve retaining walls and area walls on public ways or land abutting thereon;

~~[(k)]~~ (l) To improve property for off-street parking facilities including construction and equipment of buildings thereon;

~~[(l)]~~ (m) To acquire or improve any other public facilities or improvements deemed necessary by the governing body of the city or county; and

~~[(m)]~~ (n) To improve public safety;

(6) "Neighborhood improvement district", an area of a city or county with defined limits and boundaries which is created by vote or by petition under sections 67.453 to 67.475 and which is benefitted by an improvement and subject to special assessments against the real property therein for the cost of the improvement."; and

Further amend said bill, Page 17, Section 67.1100, Line 18, by inserting after all of said section and line the following:

"67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from

1 taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of
 2 section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

3 (9) If the district is a political subdivision, to levy real property taxes and business license
 4 taxes in the county seat of a county of the first classification containing a population of at least two
 5 hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or
 6 taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of
 7 section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may
 8 voluntarily participate in the provisions of sections 67.1401 to 67.1571;

9 (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401
 10 to 67.1571;

11 (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

12 (a) The district's real property, except for public rights-of-way for utilities;

13 (b) The district's personal property, except in a city not within a county; or

14 (c) Any of the district's interests in such real or personal property, except for public rights-
 15 of-way for utilities;

16 (12) To borrow money from any public or private source and issue obligations and provide
 17 security for the repayment of the same as provided in sections 67.1401 to 67.1571;

18 (13) To loan money as provided in sections 67.1401 to 67.1571;

19 (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry
 20 out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

21 (15) To enter into one or more agreements with the municipality for the purpose of abating
 22 any public nuisance within the boundaries of the district including, but not limited to, the
 23 stabilization, repair or maintenance or demolition and removal of buildings or structures, provided
 24 that the municipality has declared the existence of a public nuisance;

25 (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install,
 26 repair, maintain, and equip any of the following public improvements:

27 (a) Pedestrian or shopping malls and plazas;

28 (b) Parks, lawns, trees, and any other landscape;

29 (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

30 (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic
 31 signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

32 (e) Parking lots, garages, or other facilities;

33 (f) Lakes, dams, and waterways;

34 (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees,
 35 awnings, canopies, walls, and barriers;

36 (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

37 (i) Paintings, murals, display cases, sculptures, and fountains;

38 (j) Music, news, and child-care facilities; and

39 (k) Any other useful, necessary, or desired improvement;

40 (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks,
 41 parks, and other real property and improvements located within its boundaries for public use;

42 (18) Within its boundaries and with the municipality's consent, to prohibit or restrict
 43 vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and
 44 tunnels and to provide the means for access by emergency vehicles to or in such areas;

45 (19) Within its boundaries, to operate or to contract for the provision of music, news, child-
 46 care, or parking facilities, and buses, minibuses, or other modes of transportation;

47 (20) Within its boundaries, to lease space for sidewalk café tables and chairs;

48 (21) Within its boundaries, to provide or contract for the provision of security personnel,
 49 equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of broadband development within the department of economic development;

(30) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

67.1842. 1. In managing the public right-of-way and in imposing fees pursuant to sections 67.1830 to 67.1846, no political subdivision shall:

(1) Unlawfully discriminate among public utility right-of-way users;

(2) Grant a preference to any public utility right-of-way user;

(3) Create or erect any unreasonable requirement for entry to the public right-of-way by public utility right-of-way users;

(4) Require a telecommunications company to obtain a franchise or written agreement, other than a permit, or require a public utility right-of-way user to pay for the use of the public right-of-way, except as provided in sections 67.1830 to 67.1846;

(5) Enter into a contract or any other agreement for providing for an exclusive use, occupancy or access to any public right-of-way; or

(6) Require any public utility that has legally been granted access to the political subdivision's right-of-way to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision.

2. A public utility right-of-way user shall not be required to apply for or obtain right-of-way permits for projects commenced prior to August 28, 2001, requiring excavation within the public right-of-way, for which the user has obtained the required consent of the political subdivision, or that are otherwise lawfully occupying or performing work within the public right-of-way. The public utility right-of-way user may be required to obtain right-of-way permits prior to any excavation work performed within the public right-of-way after August 28, 2001.

3. A political subdivision shall not collect a fee imposed pursuant to section 67.1840 through the provision of in-kind services by a public utility right-of-way user, nor require the provision of in-kind services as a condition of consent to use the political subdivision's public right-of-way; however, nothing in this subsection shall preclude requiring services of a cable television operator, open video system provider or other video programming provider as permitted by federal law.

67.1846. 1. Nothing in sections 67.1830 to 67.1846 relieves the political subdivision of any obligations under an existing franchise agreement in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 will apply to that portion of any ordinance passed prior to May 1, 2001, which establishes a street degradation fee. Nothing in sections 67.1830 to 67.1846 shall be construed as limiting the authority of county highway engineers or relieving public utility right-of-way users from any obligations set forth in chapters 229 to 231. Nothing in sections 67.1830 to 67.1846 shall be deemed to relieve a public utility right-of-way user of the provisions of an existing franchise, franchise fees, license or other agreement or permit in effect on May 1, 2001. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision or public utility right-of-way user from renewing or entering into a new or existing franchise, as long as all other public utility right-of-way users have use of the public right-of-way on a nondiscriminatory basis. Nothing in sections 67.1830 to 67.1846 shall prevent a grandfathered political subdivision from enacting new ordinances, including amendments of existing ordinances, charging a public utility right-of-way user a fair and reasonable linear foot fee or antenna fee or from enforcing or renewing existing linear foot ordinances for use of the right-of-way, provided that the public utility right-of-way user either:

(1) Is entitled under the ordinance to a credit for any amounts paid as business license taxes, payments in lieu of taxes paid for use of the right-of-way, or gross receipts taxes; or

(2) Is not required by the political subdivision to pay the linear foot fee or antenna fee if the public utility right-of-way user is paying gross receipts taxes, business license fees, or business license taxes that are not nominal and that are imposed specifically on communications-related revenue, services, or equipment.

For purposes of this section, a "grandfathered political subdivision" is any political subdivision which has, prior to May 1, 2001, enacted one or more ordinances reflecting a policy of imposing any linear foot fees on any public utility right-of-way user, including ordinances which were specific to particular public right-of-way users. Any existing ordinance or new ordinance passed by a grandfathered political subdivision providing for payment of the greater of a linear foot fee or a

gross receipts tax shall be enforceable only with respect to the linear foot fee.

2. A grandfathered political subdivision shall not charge a linear foot fee for use of its right-of-way to a small local exchange telecommunications company that is qualified as of December 31, 2019, as a small local exchange telecommunications company, as defined in section 386.020, provided that the small local exchange telecommunications company is providing internet access to customers in a grandfathered political subdivision.

3. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, renewing or enforcing provisions of an ordinance to require a business license tax, sales tax, occupation tax, franchise tax or franchise fee, property tax or other similar tax, to the extent consistent with federal law. Nothing in sections 67.1830 to 67.1846 shall prohibit a political subdivision from enacting, enforcing or renewing provisions of an ordinance to require a gross receipts tax pursuant to chapter 66, chapter 92, or chapter 94. For purposes of this subsection, the term "franchise fee" shall mean "franchise tax."; and

Further amend said bill, Page 44, Section 163.024, Line 17, by inserting after all of said section and line the following:

"163.164. 1. Notwithstanding any provision of law to the contrary, in any fiscal year in which the total appropriation for the formula pursuant to section 163.031 is in excess of the amount reimbursed to public schools, the department of elementary and secondary education shall transfer such excess cash balances by the fifteenth day of the succeeding fiscal year to the school transportation fund established in this section.

2. (1) There is hereby created in the state treasury the "School Transportation Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be administered by the commissioner of the department of elementary and secondary education. The school transportation fund shall consist of moneys transferred by the department pursuant to subsection 1 of this section, to be used by public school districts to provide transportation to students. Such funds shall be paid to public school districts in addition to the state aid provided for transportation pursuant to section 163.161, based on the cost of pupil transportation in accordance with section 163.161.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

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

3. The provisions of this section shall not apply in any year in which state transportation aid reaches seventy-five percent of the total allowable cost of transporting all pupils eligible to be transported."; and

Further amend said bill, Page 46, Section 173.2712, Line 15, by inserting after all of said section and line the following:

"196.990. 1. As used in this section, the following terms shall mean:

(1) "Administer", the direct application of an epinephrine auto-injector to the body of an individual;

(2) "Authorized entity", any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present including, but not limited to, qualified first responders, as such term is defined in section 321.621, restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. "Authorized entity" shall not include any public

1 school or public charter school;

2 (3) "Epinephrine auto-injector", a single-use device used for the automatic injection of a
3 premeasured dose of epinephrine into the human body;

4 (4) "Physician", a physician licensed in this state under chapter 334;

5 (5) "Provide", the supply of one or more epinephrine auto-injectors to an individual;

6 (6) "Self-administration", a person's discretionary use of an epinephrine auto-injector.

7 2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity
8 for use in accordance with this section, and pharmacists, physicians, and other persons authorized to
9 dispense prescription medications may dispense epinephrine auto-injectors under a prescription
10 issued in the name of an authorized entity.

11 3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a
12 prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored
13 in a location readily accessible in an emergency and in accordance with the epinephrine auto-
14 injector's instructions for use and any additional requirements established by the department of
15 health and senior services by rule. An authorized entity shall designate employees or agents who
16 have completed the training required under this section to be responsible for the storage,
17 maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

18 4. An authorized entity that acquires a supply of epinephrine auto-injectors under a
19 prescription issued in accordance with this section shall ensure that:

20 (1) Expected epinephrine auto-injector users receive training in recognizing symptoms of
21 severe allergic reactions including anaphylaxis and the use of epinephrine auto-injectors from a
22 nationally recognized organization experienced in training laypersons in emergency health treatment
23 or another entity or person approved by the department of health and senior services;

24 (2) All epinephrine auto-injectors are maintained and stored according to the epinephrine
25 auto-injector's instructions for use;

26 (3) Any person who provides or administers an epinephrine auto-injector to an individual
27 who the person believes in good faith is experiencing anaphylaxis activates the emergency medical
28 services system as soon as possible; and

29 (4) A proper review of all situations in which an epinephrine auto-injector is used to render
30 emergency care is conducted.

31 5. Any authorized entity that acquires a supply of epinephrine auto-injectors under a
32 prescription issued in accordance with this section shall notify the emergency communications
33 district or the ambulance dispatch center of the primary provider of emergency medical services
34 where the epinephrine auto-injectors are to be located within the entity's facility.

35 6. No person shall provide or administer an epinephrine auto-injector to any individual who
36 is under eighteen years of age without the verbal consent of a parent or guardian who is present at
37 the time when provision or administration of the epinephrine auto-injector is needed. Provided,
38 however, that a person may provide or administer an epinephrine auto-injector to such an individual
39 without the consent of a parent or guardian if the parent or guardian is not physically present and the
40 person reasonably believes the individual shall be in imminent danger without the provision or
41 administration of the epinephrine auto-injector.

42 7. The following persons and entities shall not be liable for any injuries or related damages
43 that result from the administration or self-administration of an epinephrine auto-injector in
44 accordance with this section that may constitute ordinary negligence:

45 (1) An authorized entity that possesses and makes available epinephrine auto-injectors and
46 its employees, agents, and other trained persons;

47 (2) Any person who uses an epinephrine auto-injector made available under this section;

48 (3) A physician that prescribes epinephrine auto-injectors to an authorized entity; or

49 (4) Any person or entity that conducts the training described in this section.

Such immunity does not apply to acts or omissions constituting a reckless disregard for the safety of others or willful or wanton conduct. The administration of an epinephrine auto-injector in accordance with this section shall not be considered the practice of medicine. The immunity from liability provided under this subsection is in addition to and not in lieu of that provided under section 537.037. An authorized entity located in this state shall not be liable for any injuries or related damages that result from the provision or administration of an epinephrine auto-injector by its employees or agents outside of this state if the entity or its employee or agent is not liable for such injuries or related damages under the laws of the state in which such provision or administration occurred. No trained person who is in compliance with this section and who in good faith and exercising reasonable care fails to administer an epinephrine auto-injector shall be liable for such failure.

8. All basic life support ambulances and stretcher vans operated in the state shall be equipped with epinephrine auto-injectors and be staffed by at least one individual trained in the use of epinephrine auto-injectors.

9. The provisions of this section shall apply in all counties within the state and any city not within a county.

10. Nothing in this section shall be construed as superseding the provisions of section 167.630.

205.202.1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants may, by resolution, abolish the property tax levied in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means other than by a dissolution of a hospital district as described in subsection 7 of this section, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Upon the dissolution of a hospital district levying a sales tax pursuant to this section, the sales tax shall be automatically repealed and all funds remaining in the special trust fund shall be distributed as follows:

(1) Twenty-five percent shall be distributed to the county public health center established pursuant to sections 205.010 to 205.150; and

(2) Seventy-five percent shall be distributed to a federally qualified health center, as defined in 42 U.S.C. Section 1396d(l)(1) and (2), located in the county."; and

Further amend said bill, Page 47, Section 262.760, Line 15, by inserting after all of said section and line the following:

"321.621. 1. For the purposes of this section, "qualified first responder" shall mean any state and local law enforcement agency staff, fire department personnel, fire district personnel, or licensed emergency medical technician who is acting under the directives and established protocols of a medical director who comes in contact with a person suffering from an anaphylactic reaction and who has received training in recognizing and responding to anaphylactic reactions and the administration of epinephrine auto-injector devices to a person suffering from an apparent anaphylactic reaction. "Qualified first responder agencies" shall mean any state or local law enforcement agency, fire department, or ambulance service that provides documented training to its

1 staff related to the administration of epinephrine auto-injector devices in an apparent anaphylactic
 2 reaction.

3 2. The director of the department of health and senior services, if a licensed physician, may
 4 issue a statewide standing order for epinephrine auto-injector devices for adult patients to fire
 5 protection districts in nonmetropolitan areas in Missouri as such areas are determined according to
 6 the United States Census Bureau's American Community Survey, based on the most recent of five-
 7 year period estimate data in which the final year of the estimate ends in either zero or five. If the
 8 director of the department of health and senior services is not a licensed physician, the department
 9 of health and senior services may employ or contract with a licensed physician who may issue such
 10 a statewide order with the express consent of the director.

11 3. Possession and use of epinephrine auto-injector devices for adult patients shall be limited
 12 as follows:

13 (1) No person shall use an epinephrine auto-injector device pursuant to this section unless
 14 such person has successfully completed a training course in the use of epinephrine auto-injector
 15 devices for adult patients approved by the director of the department of health and senior services.
 16 Nothing in this section shall prohibit the use of an epinephrine auto-injector device:

17 (a) By a health care professional licensed or certified by this state who is acting within the
 18 scope of his or her practice; or

19 (b) By a person acting pursuant to a lawful prescription;

20 (2) Every person, firm, organization and entity authorized to possess and use epinephrine
 21 auto-injector devices for adult patients pursuant to this section shall use, maintain and dispose of
 22 such devices for adult patients in accordance with the rules of the department;

23 (3) Every use of an epinephrine auto-injector device pursuant to this section shall
 24 immediately be reported to the emergency health care provider as defined in section 190.246.

25 4. (1) Use of an epinephrine auto-injector device pursuant to this section shall be
 26 considered first aid or emergency treatment for the purpose of any law relating to liability.

27 (2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant
 28 to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a
 29 profession.

30 (3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device
 31 may sell or provide it to a person authorized to possess it pursuant to this section.

32 5. (1) There is hereby created in the state treasury the "Epinephrine Auto-injector Devices
 33 for Fire Personnel Fund", which shall consist of money collected under this section. The state
 34 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
 35 treasurer may approve disbursements. The moneys in the fund as set forth in this section shall be
 36 subject to appropriation by the general assembly for the particular purpose for which collected. The
 37 fund shall be a dedicated fund and money in the fund shall be used solely by the department of
 38 health and senior services for the purposes of providing epinephrine auto-injector devices for adult
 39 patients to qualified first responder agencies as used in this section.

40 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
 41 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

42 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
 43 invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

44
 45 Further amend said bill by amending the title, enacting clause, and intersectional references
 46 accordingly.